

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:24-cv-439-DPJ-ASH
)	
(1) THOMAS WALT DALLAS,)	
(2) JASON TODD MARDIS, and)	
(3) CAPITAL PRESERVATION SERVICES,)	
LLC, f/k/a ADVANCED TAX PLANNING,)	
LLC,)	
)	
Defendants.)	
_____)	

FINAL JUDGMENT OF PERMANENT INJUNCTION
AGAINST DEFENDANT CAPITAL PRESERVATION SERVICES, LLC

Plaintiff United States and Defendant Capital Preservation Services, LLC (“CPS”) have stipulated to entry of a final judgment that resolves all of the United States’ claims against CPS in this case, and the United States has submitted an unopposed motion for entry of final judgment consistent with that stipulation. The Court grants that motion and enters final judgment as set forth below.

PERMANENT INJUNCTION AGAINST DEFENDANT
CAPITAL PRESERVATION SERVICES, LLC

A. This Court has personal jurisdiction over CPS. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1340 and 1345 and 26 U.S.C. §§ 7402 and 7408.

B. Pursuant to 26 U.S.C. §§ 7402 and 7408, CPS, and any person in active concert or participation therewith, is hereby permanently enjoined from, directly or indirectly

1. organizing (or assisting in the organization of), promoting (or assisting in the promotion of) or participating in the sale of any plan or arrangement that is sold or offered for sale in exchange for compensation as a means for a taxpayer to reduce or avoid paying federal income taxes (“Tax Plan”) which involves strategies or recommendations including but not limited to (i) the allowability of forming and using a marketing or management company to deduct and/or exclude from income certain fees, employee fringe benefits and/or business-related expenses; (ii) the allowability of deducting and/or excluding from income the amount of rents paid or received for the temporary business use of a personal dwelling; (iii) the tax benefits of deferred compensation plans; and/or (iv) any other federal tax benefits which may be secured by participating in any such Tax Plan; and
2. making or furnishing (or causing another to make or furnish) a statement about the allowability of any deduction or credit, the excludability of any income, or the securing of any other federal tax benefit, in exchange for compensation.

This injunction is not intended to prevent CPS from (a) referring existing customers to seek outside professional guidance, or (b) selling or assigning its assets as part of wind-down activities; provided that CPS does not make any statements in the course of such referral or sale or assignment that violate Paragraph (B)(2).

C. Pursuant to 26 U.S.C. § 7402(a), CPS will take the following actions within sixty (60) days of the entry of the Injunction:

1. CPS shall produce to counsel for the United States the names, addresses, e-mail addresses, phone numbers, and Social Security or other tax identification numbers, of all customers who purchased a Tax Plan since August 20, 2014.
2. CPS shall provide a copy of the Injunction to its current employees, independent contractors, directors, and officers.
3. CPS shall send by email or mail and at its own expense, a copy of the Injunction judgment to each customer who purchased a Tax Plan from CPS since August 20, 2014. The mailings may include a cover letter, but such letter must be in a form either agreed to by counsel for the United States or approved by this Court, and

shall not include any other documents or enclosures, unless agreed to by counsel for the United States or approved by this Court.

4. CPS shall prominently display, within 14 days of entry of this Injunction, a copy of this Injunction on the front page of all active websites it controls or maintains that reference federal taxes, and shall continue to display it for the next five years or until the website is taken down.
 5. CPS will make all reasonable effort to remove all videos that it has used to promote or market income tax planning services, including videos from YouTube (website www.youtube.com) and any other third-party website (including social media websites).
 6. Within 90 days of the entry of the Injunction, CPS shall file a certification signed under penalty of perjury that it has complied with the preceding paragraphs 1–5 to the best of its knowledge, information, and belief.
- D. CPS shall not make any statements, written or oral, or cause or encourage others to make any statements, written or oral, that misrepresent any of the terms of this Injunction.
- E. This Court shall retain jurisdiction to enforce the Injunction, and the United States may, upon proper notice, conduct reasonable post-judgment discovery to ensure and monitor compliance.

SO ORDERED AND ADJUDGED this the 31st day of July, 2024.

s/ Daniel P. Jordan III

CHIEF UNITED STATES DISTRICT JUDGE