

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

**SECURITIES AND EXCHANGE COMMISSION,
Plaintiff,**

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

CASE NO.: 20-cv-81205-RAR

Defendants.

**PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S MOTION FOR FULL
SWORN ACCOUNTING FROM DEFENDANT DEAN VAGNOZZI**

On July 28, 2020, the Court ordered Defendants to file a sworn accounting within five days of being served with the Complaint. [D.E. 42]. No Defendant filed such an accounting, and we are conferring in an effort to avoid litigation with the Defendants.

However, with respect to Defendant Dean Vagnozzi there is considerable concern about the sworn accounting he did provide. [Exhibit A]. In his sworn accounting, Mr. Vagnozzi identified the ABFP bank account at Victory Bank as having \$7,800. After his submission of this sworn accounting, the Commission learned from Victory Bank that on July 28, 2020 – after the entry of the Receivership Order and TRO – Mr. Vagnozzi transferred \$60,000 from the ABFP bank account at Victory Bank to his personal bank account. [Exhibit B]. It remains in his bank account unless he has spent it already, and he has not returned it. After the Commission raised this issue with his counsel, he agreed to return it but has not yet done so. He did not disclose his receipt of this post-Order transfer in his sworn accounting and the Commission discovered it through Victory Bank last week. Had he provided a full sworn accounting, we would not have had to discover this improper transfer by issuing a subpoena to the bank.

More recently, we learned that Mr. Vagnozzi held another account he failed to disclose altogether in his sworn accounting – MK Corporate Debt. This bank account was created to hold Par Funding money transferred to Mr. Vagnozzi's MK Corporate Debt in June 2020. Specifically, from June 15, 2020 through June 19, 2020, Par Funding transferred **\$4 million** to Mr. Vagnozzi's MK Corporate Debt bank account. Contrary to Mr. Vagnozzi's representations to investors during the April 2020 Exchange Offering that they had to accept a new promissory note offering 4% interest or faced getting nothing, Mr. Vagnozzi and Par Funding actually set up MK Corporate

Debt bank account as a means to return the principal investment amounts to investors who rejected the Exchange Note Offering. Thus, investors who rejected the Exchange Note Offering were made whole. This was contrary to what Mr. Vagnozzi told investors during the Exchange Offering, and he used the MK Corporate Debt account to make these repayments of investor principal. [Exhibit C].

On July 28, 2020, Mr. Vagnozzi transferred the balance in the MK Corporate Debt bank account to his personal bank account – to the tune of *more than half a million dollars*. [Exhibit D, final entry on bank record].

He did not disclose this transfer or even the existence of the MK Corporate Debt bank account in his sworn accounting. Instead, it was identified on a list of ABFP funds, and the Commission and Receiver discovered the settlements and transfer to Mr. Vagnozzi, and then confronted him with it through his counsel. Had we not made this discovery, we would not have been able to seek their return because Mr. Vagnozzi failed to disclose the transfer – or even the account – in his sworn accounting. He has now agreed to return the more than half a million dollars to the Receivership.

We cannot continue to hope that we catch all the transfers Mr. Vagnozzi made. We have caught two in the last week, but there is no way to know there are not others unless Mr. Vagnozzi will provide an amended – and complete – sworn accounting.

Therefore we ask the Court to direct Mr. Vagnozzi to make a full sworn accounting within five days. We have already identified two significant transfers he made to himself after the Court's entry of the Orders in this case, and we should not have to investigate to discovery additional ones he might have made. This was the purpose of the sworn accounting, with which he utterly failed to comply in full. Absent a full sworn accounting to ensure there were no other transfers of Par Funding and investor funds for his personal benefit, we cannot ensure the safety of investor funds in this case.

Certificate of Conferral

Undersigned has raised the issue of the incomplete sworn accounting, including during the hearings in this case. Because we continue to locate additional transfers undisclosed and concealed by Mr. Vagnozzi, we believe it is time to seek relief from the Court before further investor funds are dissipated and since there could be additional funds that were transferred of which we are not currently aware.

