

**UNITED STATES DISTRICT COURT
FOR THE 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.*

Defendants.

**RECEIVER, RYAN K. STUMPHAUZER’S SIXTH MOTION TO LIFT
LITIGATION INJUNCTION AS TO CERTAIN GARNISHMENT PROCEEDINGS**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,¹ by and through undersigned counsel, hereby files this Sixth Motion to Lift Litigation Injunction as to Certain Garnishment Proceedings, and hereby moves this Court to lift the Litigation Injunction for the limited purpose of allowing the Receiver, in his discretion, to dissolve current writs of garnishment, to mark judgments satisfied, and/or to reopen confessed judgments

¹ The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding (“CBSG”); Full Spectrum Processing, Inc.; ABetterFinancialPlan.com LLC d/b/a A Better Financial Plan; ABFP Management Company, LLC f/k/a Pillar Life Settlement Management Company, LLC; ABFP Income Fund, LLC; ABFP Income Fund 2, L.P.; United Fidelis Group Corp.; Fidelis Financial Planning LLC; Retirement Evolution Group, LLC; RE Income Fund LLC; RE Income Fund 2 LLC; ABFP Income Fund 3, LLC; ABFP Income Fund 4, LLC; ABFP Income Fund 6, LLC; ABFP Income Fund Parallel LLC; ABFP Income Fund 2 Parallel; ABFP Income Fund 3 Parallel; ABFP Income Fund 4 Parallel; and ABFP Income Fund 6 Parallel; ABFP Multi-Strategy Investment Fund LP; ABFP Multi-Strategy Fund 2 LP; and MK Corporate Debt Investment Company LLC.

in the following cases in the Court of Common Pleas of Philadelphia County, Pennsylvania, where the counterparty merchant either has resolved or has agreed to resolve prior defaults.²

The cases are:

1. *Complete Business Solutions Group, Inc. v. Salt Logistics LLC and Susana Mireles Varela*, Docket No. 200203401.
2. *Complete Business Solutions Group, Inc. v. D and N Security Management Group D&N Security Management Group, Priority Security Services CCTV LLC and Chris Hair*, Docket No. 190902746.
3. *Complete Business Solutions Group, Inc. v. Larrymey Lane Hawkins Sole Proprietor d/b/a Hawkins Systems Solutions and Larrymey Lane Hawkins*, Docket No. 200201605.
4. *Complete Business Solutions Group, Inc v. R and S Great Adventures LLC and Reginald Thompson*, Docket No. 200202292.
5. *Complete Business Solutions Group, Inc v Tennessee Everything Inc., Michael Crone and Jessica Crone*, Docket No. 200202580.
6. *Complete Business Solutions Group, Inc. v. MSD Group Inc. and Michael Doherty*, Docket No. 200102994.
7. *Complete Business Solutions Group, Inc. v. Swift Recycling LLC and Alejandro Hernandez*, Docket No. 200400266.
8. *Complete Business Solutions Group, Inc. v. Markus Corp. and Marek Kusmierczyk*, Docket No. 200400147.
9. *Complete Business Solutions Group, Inc. v. CK Professional Services LLC and Christopher Galford*, Docket No. 200200731.
10. *Complete Business Solutions Group, Inc. v. Christopher Ernie Perez, Jr. Sole Proprietor d/b/a Forza Group and Christopher Ernie Perez*, Docket No. 200300729.
11. *Complete Business Solutions Group, Inc. v. Robotic Assistance Devices Inc. and Steven Reinharz*, Docket No. 200200083.
12. *Complete Business Solutions Group, Inc. v. New Image Construction of New Jersey Inc, Salam Ghaida, and Michael Ghaida*, Docket No. 200102511.

² See Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141]. The Receiver generally incorporates the background section of his prior Motions to Lift Litigation Injunction as to Certain Garnishment Proceedings. [See ECF Nos. 111, 145, 198, 232, and 264.]. To conserve resources and promote efficiency, the Receiver is providing only a summary narrative, as approved by the Court at the status conference on October 7, 2020.

Additionally, in the case of *Five Five Five LLC, et al. v. Complete Business Solutions Group, Inc.*, State of Colorado, District Court, El Paso County, Case No. 2020CV30857, Division 2, a third party known as Acute Property Management (“APM”), through its principal, Andrew Leo Wilkin, executed a Factoring Agreement and a Security Agreement with CBSG purportedly on behalf of the owners of 1535 S. 8th Street, Colorado Springs, CO 80905 (the “Property”). Neither APA nor Mr. Wilkin owned the Property, nor did they have authority to encumber the Property. On July 12, 2019, both APM and Mr. Wilkin filed for Chapter 7 bankruptcy protection in the United States Bankruptcy Court for the District of Colorado. Mr. Wilkin is also the subject of a forty-one (41) count criminal indictment against him alleging fraud on multiple parties for signing and/or recording encumbrances against real property he did not own. The Receiver seeks to have the Litigation Injunction lifted so that the Security Agreement against the Property may be released.

