

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 14-23109

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

UNITED SOLUTIONS GROUP INC.
(also d/b/a Debt Relief Experts, Inc.),
WALTER S. VARGAS (individually and as an
officer or director of United Solutions Group Inc.),
CONSTANZA GOMEZ VARGAS (individually
and as a director or manager of United
Solutions Group Inc.),

Defendants.

AFFIDAVIT OF WALTER VARGAS

WALTER VARGAS, having come before the undersigned authority, and being duly sworn, states, deposes and says:

1. My name is WALTER VARGAS and I am the current President of BANESTRAL GROUP USA INC. (hereinafter BANESTRAL). I am twenty-two (22) years old.

2. I have personal knowledge of the facts stated in this Affidavit and if called as a witness before this Honorable Court, my testimony regarding these facts would be the same as stated in this Affidavit. Accordingly, the facts stated herein are true and correct based upon my own personal knowledge.

3. I went to Archbishop McCarthy Catholic High School freshman and sophomore year and graduated from Christopher Columbus Catholic High School in 2009.

EXHIBIT G

4. When I was a sophomore in high school I began getting symptoms of dystonia but was not diagnosed until 2010. I knew there was something terribly wrong because I would get various involuntary movements throughout my body approximately 240 times per day. I would often become immobilized for a few minutes until my episode resolved and gave me back control of my own body.

5. I was very reserved in high school mainly because I was embarrassed of my movements that I could not control. If I gave a speech in front of my classmates my body would twitch or my arm and leg would go numb making me unable to move. I played baseball all throughout middle school and high school but eventually my senior year when my disorder got worse I had to leave the team.

6. Currently, I am on a medication that I must take every single day for the rest of my life in order to limit the episodes I have a day. Like Parkinson's and other neurological disorders there is no cure for Dystonia.

7. On or about September 27, 2010 my parents got divorced and my family lost everything, our house, cars, business and our family. It hit us all very hard.

8. My sister had just graduated from the University of Miami and immediately began working at a retail store called Michael Kors. She also insisted I get a job so that I would have spending money, and with her help I started working at Polo Kids folding children's clothing and was eventually promoted to cashier.

9. During this time my parents had little money and my sister often would buy my family groceries so we had enough to eat. In fact she paid for my car to not be repossessed.

10. After my first job I applied to better paying jobs to help my family and eventually landed job as a teller for SunTrust. **[See Composite Exhibit B]**¹

11. In 2011 while I was working for SunTrust I agreed to help my mom in opening her own company named Debt Relief Experts Inc., later known as UNITED SOLUTIONS GROUP INC. (hereinafter "UNITED SOLUTIONS").

12. At the time my mom needed help with payroll and since I had been working for a bank I felt that I could help her start her own business and gain financial independence from the divorce.

13. In addition, in order to help CONSTANZA GOMEZ have financial independence after the divorce, BANESTRAL gave her a small space within the BANESTRAL Miami office, to operate UNITED SOLUTIONS. CONSTANZA GOMEZ has never worked for BANESTRAL. **[See Composite Exhibit C]**.

14. I have never worked for UNITED SOLUTIONS other than to help CONSTANZA GOMEZ open accounts and do payroll for her accounts.

15. On or about 2012 I came to work for World Parcel Express Services Inc. later known as BANESTRAL GROUP USA INC. Ivan Gonzalez was the President of the company at the time and my father, Jaime Vargas was the Marketing Director.

16. I began working as an employee and was promoted to Vice President after hard work, long hours and working weekends while going to school.

17. On October 10, 2012 I went to Colombia with Ivan Gonzalez to meet with the BANESTRAL offices and help train associates in Colombia.

¹ Exhibits reference the Composite Exhibits attached to Affidavit of Jaime Vargas.

18. On or about September 3, 2013 I became the Vice President of BANESTRAL. That was the same year World Parcel Express Services changed its name to BANESTRAL.

