

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

Case No. 20-CIV-81205-RAR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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

Defendants.

**DEFENDANT JOSEPH LAFORTE'S MOTION TO FILE MATERIALS UNDER
SEAL IN SUPPORT OF HIS RESPONSE TO THE RECEIVER'S MOTION TO
LIFT THE LITIGATION STAY TO ALLOW COMMENCEMENT OF
PROCEEDINGS AGAINST D19 LIQUOR INC.,
FAWZI SIMON AND RELATED ENTITIES**

Pursuant to Local Rule 5.4, Defendant, Joseph W. LaForte (“ LaForte or “Defendant”) respectfully seeks to file under seal documents that have been retrieved from the Converge Hub database to allow the Receiver time to review these documents to determine whether to designate them as confidential and because some exhibits contain private financial information as well as personal information.

1. Good cause exists because pursuant to the Stipulation on Converge Hub Production (DE 536-1), documents have been pulled from the Static Par Funding Account on Converge Hub through the defense team’s eDiscovery consultant Marc Hirshfield and have been properly bates stamped to identify them.

2. However, Defendant is unsure whether the Receiver has requested and received an audit log reflecting the Converge Hub activity as he is entitled to do from time to time, and

thus, Defendant is not sure whether the Receiver has had the opportunity to review the documents Defendant wishes to attach to his response as exhibits.

3. Furthermore, some exhibits contain private financial information as well as personal information such as bank account numbers and social security numbers.

4. The exhibits are crucial to Defendant's response, but without knowing whether the Receiver intends to designate these documents as confidential, Defendant does not want to risk violating the Protective Order entered by this Court. (DE 437).

5. If they are filed publicly, then the Receiver will not have the opportunity to designate documents as confidential. If he wishes to do so, the documents the Receiver seeks to hold confidential would be revealed before he has the change to designate the documents.

6. Therefore, Defendant respectfully requests that certain exhibits remain under seal to allow the Receiver to review them and make a confidentiality designation. If the Receiver determines that certain documents are not confidential, those exhibits will be refiled in the public docket.

Wherefore, Defendant respectfully requests that he be permitted to file Converge Hub exhibits under seal to allow the Receiver to review and determine whether those exhibits should be designed as confidential.

Dated: April 30, 2021

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 30, 2021, I electronically filed the forgoing 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 transmissions of Notices of Electronic Filing generated by CM/ECF.

By: /s/ David L. Ferguson
DAVID L. FERGUSON

**IN THE 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.

_____ /

**ORDER GRANTING DEFENDANT, JOSEPH LAFORTE'S MOTION TO FILE
MATERIALS UNDER SEAL IN SUPPORT OF HIS RESPONSE TO THE RECEIVER'S
MOTION TO LIFT LITIGATION STAY TO ALLOW
COMMENCEMENT OF PROCEEDINGS
AGAINST D19 LIQUOR INC., FAWZI SIMON AND RELATED ENTITIES**

THIS CAUSE comes before the Court upon the Defendant Joseph W. LaForte's Motion to File Materials Under Seal in Support of his response to the Receiver's Motion to Lift Litigation Stay to Allow Commencement of Proceedings Against D19 Liquor Inc., Fawzi Simon and Related Entities (ECF No. ____) ("Defendant's Motion"), filed on April 30, 2021. In the Motion, Joseph W. LaForte seeks to file under seal documents that have been retrieved from the Coverage Hub database to allow the Receiver time to review these documents to determine whether to designate them as confidential and further because some exhibits are undoubtedly confidential.

Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendant's Motion to File Materials Under Seal is **GRANTED** as follows:

1. The Court finds that based upon the Stipulation on Converge Hub Production (DE 536-1) and the Protective Order entered in this case (DE 437), that the Receiver should have the

opportunity to review the exhibits filed and determine whether to designate them as confidential pursuant to the Protective Order.

2. Therefore, the Motion is Granted and the exhibits shall remain under seal unless and until the Receiver or any other Party indicates that they need not be held as confidential.

3. All documents without account numbers, social security numbers, or other private financial information, shall remain under seal.

DONE AND ORDERED Fort Lauderdale, Florida, this ____ day of _____, 2021.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record