

**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.

**ORDER GRANTING MOTION TO PREVENT RECEIVER
FROM SELLING VEHICLES AND WATERCRAFT**

THIS CAUSE comes before the Court upon Defendant Joseph LaForte’s Motion to Prevent Receiver from Selling Vehicles and Watercraft [ECF No. 632] (“Motion”), filed on June 25, 2021. In the Motion, LaForte seeks an Order from the Court precluding the Receiver from selling the vehicles and watercraft referenced in the Receiver’s Notice of Intent to Sell Watercraft and Vehicles (“Watercraft and Vehicles”) [ECF No. 622]. The Court has carefully reviewed the Motion, the Receiver’s Response [ECF No. 647], LaForte’s Reply [ECF No. 653], and the record.

As an initial matter, the Court agrees with the Receiver that the “ordinary course of business” language in Paragraph 37 of the Receivership Order [ECF No. 141] refers to the Receiver’s ordinary course of business in his administration of the Receivership Estate—not the ordinary course of the pre-receivership operations of the companies now included within the Receivership Estate. The Receivership Order therefore does not restrict the Receiver’s ability to sell the Watercraft and Vehicles.

However, given the *de minimis* cost of storing these assets as this matter nears trial in the next six months—and the fact that depreciation of these assets is not a significant concern—the Court finds it advisable to stay the liquidation of the Watercraft and Vehicles, as well as other personal property seized as part of the Receivership Estate, until the conclusion of this case. This does not prevent the Receiver from filing a motion to liquidate should the risk of depreciation or the cost of maintaining/storing personal property until the conclusion of this case become cost-prohibitive or negatively impact the recovery of funds for the benefit of investors.

For clarity, this Order will apply to personal property that is brought into the Receivership Estate. *See, e.g.*, Order Granting Receiver Ryan K. Stumphauzer’s Motion to Expand the Receivership Estate to Include a Porsche Turbo 911 and Two Patek Philippe Watches [ECF No. 667]. The Receiver shall continue his diligent efforts to obtain such property should his investigation uncover items purchased with commingled investor funds. But the liquidation of such personal property—as with real estate—shall not take place without a court order. This will further the Court’s effort to maintain the status quo while also preventing the dissipation of assets throughout the pendency of this action.

Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendant Joseph LaForte’s Motion to Prevent Receiver from Selling Vehicles and Watercraft [ECF No. 632] is **GRANTED**.

DONE AND ORDERED in Fort Lauderdale, Florida, this 2nd day of August, 2021.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record