

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
20-cv-81205-RAR

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

Defendants.

/

**DEFENDANTS' UNOPPOSED MOTION TO CONTINUE HEARING ON DEFENDANTS'
MOTION TO DISCHARGE THE RECEIVER AND MOTION TO DISMISS THE
AMENDED COMPLAINT**

Defendants Lisa McElhone, Joseph W. LaForte, and Joseph Cole Barleta (“Defendants”), by and through undersigned counsel, and pursuant to Local Rule 7.6, respectfully file this Unopposed Motion to Continue Hearing on Defendants’ Motion to Discharge the Receiver and Motion to Dismiss the Amended Complaint. In support thereof, Defendants state as follows:

1. On August 9, 2021, this Court entered an Order setting a Hearing on August 25, 2021, on Defendants’ Motion to Discharge the Receiver (DE 649) and Defendants’ Motion to Dismiss the Amended Complaint (DE 663). (DE 682).
2. Defendants’ Motion to Discharge the Receiver is based upon the veracity and inaccuracies of the Receiver’s reports on Complete Business Solutions Group’s (“CBSG”) financial condition. See Defendants’ Motion to Discharge Receiver, Doc. 649 at 7.
3. On August 13, 2021, the parties exchanged reports on CBSG’s financial condition prepared by their respective experts. However, the deadline for the parties to exchange rebuttal reports is August 27, 2021—two days after the Hearing as presently set.
4. Allowing the parties to exchange rebuttal expert reports will provide more substance

to the issue at the heart of the Defendants' Motion to Discharge the Receiver, and ensure that the Court is fully advised of the relevant facts before making its ruling.

5. Moreover, and of less importance, Alan Futerfas, counsel for Defendant Lisa McElhone, has a scheduling conflict with the August 25, 2021 date, as Mr. Futerfas will be on a prescheduled vacation with his family that was scheduled in in mid-May 2021.

6. The request is made in good faith and not for any improper purpose. The requested extension will not prejudice any party.

7. Mr. Futerfas has contacted counsel for the Securities and Exchange Commission, Amie Berlin, with respect to this Motion, who advised the Commission has **no objection** to the relief requested herein.

WHEREFORE, Defendants Lisa McElhone, Joseph W. LaForte, and Joseph Cole Barleta, respectfully request this Court to enter an order continuing the Hearing on De Defendant's Motion to Discharge the Receiver (D.E. 649) and Motion to Dismiss the Amended Complaint (D.E. 663) be continued until September 3, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2021, a true and correct copy of the foregoing was served via CM/ECF on all counsel or parties of record.

By: /s/ Joel Hirschhorn
Joel Hirschhorn