

**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 FIFTEENTH 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 his undersigned counsel, hereby files this Fifteenth Motion to Lift Litigation Injunction as to Certain Garnishment Proceedings, and states as follows:

¹ The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding (“Par Funding”); Full Spectrum Processing, Inc. (“Full Spectrum”); 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; ABFP Income Fund 6 Parallel; ABFP Multi-Strategy Investment Fund LP; ABFP Multi-Strategy Investment Fund 2 LP; MK Corporate Debt Investment Company LLC; Capital Source 2000, Inc.; Fast Advance Funding LLC; Beta Abigail, LLC; New Field Ventures, LLC; Heritage Business Consulting, Inc.; Eagle Six Consultants, Inc.; 20 N. 3rd St. Ltd.; 118 Olive PA LLC; 135-137 N. 3rd St. LLC; 205 B Arch St Management LLC; 242 S. 21st St. LLC; 300 Market St. LLC; 627-629 E. Girard LLC; 715 Sansom St. LLC; 803 S. 4th St. LLC; 861 N. 3rd St. LLC; 915-917 S. 11th LLC; 1250 N. 25th St. LLC; 1427 Melon St. LLC; 1530 Christian St. LLC; 1635 East Passyunk LLC; 1932 Spruce St. LLC; 4633 Walnut St. LLC; 1223 N. 25th St. LLC; Liberty Eighth Avenue LLC; The

1. The Receiver 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, where the counterparty merchant either has resolved or agreed to resolve prior defaults, or filed for bankruptcy protection, in the following cases in the Court of Common Pleas of Philadelphia County, Pennsylvania.²

2. The cases are:

- a. *Complete Business Solutions Group, Inc. v. AA Best Garage Door, Inc. and Brian Burrescia*, Philadelphia Court of Common Pleas Docket No. 191202726.
- b. *Complete Business Solutions Group, Inc. v. Arties Bar and Grill LLC and William A. Anderson and Eleanor Anderson*, Philadelphia Court of Common Pleas Docket No. 200600382.
- c. *Complete Business Solutions Group, Inc. v. David Y. Kinoshita, LLC and David Y. Kinoshita*, Philadelphia Court of Common Pleas Docket No. 190903768.
- d. *Complete Business Solutions Group, Inc. v. Kings Table Soul Food LLC and Charles J. White*, Philadelphia Court of Common Pleas Docket No. 190903217.
- e. *Complete Business Solutions Group, Inc. v Wolfcom Enterprises and Peter A. Onruang*, Philadelphia Court of Common Pleas Docket No. 190800930.

LME 2017 Family Trust; Blue Valley Holdings, LLC; LWP North LLC; 500 Fairmount Avenue, LLC; Recruiting and Marketing Resources, Inc.; Contract Financing Solutions, Inc.; Stone Harbor Processing LLC; and LM Property Management LLC; and the Receivership also includes the properties located at 568 Ferndale Lane, Haverford PA 19041; 105 Rebecca Court, Paupack, PA 18451; 107 Quayside Dr., Jupiter FL 33477; 2413 Roma Drive, Philadelphia, PA 19145.

² See the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141] (the "Operative Receivership Order"). The Receiver generally incorporates the background section of his prior Motions to Lift Litigation Injunction as to Certain Garnishment Proceedings. [See, e.g. 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 October 7, 2020 status conference.

