

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

**CASE NO.: 20-CV-81205-RAR**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

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

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**PLAINTIFF'S MOTION TO ENTER CONSENT ORDER  
AGAINST DEFENDANT PERRY ABBONIZIO**

Plaintiff Securities and Exchange Commission respectfully asks the Court to enter the proposed agreed Order filed with this Motion.

Mr. Abbonizio has consented to the entry of this Order (Exhibit A) and the Receiver has no objection. If entered, the Order resolves all preliminary relief matters sought against Mr. Abbonizio.

August 20, 2020

Respectfully submitted,

By: s/ Amie Riggle Berlin  
Amie Riggle Berlin  
Senior Trial Counsel  
Florida Bar No. 630020  
Direct Dial: (305) 982-6322  
Email: [berlina@sec.gov](mailto:berlina@sec.gov)  
Attorney for Plaintiff

**SECURITIES AND EXCHANGE  
COMMISSION**  
801 Brickell Avenue, Suite 1800  
Miami, Florida 33131  
Telephone: (305) 982-6300  
Facsimile: (305) 536-4154

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served this 20th day of August 2020 via cm-ecf on all defense counsel in this case.

s/ Amie Riggle Berlin  
Amie Riggle Berlin

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**Defendants.**

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**CONSENT OF DEFENDANT PERRY S. ABBONIZIO TO  
ORDER OF PRELIMINARY INJUNCTION AND OTHER RELIEF**

1. Defendant Perry S. Abbonizio (“Abbonizio”) acknowledges having been served with the Summons and the Complaint in this action, enters a general appearance, and admits the Court’s jurisdiction over him and over the subject matter of this action.

2. Without admitting or denying the allegations of the Complaint (except as to personal and subject matter jurisdiction, which Abbonizio admits), Abbonizio hereby consents to entry of the Order of Preliminary Injunction and Other Relief (“Preliminary Injunction”) in the form attached hereto and incorporated by reference herein.

3. Abbonizio undertakes as follows:

a. Except on thirty days notice to the Commission, Abbonizio shall not sell, trade, liquidate, or otherwise encumber his interests in the securities held in his brokerage accounts at Citizens Bank (Account No. ending 3322) or E\*Trade (Account No. ending 9699), which together contain securities with an estimated value of approximately \$1,715,000 as of the date of this Consent.

**EXHIBIT**

**A**

b. Except on thirty days notice to the Commission, Abbonizio shall not sell or otherwise encumber the following:

- i. 3450 Ernest Lane, Worcester, Pennsylvania
- ii. 164 84<sup>th</sup> Street, Stone Harbor, New Jersey
- iii. 159 26<sup>th</sup> Street, Avalon, New Jersey

c. Except on thirty days notice to the Commission, Abbonizio shall not sell or otherwise encumber his interests in the properties owned by Strategic Funding Alternatives, LLC (“Strategic”), except that if Strategic sells any of the properties in which Abbonizio has an interest, Abbonizio shall cause his share of the proceeds to be deposited in escrow and subject to the terms of paragraph 3.a above.

d. Citizens Bank is directed to immediately unfreeze Abbonizio’s personal checking accounts (Account Numbers ending 8962 and 7616, respectively) upon receipt of this Order.

4. Abbonizio enters into this Consent voluntarily after consulting with undersigned counsel, and represents that no threats, offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce Abbonizio or anyone acting on his behalf to enter into this Consent.

5. Abbonizio agrees this Consent shall be incorporated into the Preliminary Injunction with the same force and effect as if fully set forth therein.

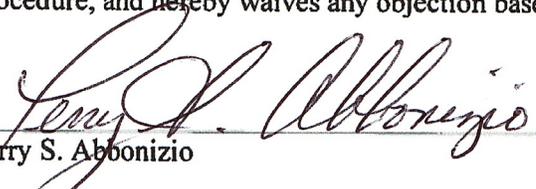
6. Abbonizio agrees the Commission may present the attached proposed Preliminary Injunction to the Court for signature and entry, and further agrees the Court shall retain jurisdiction over him and over the subject matter of this action.

7. Abbonizio understands and agrees the Commission cannot and does not confer on him or any other person or entity immunity from any criminal proceedings against him or other persons or entities for any actions related to or arising from this or any other matter.

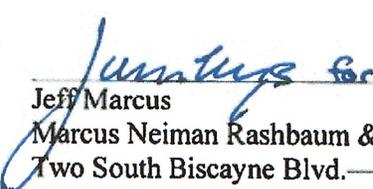
8. Abbonizio waives any right he may have to appeal from the entry of the Preliminary Injunction.