September 2, 2020

Respectfully submitted,

By: s/Amie Riggle Berlin
Amie Riggle Berlin
Senior Trial Counsel
Florida Bar No. 630020
Direct Dial: (305) 982-6322
Direct email: 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

This filing is being filed via CM/Ecf, and therefore all counsel of record will obtain a copy electronically upon filing. All parties have counsel in this matter.

s/Amie Riggle Berlin

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 9:20-cv-81205-RAR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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

CONFIDENTIAL

DEFENDANT DEAN VAGNOZZI'S ACCOUNTING

Defendant DEAN VAGNOZZI (hereinafter "Defendant" or "Vagnozzi"), pursuant to Section IV of the Court's Order Granting Emergency *Ex Parte* Motion for Temporary Restraining Order and Other Relief, hereby provides the following sworn accounting.

(a) make a sworn accounting to this Court and the Plaintiff of all funds, whether in the form of compensation, commissions, income (including payments for assets, shares or property of any kind), and other benefits (including the provision of services of a personal or mixed business and personal nature) received, directly or indirectly, by the Defendant making the sworn accounting.

RESPONSE: Defendant is unable to provide this information at this time because he needs access to his office and files in order to answer this question. Defendant's counsel is making arrangements for such access with the Receiver's counsel. Defendant also is informed that, pursuant to *Liu v. Securities and Exchange Commission*, No. 18-1501 (U.S. June 22, 2020), all legitimate expenses would need to be deducted before this Court could award disgorgement, so that detailed accounting is required for purposes of the Court's order. Defendant will supplement this response.

EXHIBIT

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(b) make a sworn accounting to this Court and the Plaintiff of all assets, funds, or other properties, whether real or personal, held by the Defendant making the sworn accounting, jointly or individually, or for its direct or indirect beneficial interest, or over which it maintains control, wherever situated, stating the location, value, and disposition of each such asset, fund, and other property; and

(c) provide to the Court and the Plaintiff a sworn identification of all accounts (including, but not limited to, bank accounts, savings accounts, securities accounts and deposits of any kind and wherever situated) in which the Defendant making the sworn accounting (whether solely or jointly), directly or indirectly (including through a corporation, partnership, relative, friend or nominee), either has an interest or over which he has the power or right to exercise control.

RESPONSE: Defendant provides the following accounting of his assets, to the best of his recollection and knowledge and based on the information readily available to him:

Assets	Ownership	Estimated Value	Secured Debt
Residence 114 Ithan Lane, Collegeville, PA	Tenancy by the Entireties	\$800,000	
Home Furniture / Clothes etc	Tenancy by the Entireties	Unknown	
Lavante SUV	Tenancy by the Entireties	\$40,000	\$40,000
Vanquish	Individual	\$150,000	\$229,000
Wrangler	Believed to be Tenancy by the Entireties	\$20,000	
Volvo XL40	Individual	\$25,000	
Volt	Tenancy by the Entireties	\$10,000	
Membership Interest in ABFP Management LLC	Individual	Unknown	
Membership Interest in ABETTERFINANCIALPLAN.COM	Individual	Unknown	

Bank Accounts	Ownership	Estimated Value
Dean/ Christa Citizens	Tenancy by the Entireties	\$500,000
Dean/Christa Victory Bank	Tenancy by the Entireties	\$1,068,000
ABFP Citizens bank	Corporate	\$150,000
ABFP Victory Bank	Corporate	\$7,800
ABFP Mgmt Co Citizens	Corporate	\$200,000
Dean / Christa Capital One 360	Tenancy by the Entireties	\$296,000
Dean / Christa Capital One	Tenancy by the Entireties	\$53,000
Investments		
Dean/Christa ABFP Income Fund 2	Tenancy by the Entireties	\$230,000
Dean/Christa ABFP Income Fund 1	Believed to be Tenancy by the Entireties	\$50,000
Dean / Christa Atrium 3	Believed to be Tenancy by the Entireties	\$185,000
Dean / Christa Joint TD Ameritrade Account FSK	Tenancy by the Entireties	\$172,000
Dean / Christa Joint TD Ameritrade Account FSKR	Tenancy by the Entireties	\$99,000
Dean/Christa Berkshire Hathaway TD Ameritrade	Tenancy by the Entireties	\$2,000
Dean /Christa SRG Stock	Tenancy by the Entireties	\$0 to \$25,000
Dean's KC Life Deferred Comp	Individual	\$30,000
Dean / Christa TD Ameritrade Cash Balance	Tenancy by the Entireties	\$88,468
Dean's Fidelity Guaranty Life Insurance	Individual	\$2,650,000 death benefit

Debts		
Student Loan	Individual	\$47,000.00
Tax Liability to be paid from Capital One account	Tenancy by the Entireties	\$296,000.00
Dean's Work Related Credit Card Debt	Individual	\$17,777.00
Dean's Personal Credit Card	Individual	\$26,000.00

