

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

COMPLETE BUSINESS SOLUTIONS
GROUP, INC. D/B/A/ PAR FUNDING, ET
AL.,

Defendants,

and

L.M.E. 2017 FAMILY TRUST,

Relief Defendant.

CASE NO.: 20-CIV-81205-RAR

**UNOPPOSED MOTION BY JOHN GISSAS AND RETIREMENT EVOLUTION
DEFENDANTS TO AMEND ORDER GRANTING EMERGENCY *EX PARTE* MOTION
FOR TEMPORARY RESTRAINING ORDER AND OTHER RELIEF**

Defendants, John Gissas (“Gissas”), Retirement Evolution Group, LLC (“REG”), Retirement Evolution Income Fund LLC, a/k/a RE Income Fund, LLC (“RE Income Fund”), and RE Income Fund 2, LLC (“RE Income Fund 2”) (collectively, the “RE Defendants”), respectfully request that the asset freeze as to the RE Defendants, set forth in this Court’s Order Granting Emergency *Ex Parte* Motion For Temporary Restraining Order and Other Relief (the “Order”) [ECF No. 42], be amended as specified below.

1. The Order restrained the RE Defendants from transacting with respect to assets or property, including but not limited to cash, credit balances, securities, personal property, real property, and lines of credit. ECF No. 42, p. 14.
2. The Order instructed any financial or brokerage institution holding accounts in the

- name, or for the benefit of, the RE Defendants, to control and prohibit the withdrawal, transfer, or other disposition of the funds or assets held in such accounts. *Id.*
3. Gissas, through funds unrelated to this litigation, manages client investments backed by commercial real estate and life insurance assets (the “Non-Par Investments”). Since the date of the Order and subsequent asset freeze, Gissas has been unable to pay basic business expenses (e.g., rent, utilities, etc.) or manage the Non-Par Investments for the benefit of his clients.
 4. Gissas is simultaneously and voluntarily entering into an agreement with the Securities and Exchange Commission (“SEC”) consenting to a revised preliminary injunction order. Pursuant to such consent, Gissas agreed to preserve records and files pertaining to any of the Defendants or Relief Defendant. Gissas, in furtherance of records preservation, previously provided the Receiver with a total copy of all files from his office computer.
 5. Gissas desires to service his clients and preserve client funds related to Non-Par Investments.
 6. Gissas agrees to transfer \$1.2 million, which represents undistributed Par-related funds, into a separate account designated and controlled by the Receiver.
 7. Accordingly, Gissas respectfully requests that this Court amend the Order to lift the asset freeze as to all RE Defendants’ financial accounts, and instruct all financial and brokerage institutions holding any accounts in the name, or for the benefit of, the RE Defendants, that Gissas or any agent, employee, officer, or other authorized representative of the RE Defendants are permitted to resume normal banking and financial activities.

8. Pursuant to Local Rule 7.1(a)(3), the undersigned conferred with Plaintiff SEC and the Receiver and neither party opposes this motion.

Dated: August 21, 2020.

Respectfully submitted,

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Counsel for Defendants John Gissas, Retirement Evolution Group, LLC, Retirement Evolution Income Fund, LLC f/k/a RE Income Fund LLC, and RE Income Fund 2, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 21, 2020, I electronically filed the foregoing document with the clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s Daniel I. Small
Daniel I. Small

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Relief Defendant.

CASE NO.: 20-CIV-81205-RAR

**ORDER AMENDING ASSET FREEZE AS TO
JOHN GISSAS AND RETIREMENT EVOLUTION**

THIS CAUSE comes before the Court upon Defendants' Consent to Preliminary Injunction [ECF No. _] and Motion To Amend Order Granting Emergency *Ex Parte* Motion For Temporary Restraining Order and Other Relief [ECF No. _], Defendants' request to amend asset freeze is GRANTED with respect to John Gissas ("Gissas"), Retirement Evolution Group, LLC, Retirement Evolution Income Fund LLC, a/k/a RE Income Fund, LLC, and RE Income Fund 2, LLC (collectively, the "RE Defendants") as follows:

IT IS ORDERED that the asset freeze imposed against the RE Defendants is lifted.

IT IS FURTHER ORDERED that Wells Fargo Bank shall wire transfer \$1.2 million, representing all Par-related funds, from the Retirement Evolution Group, LLC account to an account at City National Bank to be named by the Receiver within three (3) days.

IT IS FURTHER ORDERED that all financial and brokerage institutions holding any

accounts in the name, or for the benefit of, the RE Defendants, permit Gissas or any agent, employee, officer, or other authorized representative of the RE Defendants to resume normal banking and financial activities.

DONE and ORDERED in Fort Lauderdale, Florida, this ____ day of August, 2020.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record