9. Abbonizio waives service of the Preliminary Injunction once entered, and agrees the entry of the Preliminary Injunction by the Court and filing with the Clerk in the Southern District of Florida will constitute notice to him the terms and conditions of the Preliminary Injunction.

10. Abbonizio agrees he will not oppose the enforcement of the Preliminary Injunction on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waives any objection based thereon.

  
\_\_\_\_\_  
Perry S. Abbonizio

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeff Marcus  
Marcus Neiman Rashbaum & Pineiro, LLP  
Two South Biscayne Blvd.—Suite 1750  
Miami, Florida 33131  
Counsel for Defendant Perry S. Abbonizio

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**ORDER GRANTING PRELIMINARY INJUNCTION BY CONSENT AS TO  
DEFENDANT PERRY S. ABBONIZIO**

THIS CAUSE is before the Court upon the Court's Order to Show Cause why a Preliminary Injunction should not be granted against Defendants [DE 42, at 3], and based on the consent of defendant Perry S. Abbonizio ("Abbonizio") and good cause appearing on the record, Plaintiff's request for a Preliminary Injunction is GRANTED with respect to defendant Abbonizio as follows:

**I. PRELIMINARY INJUNCTION**

**A. Section 17(a) of the Securities Act of 1933 ("Securities Act")**

IT IS ORDERED that until further Order of Court, Abbonizio is restrained and enjoined from violating Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements

made, in light of the circumstances under which they were made, not misleading;

or

- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser

by, directly or indirectly (i) creating a false appearance or otherwise deceiving any person, or (ii) disseminating false or misleading documents, materials, or information or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor, about: (A) any investment in securities; (B) the prospects for success of any product or company; (C) the use of investor funds; (D) the safety of any securities investment; (E) the use of investor funds or investment proceeds; (F) Orders issued against the Defendants by state or federal enforcement agencies; (G) the financial status of Par Funding; or (H) the management of Par Funding.

IT IS FURTHER ORDERED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Preliminary Injunction: (a) Abbonizio's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Abbonizio or with anyone described in (a).

**B. Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Rule 10b-5**

IT IS FURTHER ORDERED that until further Order of Court, Abbonizio is restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;

- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,

by, directly or indirectly (i) creating a false appearance or otherwise deceiving any person, or (ii) disseminating false or misleading documents, materials, or information or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor, about: (A) any investment in securities; (B) the prospects for success of any product or company; (C) the use of investor funds; (D) the safety of any securities investment; (E) the use of investor funds or investment proceeds; (F) Orders issued against the Defendants by state or federal enforcement agencies; (G) the financial status of Par Funding; or (H) the management of Par Funding.

IT IS FURTHER ORDERED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Preliminary Injunction by personal service or otherwise: (a) Abbonizio's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Abbonizio or with anyone described in (a).

### **C. Section 5 of the Securities Act**

IT IS FURTHER ORDERED that until further Order of Court, Abbonizio is restrained and enjoined from violating Section 5 of the Securities Act [15 U.S.C. § 77e] by, directly or indirectly, in the absence of any applicable exemption:

- (a) Unless a registration statement is in effect as to a security, making use of any means

or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise;

- (b) Unless a registration statement is in effect as to a security, carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale; or
- (c) Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Preliminary Injunction by personal service or otherwise: (a) Abbonizio's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

## **II. ASSET FREEZE**

IT IS FURTHER ORDERED that in accordance with the agreements and undertakings set forth in the Consent of Perry Abbonizio to Order of Preliminary Injunction and Other Relief,

Citizens Bank is directed to immediately unfreeze Abbonizio's personal checking accounts (Account Numbers ending 8962 and 7616, respectively) upon receipt of this Order.

### **III. RECORDS PRESERVATION**

IT IS FURTHER ORDERED that until further Order of the Court, Abbonizio, any of his directors, officers, agents, servants, employees, attorneys, depositories, banks, and those persons in active concert or participation with any one or more of them, and each of them, be and they hereby are restrained and enjoined from, directly or indirectly, destroying, mutilating, concealing, altering, disposing of, or otherwise rendering illegible in any manner, any of the books, records, documents, correspondence, brochures, manuals, papers, ledgers, accounts, statements, obligations, files and other property of or pertaining to any of the Defendants or Relief Defendant, wherever located and in whatever form, electronic or otherwise.

### **IV. RETENTION OF JURISDICTION**

This Court shall retain jurisdiction over this matter and Defendants and Relief Defendant in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and will order other relief that this Court deems appropriate under the circumstance.

**DONE and ORDERED** in Fort Lauderdale, Florida, this \_\_\_\_ day of August, 2020.

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RODOLFO A. RUIZ II  
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record