Pursuant to 28 U.S.C. 1746, I, Dean Vagnozzi, declare under penalty of perjury that the foregoing is true and correct.



abetterfinancialplan.com LLC
 234 Mall Boulevard
 suite 270
 King of Prussia PA 19406

Date 7/31/20 Page 1
 Account Number 100944507
 Enclosures

---- CHECKING ACCOUNTS ----

VICTORY BUSINESS CHECKING		Number of Enclosures	0
Account Number	100944507	Statement Dates	7/01/20 thru 7/31/20
Previous Balance	67,823.52	Days in the statement period	31
2 Deposits/Credits	57.20	Average Ledger	60,135
1 Checks/Debits	60,000.00	Average Collected	60,135
Service Charge	.00		
Interest Paid	.00		
Ending Balance	7,880.72		

Activity in Date Order

Date	Description	Amount	Balance
7/02	COMMISSION NORTH AMERICAN L 1362428931 07/02/20 ID #-32295 TRACE #-091000013475820	56.25	67,879.77
7/28	Transfer from x4507 to x4566	60,000.00-	7,879.77
7/29	EDI PYMNTS AMAZON.CO1614403 5820544687 07/29/20 ID #-FCS000485736942 TRACE #-091000010320691	.95	7,880.72

Daily Balance Information

Date	Balance	Date	Balance
7/01	67,823.52	7/28	7,879.77
7/02	67,879.77	7/29	7,880.72

Dean J Vagnozzi
 Christa M Vagnozzi
 114 Ithan Lane
 Collegeville PA 19426

Date 7/31/20 Page 1
 Account Number 100944566
 Enclosures

----- CHECKING ACCOUNTS -----

VICTORY PLUS CHECKING		Number of Enclosures	0
Account Number	100944566	Statement Dates	7/01/20 thru 7/31/20
Previous Balance	1,008,168.31	Days in the statement period	31
2 Deposits/Credits	60,184.63	Average Ledger	1,016,022
2 Checks/Debits	205.00	Average Collected	1,016,022
Service Charge	.00	Interest Earned	172.59
Interest Paid	172.59	Annual Percentage Yield Earned	0.20%
Ending Balance	1,068,320.53	2020 Interest Paid	925.20

Activity in Date Order

Date	Description	Amount	Balance
7/02	PAYMENTS ABPF INCOME 0212 1851021205 07/02/20 ID #-	184.63	1,008,352.94
7/22	TRACE #-011500122028008 PREMIUM Allianz Life Ins 9411593863 07/22/20 ID #-60015756	80.00-	1,008,272.94
7/22	TRACE #-091000011065746 PREMIUM Allianz Life Ins 9411593863 07/22/20 ID #-60015749	125.00-	1,008,147.94
7/28	TRACE #-091000011065745 Transfer from x4507 to x4566	60,000.00	1,068,147.94
7/31	INTEREST PAID 31 DAYS	172.59	1,068,320.53

Daily Balance Information

Date	Balance	Date	Balance	Date	Balance
7/01	1,008,168.31	7/22	1,008,147.94	7/31	1,068,320.53
7/02	1,008,352.94	7/28	1,068,147.94		

