

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	3:06-CV-1299-P
PHILLIP M. BALLARD, individually and	§	
d/b/a Asset & IRS SHIELD, INC.,	§	
Defendant.	§	

**ORDER GRANTING PERMANENT INJUNCTION**

On July 21, 2006, this Court received the Complaint for Permanent Injunction filed by the United States of America as Plaintiff. After reviewing the Complaint, Motion for Summary Judgment, the law, and evidence, and pursuant to the accompanying Order, the motion is GRANTED.

**IT IS ORDERED** that the Defendant Phillip Ballard, and any entity through which he conducts business and all persons and entities in active concert or participation with him, are enjoined and restrained from directly or indirectly:


- a. Preparing or assisting in the preparation or filing of any federal income tax return for any other person or entity;
- b. Engaging in conduct subject to penalty under Internal Revenue Code (“I.R.C.”) § 6700, *i.e.*, making or furnishing, in connection with the organization or sale of a plan or arrangement, a statement he knows or has reason to know to be false or fraudulent as to any material matter under the federal tax laws;
- c. Engaging in conduct subject to penalty under I.R.C. § 6701, *i.e.*, preparing or assisting others in the preparation of any tax form or other document to be used in connection with a material matter arising under the internal revenue

laws and which the defendant knows will result in the understatement of tax liability;

- d. Understating customers' tax liabilities based on unrealistic or frivolous positions subject to penalty under I.R.C. § 6694;
- e. Failing to sign tax returns prepared by him and failing to furnish his taxpayer identification number as subject to penalty under I.R.C. § 6695;
- f. Representing persons before the Internal Revenue Service;
- g. Engaging in any conduct that interferes with the administration and enforcement of the internal revenue laws;
- h. Engaging in activity subject to penalty under the I.R.C.;
- i. Advertising tax return preparation services or related services on his website; and
- j. Making false or fraudulent statements about tax return preparation or related services (in any context, including on the internet or other advertisement).

**IT IS FURTHER ORDERED** that Ballard should notify all past and present customers of this litigation and permanent injunction by providing each customer with the case number, name of court, and date of this Order. **IT IS FURTHER ORDERED** that this Order shall be binding upon the parties to this action and all other persons or entities who receive actual notice of this Order. **IT IS FURTHER ORDERED** that this Order be filed with the Clerk's office and recorded.

SIGNED ON THIS 12<sup>th</sup> day of February 2008.

  
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JORGE A. SOLIS  
UNITED STATES DISTRICT JUDGE