

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

In re SANCTUARY BELIZE LITIGATION

No: 18-cv-3309-PJM

~~PROPOSED~~ ORDER REFORMING AND REAFFIRMING THE FINAL ORDERS

Whereas, the Federal Trade Commission (“FTC”) through DE 1404 submitted its Motion to Reform and Reaffirm Final Orders, to account for the Fourth Circuit’s ruling on appeal, DE 1377-1, including requiring the Defendants¹ to turn over assets to either the FTC or the Receiver in accordance with the provisions in the De Novo Order, DE 1194, and the Default Order, DE 1112;

Whereas, the so-called Represented Defendants² opposed the motion, for the reasons detailed in their opposition, DE 1405, while seeking some affirmative relief, including the return of assets previously turned over to the Receiver;

Whereas, the FTC replied in support of its motion, DE 1408;

Whereas, the Court gave the Represented Defendants an opportunity to submit a proposed order detailing the affirmative relief they were seeking, DE 1414, which the Represented Defendants then submitted, DE 1417;

¹ Andris Pukke, Peter Baker, John Usher, Global Property Alliance Inc., Sittie River Wildlife Reserve, Buy Belize LLC, Buy International Inc., Foundation Development Management Inc., Eco Futures Development, Eco-Futures Belize Limited, Newport Land Group LLC, Power Haus Marketing, Sanctuary Belize Property Owners’ Association, and the Estate of John Pukke.

² Comprising each of the Defendants with the exception of Newport Land Group LLC.

Whereas, the FTC opposed the relief the Represented Defendants sought in their proposed order, DE 1422 & 1425-1, and the Represented Defendants had an opportunity to respond to the FTC's arguments, DE 1423 & 1426;

Whereas, on April 20, 2023, the Court held a status conference during which it also heard argument from the parties regarding the FTC's motion, DE 1404, and the Represented Defendants' proposed order requiring the Receiver to return assets to the Defendants;

Whereas, the Represented Defendants then separately moved the Court to order the Receiver to return assets to them, DE 1435, which the FTC opposed 1436;

IT IS HEREBY ORDERED:

- A. As detailed in the Court's Memorandum Order, DE 1441, and related Order, DE 1442,
 1. The FTC's Motion to Reform and Reaffirm Final Orders, DE 1404, is **GRANTED IN PART** and **DENIED IN PART**;
 2. The Represented Defendants' Proposed Order, DE 1417, is **DENIED**; and
 3. The Represented Defendants' Motion for Return of Property, DE 1435, is **DENIED**.
- B. The Contempt Order, DE 1113, stands in full force and effect and requires that the Defendants' assets be frozen and otherwise turned over to the Receiver, as detailed below.
- C. The injunctive relief and receivership provisions of the De Novo Order, DE 1194, and the Default Order, DE 1112, stand in full force and effect.
- D. The Contempt Order against Andris Pukke, Peter Baker, and John Usher (the "Individual Defendants"), including the provisions requiring them to transfer \$120.2 million to the

FTC, DE 1113 ¶¶ 4 and 6, supports all the monetary relief and related provisions directed at or related to the Individual Defendants in Sections IV and V of DE 1194 and Sections IV and V of DE 1112, as well as all other necessary provisions to give effect to these transfers, including, but not limited to, Sections VI, VII, and VIII of DE 1194 and Sections VI, VII, and VIII of DE 1112. For clarity only, this includes the asset freezes against Andris Pukke and Peter Baker, detailed in Section V.D of DE 1194, and also against John Usher, detailed in Section V.D of DE 1112.

- E. Because the Defaulting Corporate Defendants³ and the Estate of John Pukke are directly or indirectly owned or controlled, individually or in some combination, by Andris Pukke, Peter Baker, and John Usher, and those three individuals remain subject to the Contempt Order, including ¶¶ 4 and 6 of DE 1113, the Defaulting Corporate Defendants, the Estate of John Pukke, and all assets that they directly or indirectly own or control must be turned over to satisfy the Contempt Order against Andris Pukke, Peter Baker, and John Usher in accordance with Sections IV.D-J and V of DE 1112, as well as all other necessary provisions to give effect to these transfers, including, but not limited to, Sections VI, VII, and VIII of DE 1112. For clarity only, this includes the asset freeze against the Defaulting Corporate Defendants and the Estate of John Pukke, detailed in Section V.D of DE 1112.

³ The Defaulting Corporate Defendants are Global Property Alliance Inc., Sittee River Wildlife Reserve, Buy Belize LLC, Buy International Inc., Foundation Development Management Inc., Eco Futures Development, Eco-Futures Belize Limited, Newport Land Group LLC, Power Haus Marketing, and Sanctuary Belize Property Owners' Association. DE 1112, Definition C; *see also* DE 1341 (modifying the Default Order as to Prodigy Management Group LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, and Southern Belize Realty LLC).

- F. For clarity only, Andris Pukke, Peter Baker, John Usher, the Defaulting Corporate Defendants, and the Estate of John Pukke are obligated to relinquish, transfer, and turn over all assets that they directly or indirectly own or control, including the Defaulting Defendants and any assets those entities directly or indirectly own or control, in accordance with Sections IV and V of DE 1194 and Sections IV and V of DE 1112, until the judgments against them are satisfied in full.
- G. Any perceived failure by the Court to mention any particular provisions of the De Novo Order, DE 1194, Default Order, DE 1112, or Contempt Order, DE 1113, should not be construed as a ruling, implied or otherwise, that those provisions are not in effect or are otherwise unenforceable.

SO ORDERED, this 14 day of June, 2023.


UNITED STATES DISTRICT JUDGE