Interest Rate Summary

6/30 .20%

					ADDITIONS
Date	Payee/Payor	Addition	Deduction	Account Balance	
6/15/2020	Funds received from CBSG	1,500,000.00		1,500,000.00	1,500,000.00
6/16/2020	Funds received from CBSG	500,000.00		2,000,000.00	500,000.00
6/16/2020	Funds received from CBSG	500,000.00		2,500,000.00	500,000.00
6/17/2020	Funds received from CBSG	500,000.00		3,000,000.00	500,000.00
6/18/2020	Funds received from CBSG	500,000.00		3,500,000.00	500,000.00
6/19/2020	Funds received from CBSG	500,000.00		4,000,000.00	500,000.00
6/22/2020	Frank Foy Check # 101- IF6		150,000.00	3,850,000.00	
6/22/2020	Funds received from CBSG	486,286.00		4,336,286.00	486,286.00
6/23/2020	Gil Fein Wire - IF3		127,500.00	4,208,786.00	
6/30/2020	Ronald Kathleen Egan Wire -IF3		100,000.00	4,108,786.00	
7/1/2020	Frank Gussoni Wire - IF3, IF6, MSIF2		720,000.00	3,388,786.00	
7/1/2020	Transfer from MSIF2 - Gussoni Settment	219,000.00		3,607,786.00	219,000.00
7/1/2020	Cynthia Rhoad Wire- IF4		50,000.00	3,557,786.00	
7/1/2020	Int'l Society of Unified Science wire IF4		495,000.00	3,062,786.00	
7/2/2020	Steve Gammarino Ck #102 - IF4		51,000.00	3,011,786.00	
7/1/2020	Kurt Schmacher Check# 103 - IF3		100,000.00	2,911,786.00	
7/7/2020	Pergolno July Interest Pymt - IF3		336.67	2,911,449.33	
7/7/2020	Hageman July Interest Pymt - IF6		166.67	2,911,282.66	
7/9/2020	Ernest Riegel Cama Wire - Pisces		230,000.00	2,681,282.66	
7/10/2020	transfer from Dean checking for Burke	134,000.00		2,815,282.66	
7/10/2020	Dinatally Wire - Pisces		136,000.00	2,679,282.66	
7/10/2020	Schapperle Wire - Spartan		201,000.00	2,478,282.66	
7/10/2020	Dinatally /Schapperle Legal Fees		33,700.00	2,444,582.66	
7/20/2020	Burke Wire - IF6 & Atrium 3 buyout		987,909.00	1,456,673.66	
7/22/2020	Christoforetti Wire - Pisces Fund		246,000.00	1,210,673.66	
7/23/2020	Jancarski Check #104 IF1		550,000.00	660,673.66	
7/24/2020	Pergolno Wire- IF3		95,000.00	565,673.66	
				565,673.66	
				565,673.66	
				565,673.66	



1-800-862-6200

Call Citizens' PhoneBank anytime for account information, current rates and answers to your questions.

1 OF 2

Beginning July 01, 2020
through July 31, 2020

US259 BR605

1

MK CORPORATE DEBT INVESTMENT COMPANY LLC
234 MALL BLVD STE 270
KING OF PRUSSIA PA 19406-2940

Business Checking

SUMMARY

Balance Calculation

Previous Balance	4,108,786.00
Checks	701,000.00 -
Debits	3,760,112.34 -
Deposits & Credits	353,000.00 +
Current Balance	673.66 =

Your next statement period will end on August 31, 2020.

MK CORPORATE DEBT INVESTMENT C
Analysis Business Checking
631221-029-8

Previous Balance
4,108,786.00

TRANSACTION DETAILS

Checks * There is a break in check sequence

Check #	Amount	Date	Check #	Amount	Date
102	51,000.00	07/03	104	550,000.00	07/24
103	100,000.00	07/06			

Total Checks
701,000.00

Debits

Other Debits

Date	Amount	Description
07/01	495,000.00	Outgoing Wire Transfer (Mts No.200701012957)
07/01	720,000.00	Outgoing Wire Transfer (Mts No.200701013011)
07/01	50,000.00	Mk Corp 0298 ACH Trans 200701 -Sett-Digi Bank
07/07	503.34	Mk Corp 0298 ACH Trans 200707 -Sett-Digi Bank
07/09	230,000.00	Outgoing Wire Transfer (Mts No.200709005207)
07/10	337,000.00	Outgoing Wire Transfer (Mts No.200710009699)
07/10	33,700.00	Outgoing Wire Transfer (Mts No.200710009720)
07/20	987,909.00	Outgoing Wire Transfer (Mts No.200720005456)
07/22	246,000.00	Outgoing Wire Transfer (Mts No.200722004208)
07/24	95,000.00	Outgoing Wire Transfer (Mts No.200724004200)
07/28	565,000.00	Online Transfer To Checking 6314728766

Total Debits
3,760,112.34



1-800-862-6200

Call Citizens' PhoneBank anytime for account information,
current rates and answers to your questions.

