

APR 7, 2005

LUTHER O. THOMAS, Clerk
By *[Signature]*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA

UNITED STATES OF AMERICA)
)
Plaintiff,)
)
v.)
)
JONATHAN D. LUMAN)
)
Defendant.)

Civil No. 1:04-CV-02624-CC

ORDER

Plaintiff United States of America moves for an Order to permanently enjoin Jonathan D. Luman, from promoting and selling his TaxBuster Guide which falsely promises customers that they can legally refuse to file tax returns or pay federal taxes.

NOW, THEREFORE, it is accordingly ORDERED, ADJUDGED AND DECREED that:

All findings made at the preliminary injunction hearing and as part of the preliminary injunction and are adopted and restated here as part of the Court's findings of fact.

1. Under 26 U.S.C. § 7408, an abusive-tax-shelter promoter may be enjoined if a court finds that the person has engaged in any conduct subject to penalty under section 6700 (relating to penalties for promoting abusive tax shelters) and that injunctive relief is appropriate to prevent recurrence of such conduct.

2. Luman participated in the sale of the TaxBuster Guide an entity, plan, or arrangement within the meaning of 26 U.S.C. § 6700(a)(1)(A).

3. Luman promotes abusive tax schemes and makes false and

fraudulent representations regarding tax law. He promotes his schemes through a self-published manual and a website, and he charges customers for products and services related to his abusive tax schemes.

CC 4. Luman falsely advises his customers on ^{an} Internet website, www.taxbusterguide.com, to cease filing income tax returns, paying federal income tax, and paying federal payroll taxes.

5. Luman sells the "TaxBuster Guide" through his website and falsely advises his customers that by submitting the documents in the TaxBuster Guide to the Internal Revenue Service the customers can avoid federal income tax.

6. Luman has continued to promote his abusive tax schemes even after learning that he is under IRS investigation and after IRS representatives contacted him by telephone.

7. The documents provided by Luman in the TaxBuster Guide are shams and do not shield his customers' income from federal income taxation. Claiming status as a "sovereign citizen" and renouncing use of Social Security Numbers are ^{clearly} designed to hide income from the Internal Revenue Service ~~and to avoid paying federal income tax.~~ ^{for tax evasion purposes.}

CC ~~and to avoid paying federal income tax.~~ Federal law does not recognize any legal distinction between "sovereign citizens" and "federal citizens" and one may not remove oneself from the jurisdiction of the federal tax laws by filing a "Notice of Revocation" with the

12. Luman has continued to make these false statements even after the IRS informed him that he was making false statements about the supposed legality of refusing to file federal tax returns and failing to pay federal taxes.

Accordingly, this Court ORDERS that:

A. Under 26 U.S.C. § 7408, a permanent injunction is entered prohibiting Luman, his representatives, agents, servants, employees, attorneys, and those persons in active concert or participation with him, from directly or indirectly promoting, marketing, or selling the TaxBuster Guide referenced above, or similar false and fraudulent schemes.

B. Luman at his own expense shall contact by mail (and also by e-mail, if an address is known) within 11 days of the entry of this Order all of his customers, from 1995 to the present, and inform them of the Court's findings concerning the falsity of Luman's representations, and shall attach a copy of the permanent injunction against Luman and his associates and related entities. Luman shall file a sworn certificate of compliance with this portion of the Order, within 11 days of the date of this Order.

C. Luman and his representatives, agents, servants, employees, attorneys, and those persons in active concert or participation with him shall remove from his website all false commercial speech, including all references to the TaxBuster Guide, and display prominently on the first page of the

www.taxbusterguide.com website a complete copy of the Court's permanent injunction within 11 days of the entry of this Order.

D. Luman, and his representatives, agents, servants, employees, attorneys, and those persons in active concert or participation with him shall to provide the complete customer list from January 1, 1995 through the present, including names, addresses, phone numbers, e-mail addresses, and social security numbers or employer identification numbers, to the United States within 11 days of the date of this Order. Luman must file a sworn certificate of compliance, swearing that he has complied with this portion of the Order, within 11 days of the date of this Order.

E. Luman, and his representatives, agents, servants, employees, attorneys, and those persons in active concert or participation with him who receive actual notice of this Order are enjoined under 26 U.S.C. §§ 7408 and 7402 from engaging in activity subject to penalty under 26 U.S.C. § 6700, including organizing and/or selling a plan or arrangement (including, without limitation, the TaxBuster Guide or any similar scheme), making a statement regarding the excludability of income or the legality of the federal tax laws that he knows or has reason to know is false or fraudulent as to any material matter, and from otherwise engaging in other similar conduct that unlawfully interferes with the proper administration and enforcement of the

internal revenue laws.

F. The United States may engage in post-judgment discovery to monitor compliance with this injunction, and this Court shall retain jurisdiction of this action for the purpose of implementing and enforcing this Final Judgment and all additional decrees and orders necessary and appropriate to the public interest.

Dated: 4/7/05 Clarence Cooper
UNITED STATES DISTRICT JUDGE