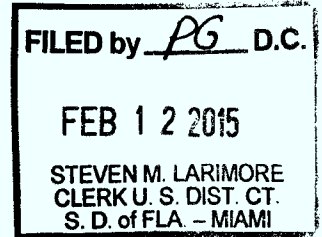


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**



Federal Trade Commission

Plaintiff

Case No.1:14-cv-23109-CIV-RNS

v.

**DEFENDANT'S RESPONSE TO  
PLAINTIFF FTC REGARDING MOTION  
FOR CLARIFICATION**

Gary Kieper

Defendant

Defendant, Gary Kieper, files this Response to Christopher E. Brown, FTC, Plaintiff concerning the Show Cause Hearing held on December 22, 2014, before Magistrate Judge Alicia M. Otazo-Reyes and states:

1. Plaintiff attorney, Christopher E. Brown, to my knowledge was not present at this hearing and cannot speak for what proceeded during this hearing.
2. In his Motion, Paragraphs 1 and 2 the Plaintiff is quoting the ruling from Judge Scola regarding the request from the Defendant's prior legal counsel, Keith Grumer and Maidenly Macaluso for release of frozen assets for living expenses. In those Motions it was very specific what assets the Defendant was requesting relief from, which included TRI Resource Groups, LTD and Senior Advantage of Wisconsin, Inc., which were insurance commissions that amounted to approximately \$4,000 per month. Judge Scola issued his denial, to the Defendant's knowledge, on the same morning of the "Show Cause Hearing". In the Motion filed by Defendant's prior legal counsel, personal assets were never discussed or requested for release to allow the Defendant an opportunity to live.
3. The Defendant does not have paralegals or and administrative staff to supply this court with the documentation as the FTC is quoting 12-23 as filed in his motion in paragraph 2. The Defendant, to his knowledge and belief, does believe that the Motion before Judge Scola and the Motion he ruled on, on or around December 22, did not in fact address any personal assets of the Defendant.
4. Defendant also believe that Judge Alicia M. Otazo-Reyes did in fact state in that hearing that the FTC would file the proper Motions with the Court to unfreeze limited personal assets of the Defendant, in particular one of the boats and that

money would be used to pay to the Receiver \$5000 taken from TRI Resource Groups, Ltd checking account and to the Defendant's knowledge and belief Judge Otazo-Reyes stated that any additional funds could be used for living expenses.

5. Defendant request that Gary Kieper's Motion requesting "Clarification" stands and that the transcript from that hearing be furnished to the Defendant to verify Judge Otazo-Reyes recommendation to the FTC attorney, Gary Ivens at the conclusion of that hearing. Be it known that FTC attorney Gary Ivens agreed to filed such Motion and did not object in any way or fashion to the order given by Judge Otazo-Reyes until the Defendant objected to having the Receiver be involved in the sale of said boat.
6. In paragraph 3 of the Plaintiff's Motion he states that I am requesting or that Judge Otazo-Reyes has been asked to overturn Judge Scola's Order Denying Limited Relief, not is further from the truth based on the original Motion filed by Grumer and Macaluso requesting "Limited Relief" from frozen insurance commissions, not personal assets.
7. The forgoing reason, the Defendant requests that the Court grants the Denfenant the Motion for Clarification.

Respectfully submitted

  
s/Gary Kieper  
Defendant

1519 Oshkosh Ave.  
Oshkosh, Wi 54902

#### CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2015, I mailed a copy of this document to the Clerk of the Court, United States District Court Southern District of Florida, 400 N Miami Ave., Miami, FL 33128 and will be send a notice of by email to the following:

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Maidenly Macaluso  
Grumer & Macaluso PA  
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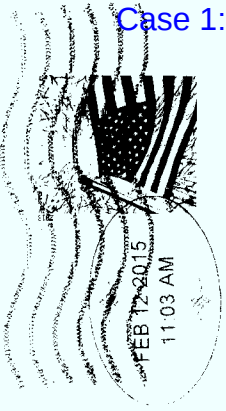
Gary Keiper  
1519 OshKosh Ave  
OshKosh, WI 54902

**USMS  
INSPECTED**

PHILADELPHIA, PA 19104

04 FEB 2015 09:51

**RECEIVED**



Clerk of Court  
United States District Court  
Southern District of Florida  
400 N Miami Ave  
MIAMI, FL 33128

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