- f. *Complete Business Solutions Group, Inc. v Security Load Express, Inc. and Benedin Palacios Vazquez*, Philadelphia Court of Common Pleas Docket No. 191000251.
- g. *Complete Business Solutions Group, Inc. v. Print R Us, Inc. and Aron Spitzer*, Philadelphia Court of Common Pleas Docket No. 200501765
- h. *Complete Business Solutions Group, Inc. v. Sabo LLC and As'ad Marji Jr.*, Philadelphia Court of Common Pleas Docket No. 200501106.
- i. *Complete Business Solutions Group, Inc. v. Connected Transportation Partners, Inc. and Marvin Wilcher*, Philadelphia Court of Common Pleas Docket No. 200400788.
- j. *Complete Business Solutions Group, Inc. v. BWB Controls, Inc. and Seenu Gokhale Kasturi and Frederick Alexander*, Philadelphia Court of Common Pleas Docket No. 200301274.
- k. *Complete Business Solutions Group, Inc. v. Patterson Heavy Haul, Inc. and Lloyd Earl III Patterson*, Philadelphia Court of Common Pleas Docket No. 200202928.
- l. *Complete Business Solutions Group, Inc. v. Jenco Generators LLC and Terry Jenkins and Jane Jenkins*, Philadelphia Court of Common Pleas Docket No. 200202924.
- m. *Complete Business Solutions Group, Inc. v. The Guardians Foundation, Inc. and Michael Shaw*, Philadelphia Court of Common Pleas Docket No. 200200824.
- n. *Complete Business Solutions Group, Inc. v. Koffell Associates, Inc. and William Koffel*, Philadelphia Court of Common Pleas Docket No. 200103801.
- o. *Complete Business Solutions Group, Inc. v. Pfann Enterprises LLC and Deborah Pfann and Kenneth Pfann*, Philadelphia Court of Common Pleas Docket No. 200102531.
- p. *Complete Business Solutions Group, Inc. v. Ossi Construction, Inc. and Robert Thomas*, Philadelphia Court of Common Pleas Docket No. 200101145.
- q. *Complete Business Solutions Group, Inc. v. Jitterbug Party Rental LLC and Stephen Deckers*, Philadelphia Court of Common Pleas Docket No. 191204241.
- r. *Complete Business Solutions Group, Inc. v. Gianna Homes, Inc. and Anne Marie Hansen*, Philadelphia Court of Common Pleas Docket No. 191204236.
- s. *Complete Business Solutions Group, Inc. v. Ela Home Care, Inc. and Todd Smith*, Philadelphia Court of Common Pleas Docket No. 191202467.

- t. *Complete Business Solutions Group, Inc. v. Golden Phoenix Restaurant, Inc. and Quynh Phung*, Philadelphia Court of Common Pleas Docket No. 190903540.
- u. *Complete Business Solutions Group, Inc. v. H&H Beauty, Inc. and Hwak Y Seo and Hyon O Seo*, Philadelphia Court of Common Pleas Docket No. 190902802.
- v. *Complete Business Solutions Group, Inc. v. OP Management LLC and Max Cawal*, Philadelphia Court of Common Pleas Docket No. 190902467.
- w. *Complete Business Solutions Group, Inc. v. David A. Kavanagh DDS PS and David Kavanagh*, Philadelphia Court of Common Pleas Docket No. 190700581.
- x. *Complete Business Solutions Group, Inc. v. George and Sons HVAC, Inc. and Giorgio Romita Jr.*, Philadelphia Court of Common Pleas Docket No. 190402791.
- y. *Complete Business Solutions Group, Inc. v. Immaculate Heart of Mary Home Health, Inc. and Corazon Orosco and Elizabeth Paje*, Philadelphia Court of Common Pleas Docket No. 190400624.
- z. *Complete Business Solutions Group, Inc. v. KNS Masonry LLC and David Kelley*, Philadelphia Court of Common Pleas Docket No. 190302983.

3. The Receiver has determined, in his professional judgment, that it is in the best interests of the Receivership Estate to dissolve current writs of garnishment, to mark judgments satisfied, and/or to reopen confessed judgments with respect to these cases.

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 and unrepresented parties in this matter regarding the relief sought through this motion and certifies that counsel of record and the unrepresented party have either (1) not responded to the Receiver with their position on the requested relief, or otherwise (2) confirmed that they either do not oppose or take no position

with respect to the relief sought. The SEC takes no position on the motion to lift the litigation injunction. Its position on the underlying transaction was not solicited and therefore none was provided.

Dated: July 14, 2021

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 14, 2021, 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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COMPLETE BUSINESS SOLUTIONS
GROUP, INC. d/b/a/ PAR FUNDING, et al.,

Defendants.

**[PROPOSED] ORDER GRANTING RECEIVER, RYAN K. STUMPHAUZER'S
FIFTEENTH MOTION TO LIFT LITIGATION INJUNCTION
AS TO CERTAIN GARNISHMENT PROCEEDINGS**

THIS CAUSE comes before the Court upon the Receiver's Fifteenth Motion to Lift Litigation Injunction as to Certain Garnishment Proceedings [ECF No. ____] ("Motion"), filed on July 14, 2021.