2 OF 2

Beginning July 01, 2020
through July 31, 2020

Business Checking continued from previous page

Deposits & Credits

Date	Amount	Description
07/01	219,000.00	Online Transfer From Checking 6312209729
07/10	134,000.00	Online Transfer From Checking 6314728766

MK CORPORATE DEBT INVESTMENT C
Analysis Business Checking
631221-029-8

+ Total Deposits & Credits
353,000.00

= Current Balance
673.66

Daily Balance

Date	Balance	Date	Balance	Date	Balance
07/01	3,062,786.00	07/09	2,681,282.66	07/22	1,210,673.66
07/03	3,011,786.00	07/10	2,444,582.66	07/24	565,673.66
07/06	2,911,786.00	07/20	1,456,673.66	07/28	673.66
07/07	2,911,282.66				

Checking Account Balance Worksheet

Before completing this worksheet, please be sure to adjust your checkbook register balance by

- Adding any interest earned
- Subtracting any fees or other charges

1 Your current balance on this statement \$ _____
Current Balance

2 List deposits which do not appear on this statement

Date	Amount	Date	Amount	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
				+ \$ _____ Total of 2

3 Subtotal by adding 1 and 2 (=) \$ _____
Subtotal of 1 and 2

4 List outstanding checks, transfers, debits, POS purchases or withdrawals that do not appear on this statement

Date/ Check No.	Amount	Date/ Check No.	Amount	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
				(=) \$ _____ Total of 4

5 Subtract 4 from 3. This should match your checkbook register balance (=) \$ _____
Total

CUSTOMER SERVICE

If you have any questions regarding your account or discover an error, call the number shown on the front of your statement or write to us at the following address:

Citizens Bank
Customer Service Center
P.O. Box 42001
Providence, RI 02940-2001

Change of Address

Please call the number shown on the front of your statement to notify us of a change of address.

DEPOSIT ACCOUNTS ARE NON-TRANSFERABLE

Personal deposit accounts, such as CD's and savings accounts, cannot be transferred to another person or to a corporate entity.

ELECTRONIC TRANSFERS

In Case of Errors or Questions About Your Electronic Transfers

(For Consumer Accounts Used Primarily For Personal, Family or Household Purposes) Telephone us at the customer service number provided on Page 1 of this statement or write to us at the customer service address provided as soon as you can, if you think your statement or receipt is wrong or if you need more information about an electronic transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- Tell us your name and account number, if any.
- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
- Tell us the dollar amount of the suspected error and, if possible, the date it appeared on your statement or receipt.
- It will be helpful to us if you also give us a telephone number at which you can be reached in case we need any further information.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

[For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.]

OVERDRAFT LINES OF CREDIT

BILLING RIGHTS SUMMARY

What To Do If You Think You Find a Mistake On Your Statement:

If you think there is an error on your statement write to us at the customer service address provided as soon as possible.

In your letter, give us the following information:

- Account information: Your name and account number.
- Dollar amount: The dollar amount of the suspected error.
- Description of Problem: If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors in writing. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question. While we investigate whether or not there has been an error the following are true:

- We cannot try to collect the amount in question or report you as delinquent on that amount.
- The charge in question may remain on your statement and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While you do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

INTEREST CHARGE CALCULATIONS FOR OVERDRAFT LINE OF CREDIT ACCOUNTS BASED ON AVERAGE DAILY BALANCE COMPUTATION METHOD

Calculating your Interest Charge

We calculate the interest charge on your Overdraft Line by applying the Daily Periodic Rate to the Average Daily Balance. Then, we multiply that result by the number of days in the billing cycle in which a balance is owed on your Overdraft Line. This gives us the total interest charge for that billing period.

Calculating your Average Daily Balance

To calculate the average daily balance, we take the beginning balance of your Overdraft Line each day (which does not include any unpaid interest charges or fees), add any new loan advances as of the date of those advances and subtract any payments or credits. This gives us the daily balance. Then, we add all the daily balances for the billing cycle together and divide the total by the number of days in the billing cycle. This gives us the average daily balance of your account.

Credit Bureau Reporting

We may report information about your Overdraft Line to credit bureaus for each joint account holder of your checking account. Late payments, missed payments, or other defaults on your Overdraft Line may be reflected in your credit report.

Thank you for banking with Citizens Bank.

**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.,**

/

**ORDER GRANTING PLAINTIFF'S MOTION FOR
COMPLETE SWORN ACCOUNTING**

This cause comes before the Court upon Plaintiff's Motion for a Complete Sworn Accounting from Defendant Dean Vagnozzi [D.E. ___]. For reasons set forth therein, the Motion is GRANTED. Within five calendar days from the date of this Order, Defendant Vagnozzi shall file and serve on Plaintiff Securities and Exchange Commission a complete sworn accounting pursuant to the Court's July 28, 2020 Order.

DONE AND ORDERED in Fort Lauderdale, Florida this ___ day of September, 2020.

RODOLFO A RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to all Counsel of Record