WHEREFORE, Ryan K. Stumphauzer, as Court-Appointed Receiver, by and through his undersigned counsel, respectfully requests this Honorable Court to grant the motion and lift the Litigation Injunction on a limited basis as set forth above. A proposed order for the Court’s consideration is attached as Exhibit 1.

CERTIFICATION REGARDING PRE-FILING CONFERENCE

The undersigned counsel has conferred with all counsel of record in this matter regarding the relief sought through this motion and certifies that Defendants Joseph LaForte and Lisa McElhone do not oppose the requested relief as it pertains to the proceeding involving the property located in Colorado Springs, Colorado, but they do object to the remaining relief sought in the motion. Counsel of record for all other Defendants do not oppose, took no position, or did not respond with their position on the relief sought. The SEC does not object to the Receiver’s request

to lift the Litigation Injunction. The SEC's position was not sought on the underlying litigation matters, and the SEC provides no position on the underlying litigation matters.

Dated: October 14, 2020

Respectfully Submitted,

**STUMPHAUZER FOSLID SLOMAN
ROSS & KOLAYA, PLLC**
Two South Biscayne Blvd., Suite 1600
Miami, FL 33131
Telephone: (305) 614-1400
Facsimile: (305) 614-1425

By: /s/ Timothy A. Kolaya
TIMOTHY A. KOLAYA
Florida Bar No. 056140
tkolaya@sfsllaw.com

Co-Counsel for Receiver

**PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP**
1818 Market Street, Suite 3402
Philadelphia, PA 19103
Telephone: (215) 320-6200
Facsimile: (215) 981-0082

By: /s/ Timothy A. Kolaya
GAETAN J. ALFANO
Pennsylvania Bar No. 32971
(Admitted Pro Hac Vice)
GJA@Pietragallo.com
DOUGLAS K. ROSENBLUM
Pennsylvania Bar No. 90989
(Admitted Pro Hac Vice)
DKR@Pietragallo.com

Co-Counsel for Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 14, 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/ Timothy A. Kolaya

TIMOTHY A. KOLAYA

EXHIBIT 1

**UNITED STATES DISTRICT COURT
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SECURITIES AND EXCHANGE
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v.

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

Defendants.

**[PROPOSED] ORDER GRANTING THE RECEIVER'S SIXTH MOTION TO LIFT
LITIGATION INJUNCTION AS TO CERTAIN GARNISHMENT PROCEEDINGS**

THIS CAUSE comes before the Court upon the Receiver's Sixth Motion to lift Litigation Injunction as to Certain Garnishment Proceedings [ECF No. ____] ("Motion"), filed on October 14, 2020. In the Motion, the Receiver seeks to modify the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141], so as to lift the litigation injunction provided for in that Order for certain garnishment matters currently pending in the Court of Common Pleas of Philadelphia County, Pennsylvania to be opened for the limited purpose to allow the Receiver, in his discretion, to dissolve current writs of garnishment, to mark judgments satisfied, and/or to reopen confessed judgments, where the counterparty merchant either has resolved or has agreed to resolve prior defaults in certain cases in the Court of Common Pleas of Philadelphia County, Pennsylvania.

The Receiver has made a sufficient and proper showing in support of the relief requested. Accordingly, it is hereby

ORDERED AND ADJUDGED that Receiver's Unopposed Sixth Expedited Motion to lift Litigation Injunction as to Certain Garnishment Proceedings [ECF No. ____] is **GRANTED**. The litigation injunction set forth in the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141] is hereby lifted in the following matters in the Court of Common Pleas of Philadelphia County, Pennsylvania, and solely for the purpose as described in the Motion:

1. *Complete Business Solutions Group, Inc. v. Salt Logistics LLC and Susana Mireles Varela*, Docket No. 200203401.
2. *Complete Business Solutions Group, Inc. v. D and N Security Management Group D&N Security Management Group, Priority Security Services CCTV LLC and Chris Hair*, Docket No. 190902746.
3. *Complete Business Solutions Group, Inc. v. Larrymey Lane Hawkins Sole Proprietor d/b/a Hawkins Systems Solutions and Larrymey Lane Hawkins*, Docket No. 200201605.
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6. *Complete Business Solutions Group, Inc. v. MSD Group Inc. and Michael Doherty*, Docket No. 200102994.
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10. *Complete Business Solutions Group, Inc. v. Christopher Ernie Perez, Jr. Sole Proprietor d/b/a Forza Group and Christopher Ernie Perez*, Docket No. 200300729.
11. *Complete Business Solutions Group, Inc. v. Robotic Assistance Devices Inc. and Steven Reinharz*, Docket No. 200200083.
12. *Complete Business Solutions Group, Inc. v. New Image Construction of New Jersey Inc, Salam Ghaida, and Michael Ghaida*, Docket No. 200102511.

The litigation injunction also is lifted with respect to *Five Five Five LLC, et al. v. Complete Business Solutions Group, Inc.*, State of Colorado, District Court, El Paso County, Case No. 2020CV30857, Division 2.

DONE AND ORDERED in Fort Lauderdale, Florida, this ____ day of October, 2020.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record