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, 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 agreed to resolve prior defaults, or filed for bankruptcy protection, 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 Motion is **GRANTED**. Specifically, 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:

- a. *Complete Business Solutions Group, Inc. v. AA Best Garage Door, Inc. and Brian Burrescia*, Philadelphia Court of Common Pleas Docket No. 191202726.
- b. *Complete Business Solutions Group, Inc. v. Arties Bar and Grill LLC and William A. Anderson and Eleanor Anderson*, Philadelphia Court of Common Pleas Docket No. 200600382.
- c. *Complete Business Solutions Group, Inc. v. David Y. Kinoshita, LLC and David Y. Kinoshita*, Philadelphia Court of Common Pleas Docket No. 190903768.
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- e. *Complete Business Solutions Group, Inc. v. Wolfcom Enterprises and Peter A. Onruang*, Philadelphia Court of Common Pleas Docket No. 190800930.
- f. *Complete Business Solutions Group, Inc. v. Security Load Express, Inc. and Benedin Palacios Vazquez*, Philadelphia Court of Common Pleas Docket No. 191000251.
- g. *Complete Business Solutions Group, Inc. v. Print R Us, Inc. and Aron Spitzer*, Philadelphia Court of Common Pleas Docket No. 200501765
- h. *Complete Business Solutions Group, Inc. v. Sabo LLC and As'ad Marji Jr.*, Philadelphia Court of Common Pleas Docket No. 200501106.
- i. *Complete Business Solutions Group, Inc. v. Connected Transportation Partners, Inc. and Marvin Wilcher*, Philadelphia Court of Common Pleas Docket No. 200400788.
- j. *Complete Business Solutions Group, Inc. v. BWB Controls, Inc. and Seenu Gokhale Kasturi and Frederick Alexander*, Philadelphia Court of Common Pleas Docket No. 200301274.
- k. *Complete Business Solutions Group, Inc. v. Patterson Heavy Haul, Inc. and Lloyd Earl III Patterson*, Philadelphia Court of Common Pleas Docket No. 200202928.

- l. *Complete Business Solutions Group, Inc. v. Jenco Generators LLC and Terry Jenkins and Jane Jenkins*, Philadelphia Court of Common Pleas Docket No. 200202924.
- m. *Complete Business Solutions Group, Inc. v. The Guardians Foundation, Inc. and Michael Shaw*, Philadelphia Court of Common Pleas Docket No. 200200824.
- n. *Complete Business Solutions Group, Inc. v. Koffell Associates, Inc. and William Koffel*, Philadelphia Court of Common Pleas Docket No. 200103801.
- o. *Complete Business Solutions Group, Inc. v. Pfann Enterprises LLC and Deborah Pfann and Kenneth Pfann*, Philadelphia Court of Common Pleas Docket No. 200102531.
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- q. *Complete Business Solutions Group, Inc. v. Jitterbug Party Rental LLC and Stephen Deckers*, Philadelphia Court of Common Pleas Docket No. 191204241.
- r. *Complete Business Solutions Group, Inc. v. Gianna Homes, Inc. and Anne Marie Hansen*, Philadelphia Court of Common Pleas Docket No. 191204236.
- s. *Complete Business Solutions Group, Inc. v. Ela Home Care, Inc. and Todd Smith*, Philadelphia Court of Common Pleas Docket No. 191202467.
- t. *Complete Business Solutions Group, Inc. v. Golden Phoenix Restaurant, Inc. and Quynh Phung*, Philadelphia Court of Common Pleas Docket No. 190903540.
- u. *Complete Business Solutions Group, Inc. v. H&H Beauty, Inc. and Hwak Y Seo and Hyon O Seo*, Philadelphia Court of Common Pleas Docket No. 190902802.
- v. *Complete Business Solutions Group, Inc. v. OP Management LLC and Max Cawal*, Philadelphia Court of Common Pleas Docket No. 190902467.
- w. *Complete Business Solutions Group, Inc. v. David A. Kavanagh DDS PS and David Kavanagh*, Philadelphia Court of Common Pleas Docket No. 190700581.
- x. *Complete Business Solutions Group, Inc. v. George and Sons HVAC, Inc. and Giorgio Romita Jr.*, Philadelphia Court of Common Pleas Docket No. 190402791.
- y. *Complete Business Solutions Group, Inc. v. Immaculate Heart of Mary Home Health, Inc. and Corazon Orosco and Elizabeth Paje*, Philadelphia Court of Common Pleas Docket No. 190400624.
- z. *Complete Business Solutions Group, Inc. v. KNS Masonry LLC and David Kelley*, Philadelphia Court of Common Pleas Docket No. 190302983.

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

2021.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record