

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 20-CIV-81205-RAR

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**COMPLETE BUSINESS SOLUTIONS
GROUP, INC. d/b/a PAR FUNDING, et al.,**

Defendants.

**ORDER GRANTING RECEIVER'S EXPEDITED MOTION
TO APPROVE RETAINED PROFESSIONAL**

THIS CAUSE comes before the Court upon Receiver Ryan K. Stumphauzer's Expedited Motion to Approve Retained Professional [ECF No. 101] ("Motion"), filed on August 6, 2020. On August 7, 2020, Defendants Joseph Cole Barleta, L.M.E Family Trust, and Lisa McElhone filed a response to the Motion and a "Cross Motion to Have This Court Direct the Receiver to Immediately Engage Approximately 70 Skilled, Knowledgeable and Experienced CBSG Employees" [ECF No. 106] ("Cross-Motion"). Defendant Dean J. Vagnozzi also filed a Response on August 7, 2020 [ECF No. 109] ("Response"). The Court having reviewed the Motion, the Cross-Motion, the Response, the Receiver's Reply [ECF No. 114], and the Reply in Support of the Cross-Motion [ECF No. 115] ("Cross-Motion Reply"), and being otherwise fully advised, it is

ORDERED AND ADJUDGED that the Receiver's Motion [ECF No. 101] is **GRANTED** and the Cross-Motion [ECF No. 106] is **DENIED *without prejudice***. The Receiver is authorized to engage the services of the financial advisor and operational consulting firm described in the Motion at the stated hourly rates. At this juncture, the Court is unwilling to direct implementation

of the Proposed Action Plan set forth in the Cross-Motion Reply. *See* Cross-Motion Reply at 7-9. However, upon retaining the financial advisor and operational consulting firm described in the Motion, the Receiver shall examine the feasibility of implementing some or all of the Proposed Action Plan. At the status conference scheduled for August 17, 2020 at 2:30 P.M., the Receiver shall advise the Court regarding the feasibility of implementing the Proposed Action Plan consistent with the duties the Court imposed on the Receiver. *See* Order Granting Plaintiff's Urgent Motion to Amend Order Appointing Receiver to Include Litigation Injunction [ECF No. 56].

DONE AND ORDERED in Fort Lauderdale, Florida, this 9th day of August, 2020.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record