

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 04-22431-CIV-MARTINEZ-BROWN

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

AMERICAN ENTERTAINMENT
DISTRIBUTORS, INC., *et al*,

Defendant.

ORDER

THIS CAUSE came before the Court upon Defendant Miriam Sofia Andreoni's Motion to Withdraw Consent to Entry of a Proposed Stipulated Final Order and Permanent Injunction (D.E. No. 291). In this case, it is undisputed that Defendant Miriam Andreoni agreed to settle this matter and agreed to the entry of a consent judgment in the form of a Stipulated Final Order and Permanent Injunction. She signed the agreement, but before the Court entered the consent judgment, she filed the instant motion asserting that she changed her mind and "now unequivocally wishes to withdraw her consent to the Proposed Final Order and fully litigate the instant matter."

This case is similar to that in *Allen v. Alabama State Bd. of Educ.*, 816 F.2d 575 (11 Cir. 1987). In that case, the defendant also changed its mind before the district court entered a consent judgment to which the defendant had agreed and consented. *Id.* at 577. The Eleventh Circuit ordered that the consent decree be instated. *Id.*

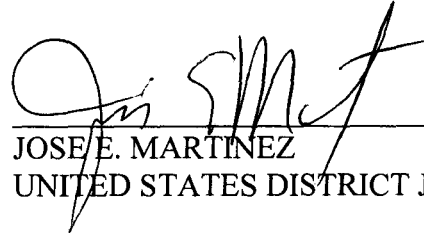
The Court has carefully scrutinized the proposed Stipulated Final Order and Permanent

Injunction. The Court finds that it is fair, reasonable, and adequate, and that it serves the public interest. Because Defendant Miriam Andreoni freely consented to and signed the agreement, the Court will enter it. It is hereby:

ORDERED AND ADJUDGED that

Defendant Miriam Sofia Andreoni's Motion to Withdraw Consent to Entry of a Proposed Stipulated Final Order and Permanent Injunction (**D.E. No. 291**) is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 17 day of November, 2010.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Brown
All Counsel of Record