

**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.,**

**PLAINTIFF'S OPPOSITION AND
NOTICE OF JOINING RECEIVER'S RESPONSE BRIEFS**

Plaintiff Securities and Exchange Commission joins the Receiver's opposition briefs to the MOTION for clarification of Order and Request For a Hearing by Broadway Advance LLC [D.E. 251 & the Motion to Amend/Correct Order [D.E. 220]. Specifically, rather than file separate response papers, the Commission joins the arguments set forth by the Receiver in Docket Entry numbers 260 and 263.

As to Broadway Advance's Motion, we argue also that they lack standing to raise any issue in this case as they are not a party and have not sought – let alone been granted – the right to intervene in this case. If they had sought to intervene, the Commission would have opposed that motion. The Court should deny the motion, require Broadway Advance to seek to intervene in this case if it wishes to do so, and permit the parties to litigate that issue. It cannot be that anyone – whether it be Broadway Advance, the so-called "Plaintiff Investors," or any other third party – can file for relief in a case. In fact, the Federal Rules prohibit this. There is a procedure, and the burden on parties seeking to intervene in a federal enforcement action is significant. Broadway Advance and others cannot ignore procedure and simply file as if they are parties. There is a reason the Rules exist, and the Commission asks that the Court enforce the Rules and procedure, and dismiss or strike filings by non-parties in this case without requiring the Receiver and the Commission to expend resources litigating these improperly filed motions. Each time the Receiver responds to these motions, he is spending investor money to do so. If non-parties properly seek to intervene – as the Rules require – then the Commission handles that litigation as the Plaintiff in this case.

September 16, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served this 14th day of September 2020 via cm-ecf on all defense counsel in this case.

s/ Amie Riggle Berlin
Amie Riggle Berlin