

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

BRADLEY SMITH, an individual,)
)
 Plaintiff Pro Se,)
)
 vs.)
)
 DEBORAH GARCIA,)
)
 Defendant.)
)
 MYVESTA FOUNDATION,)
)
 Defendant-Intervenor.)

Case No. 1:16-cv-00144-S-LDA

SETTLEMENT AGREEMENT

1. This agreement resolves a dispute between intervenor Myvesta Foundation (“Myvesta”) and Richart Ruddle, RIR1984 LLC, and SEO Profile Defender Network LLC (jointly “the Ruddle companies”), and Bradley Smith, Rescue One Financial LLC, and Financial Rescue LLC.

2. In this agreement, “Ruddle” refers jointly to Ruddle and the Ruddle companies. “The Ruddle Customers” refers to Bradley Smith, Rescue One Financial LLC, and Financial Rescue LLC. The agreement will be considered to have been executed on the later of the two dates that each side has signed and sent the signed copy to the other side.

3. In this agreement, “The Cases Concerned” refers to this lawsuit and to *Smith v. Levin*, 24-C-15-004789 (Maryland Circuit Court for Baltimore City), *Financial Rescue LLC v. Smith*, No. 15-006119-CI (Florida Circuit Court for Pinellas County), and *Rescue One Financial LLC v. John Doe*, No. CACE-14-024286 (Florida Circuit Court of the Seventeenth Judicial Circuit for Broward County).

4. Within one day of the execution of this agreement, Ruddle through his counsel will make full restitution for the financial impact of The Cases Concerned by sending payment to the Levy & Blackman LLP Client Funds Account, in the amount which he and Myvesta have already agreed, to satisfy in full all of Myvesta's claims under the Rhode Island anti-SLAPP statute and Fed. R. Civ. P. 54 for attorney fees and costs, as well as for compensatory and punitive damages, including payments to Public Citizen Litigation Group and various attorneys serving as local counsel in this Court, in courts where discovery was sought, and to satisfy in full all of Myvesta's claims for monetary sanctions.

5. Ruddle will promptly take steps to seek to have the orders entered by consent or by default in "The Cases Concerned" vacated by the courts that issued those orders. Ruddle will give notice to Myvesta, by serving its lead attorney, Paul Alan Levy, with a courtesy copy of any motions or other papers presented to the courts in "The Cases Concerned," and will consent if necessary to requests to participate in those proceedings in support of having the orders vacated, and to motions for leave to appear as pro hac vice.

6. Within two days after the payment required by paragraph 4 of this agreement has cleared the Levy & Blackman LLP Client Funds Account", Myvesta shall file this agreement with the Court as an attachment to a Notice of Settlement addressed to the questions raised in the Court's January 31, 2017, Order.

7. Myvesta will execute a separate document in which it will waive and release all claims that it, and its principals, agents and attorneys, have against Ruddle and The Ruddle Customers for their actions in "The Cases Concerned," including but not limited to claims for the initiation of "The Cases Concerned," claims for obtaining orders in "The Cases Concerned," and claims for submitting those orders to Google and other search engines. The claims released

include claims under the Rhode Island anti-SLAPP statute, under Fed. R. Civ. P. 54 provisions for the award of sanctions, and under tort theories including but not limited to malicious prosecution and abuse of process. This release, however, shall be ineffective as against any person, including Ruddle and any of The Ruddle Customers to the extent that such person does not make or cooperate in the effort to get any court order vacated in any of "The Cases Concerned."

8. Myvesta will withdraw its subpoenas in this case to Ruddle, Financial Rescue LLC, and Rescue One Financial LLC, and will seek no further discovery in this case from them, from plaintiff Bradley Smith, and all other parties.

9. Ruddle agrees that Myvesta will ask the Court to embody the requirements of paragraph 5 of this agreement in an order, and to retain jurisdiction to enforce this agreement. Ruddle consents to that request.

Dated: February 28, 2017

February 28, 2017

/s/ Joel Hirschhorn
Joel Hirschhorn

Gray | Robinson
Suite 3200
333 S.E. 2nd Avenue
Miami, Florida 33131
(305) 416-6880
jhirschhorn@gray-robinson.com

Attorney for Richart Ruddle, RIR1984 LLC,
and SEO Profile Defender Network LLC

/s/ Paul Alan Levy
Paul Alan Levy (pro hac vice)
Michael Kirkpatrick

Public Citizen Litigation Group
1600 20th Street NW
Washington, D.C. 20009
(202) 588-7725
plevy@citizen.org

/s/ Jeffrey L. Levy
Jeffrey L. Levy (RI Bar No. 9233)
Charles D. Blackman (RI Bar No. 5522)

Levy & Blackman LLP
469 Angell Street
Providence, Rhode Island 02906
(401) 437-6900
jlevy@levyblackman.com

Attorneys for Intervenor Myvesta Foundation