



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

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	FILED: MARCH 13, 2009
v.)	Civil No. 09CV1595
)	JUDGE SHADUR
MARIA COLICA, individually,)	MAGISTRATE JUDGE COLE
and EL CAMINANTE, INC.)	
)	BR
Defendants.)	

STIPULATED JUDGMENT OF PERMANENT INJUNCTION

Plaintiff United States of America and defendant El Caminante, Inc. ("defendant"), by and through its President, Jalin Colica, stipulate as follows:

Defendant waives the entry of findings of fact and conclusions of law under Federal Rules of Civil Procedure 52 and 65.

Defendant understands that this Stipulated Judgment of Permanent Injunction constitutes the final judgment in this matter, and waives any and all right to file an appeal from this judgment.

Defendant consents to the entry of this Stipulated Judgment of Permanent Injunction without further notice and agrees to be bound by its terms. Defendant further understands and agrees that the Court will retain jurisdiction over this matter for the purpose of implementing and enforcing this injunction, and understands that if it violates this injunction, it may be found to be in contempt of court and may be sanctioned. The parties agree that entry of this permanent injunction neither precludes the IRS from assessing penalties against El Caminante, Inc., for asserted violations of the Internal Revenue Code ("IRC"), nor precludes El Caminante, Inc., from contesting any such penalties.

By agreeing to this Stipulated Judgment of Permanent Injunction, defendant does not admit or deny the allegations in the complaint.

ORDER

IT IS HEREBY ORDERED that defendant El Caminante, Inc., and any representatives, agents, servants, employees, and anyone in active concert or participation with it, are **PERMANENTLY ENJOINED**, pursuant to 26 U.S.C. §§ 7402(a), 7407, and 7408 from directly or indirectly:

- (1) understating customers' liabilities as subject to penalty under IRC § 6694, including but not limited to claiming false claims for fuel tax credits, and preparing any part of a return, amended return, or claim for refund that includes an unrealistic position, including, without limitation, false or inflated claims for the deduction of business or itemized expenses;
- (2) engaging in conduct subject to penalty under IRC § 6695, including but not limited to failing to conduct due diligence with respect to claims for Earned Income Tax Credits;
- (3) understating customers' liabilities as subject to penalty under IRC § 6701;
- (4) assisting or aiding others to evade the payment of taxes or to prepare false or fraudulent federal income tax returns;
- (5) engaging in conduct that substantially interferes with the administration or enforcement of the internal revenue laws; and
- (6) engaging in any other activity subject to penalty under IRC §§ 6694, 6695, 6701, or any other penalty provision of the IRC.

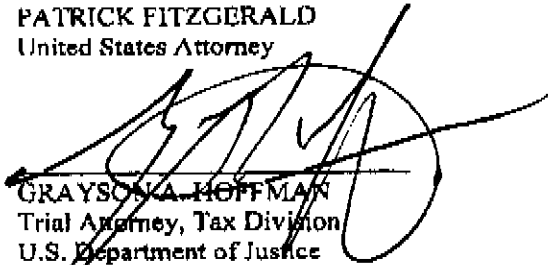
IT IS FURTHER ORDERED that El Caminante, Inc., at its own expense, within 30 days of this order, shall contact by United States mail and, if an e-mail address is known, by e-mail, all persons for whom it prepared a federal tax return since January 1, 2004, to inform them of the Court's findings concerning the falsity of defendant's prior representations. A copy of the executed permanent injunction shall be enclosed in each such mailing and defendant shall file with the Court a sworn certificate stating that it has complied with this requirement.

IT IS FURTHER ORDERED that El Caminante produce to counsel for the United States within 30 days of this order a list that identifies by name, social security number, address, e-mail address, telephone number and tax period(s) all persons for whom it prepared federal tax returns or claims for a refund since January 1, 2004.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction to enforce this injunction and the United States may engage in post-judgment discovery to monitor defendant's compliance with this injunction.

Prepared and submitted by:

PATRICK FITZGERALD
United States Attorney

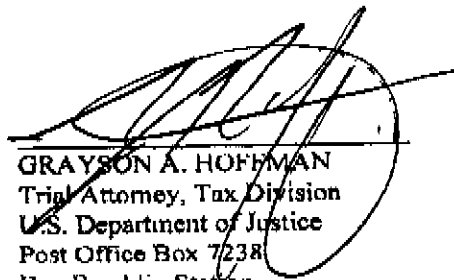


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Consented and Agreed to:

Jalín Colica

JALIN COLICA
President, El Caminante, Inc.
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SO ORDERED, this 7th day of April, 2009

William D. Glendon

UNITED STATES DISTRICT JUDGE

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