

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

Case Number: 16-21843-CIV-MORENO

FEDERAL TRADE COMMISSION and THE
STATE OF FLORIDA,

Plaintiffs,

vs.

STUDENT AID CENTER, INC., RAMIRO
FERNANDEZ-MORIS, and DAMIEN
ALVAREZ,

Defendants.

ORDER GRANTING PLAINTIFFS' MOTIONS FOR SUMMARY JUDGMENT

In this case, the Federal Trade Commission and the State of Florida sued Student Aid Center, Inc. and two individuals—Ramiro Fernandez-Moris and Damien Alvarez—for: (1) violations of the Federal Commission Act; (2) violations of the Telemarketing Sales Rule; and (3) violations of the Florida Deceptive and Unfair Trade Practices Act. This case was brought in coordination with several state attorneys general who filed against Student Aid Center separately in their respective state courts.

Before this complaint was filed, Student Aid Center filed for Chapter 7 bankruptcy. Both the bankruptcy trustee for Student Aid Center and Alvarez appeared in this case, but have agreed to be defaulted. Plaintiffs have filed a motion for default judgment against Student Aid Center and Alvarez. Fernandez-Moris has appeared in the case, but is not in default. Plaintiffs have each filed a motion for summary judgment against Fernandez-Moris (**D.E. 90, 91**). Fernandez-Moris has not responded to the summary judgment motions. Thus, under S.D. Fla. L.R. 56.1(b), all material facts set forth in Plaintiffs' statements of undisputed material facts in support of

summary judgment are deemed admitted, as long as this Court finds that the statements are supported by evidence in the record. Here, the statements of fact are clearly supported by the record.

Generally, the undisputed facts show that Student Aid Center—which was operated by Fernandez-Moris and Alvarez—ran an unlawful debt relief enterprise that enticed consumers to sign up for services using misleading and false claims and abusive practices. Student Aid Center misled consumers to believe that they could receive loan forgiveness or modification if they paid Student Aid Center upfront fees, and also that Student Aid Center was involved in the student loan forgiveness or modification approval process. Student Aid Center's net revenue during its less than four years of operation was more than \$35 million. Fernandez-Moris was paid at least \$1,696,579.

THE COURT has considered the motions for summary judgment, the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the motions for summary judgment (**D.E. 90, 91**) are GRANTED. The Court will address the proper relief to be afforded to Plaintiffs in a separate order in conjunction with the relief Plaintiffs seek in their motion for default judgment against the defaulted defendants. The Clerk is directed to close the case.

DONE AND ORDERED in Chambers at Miami, Florida, this 31st of August 2017.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record