[Composite Exhibit A]

19. BANESTRAL GROUP USA INC., formally known as WORLD PARCEL SERVICES, is a privately owned travel company with headquarters located at 28 West Flagler Street, suite 900, Miami Florida. BANESTRAL travel company services clients throughout Latin America, primarily in Colombia and Peru.

20. BANESTRAL has representatives on-site in both Columbia and Peru, who operate strictly on the BANESTRAL server that is located and controlled from the West Flagler Street office.

21. I do not work for UNITED SOLUTIONS, nor does any employee of BANESTRAL.

22. My sister recently finished law school and planned to help out our mother while I went back to school full time. I co-signed my sister's student loans in order to help her finish school since neither of my parents could sign off on them. As a result, I did not want to take out student loans so that I myself could finish school. Therefore, I saved approximately \$18,000.00 to pay for school on my own.

23. At the time my assets were frozen, I had approximately \$18,000.00 in my account. This is the money I was going to use to finish my last two and a half years of college.

24. On August 27, 2014, the Plaintiff, FEDERAL TRADE COMMISSION ("FTC"), executed and delivered a "Temporary Restraining Order" (the "TRO") and the "Complaint for Permanent Injunction and other Equitable Relief" to myself, WALTER

VARGAS and my mother, CONSTANZA GOMEZ at our offices located at 28 West Flagler Street suite 900 Miami, Florida 33130.

25. The lease to the office located at 28 West Flagler Street, Suite 900, Miami, Florida is solely under the name BANESTRAL GROUP USA INC.

26. BANESTRAL has twenty (20) employees, none of whom work for either UNITED SOLUTIONS or CONSTANZA GOMEZ, and BANESTRAL employees are paid exclusively from a BANESTRAL account.

27. At no time have any funds from BANESTRAL and UNITED SOLUTIONS ever been comingled. Additionally, BANESTRAL Directors and Mangers are kept completely separate from UNITED SOLUTIONS. **[See Composite Exhibit D]**.

28. BANESTRAL employees work in an area that is completely separate from that of UNITED SOLUTIONS. BANESTRAL employees only deal with travel and vacation sales and do not sell or represent anything for UNITED SOLUTIONS. BANESTRAL is a completely different entity than that of UNITED SOLUTIONS.

29. In addition to the above assertions, there is no inter-company relationship between BANESTRAL and UNITED SOLUTIONS. Neither company is a subsidiary of the other or any other entity. BANESTRAL does not possess any ownership interest, direct or indirect, in UNITED SOLUTIONS and UNITED SOLUTIONS does not possess any ownership interest, direct or indirect, in BANESTRAL.

30. Since the TRO and the Complaint for Permanent Injunction and other Equitable Relief was served on August 27, 2014, BANESTRAL has been completely shut down and unable to operate.

31. The harm caused by the TRO is immediate for travelers who have booked through BANESTRAL and are stranded in Latin America without access to their accommodations and travel arrangements. No BANESTRAL client has been able to communicate with BANESTRAL employees to inquire about their travel plans.

32. In addition, the TRO and Complaint for Permanent Injunction and other Equitable Relief could be jeopardizing local economies where hotels with which BANESTRAL has contracts, are unable to find out what guests should check in. Additionally, hotels may not receive clients as some are waiting for payments for this week's guests.

33. Because BANESTRAL'S account was frozen, none of the twenty (20) employees were paid on, August 29, 2014.

[VERIFICATION ON FOLLOWING PAGE

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VERIFICATION BY WALTER VARGAS

Under penalties of perjury, I declare that I have read the above Affidavit and foregoing and that the facts stated herein are true to the best of my personal knowledge and belief.

WALTER VARGAS
BANESTRAL GROUP U.S.A., INC.

By: _____

WALTER VARGAS, President of Banestral
Group U.S.A., Inc.

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing Affidavit was acknowledged before me this ____ day of August, 2014, by Walter Vargas, as President of Banestral Group U.S.A., Inc., who is personally known to me or has produced the following identification:

_____.

Notary Public, State of Florida
My Commission Expires: