

UNITED STATES DISTRICT COURT  
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, and

THE LME 2017 FAMILY TRUST, a/k/a

LME 2017 FAMILY TRUST,

Relief Defendant.

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**DEFENDANT, MICHAEL C. FURMAN'S, MOTION TO CONTINUE TRIAL,  
SEVER, AND TO RELEASE FUNDS**

Defendant, Michael C. Furman ("*Furman*"), by and through the undersigned counsel, hereby requests that the Court enter and Order: (i) Continuing trial; or (ii) Severing trial as it relates to him; and (iii) authorizing the release and disbursement of funds, and in support thereof states.

**ARGUMENT**

1. In addition to the relief sought in Defendants' Motion to Adjourn Trial [ECF No. 838] Defendant, Michael C. Furman, respectfully requests that the Court continue trial or sever his case due to the unavailability of the undersigned counsel.

2. The undersigned is counsel of record in the case captioned *It's a New 10, LLC v. Michael Wilson*, Case No. CACE 15-001127 (the "*State Court Case*"), and has been involved in that matter, as counsel to Defendant Michael Wilson, since 2016. The undersigned has been to nearly every deposition in the matter and is intimately familiar with all the facts and

circumstances concerning the dispute. The foregoing matter was originally set to go to trial commencing on November 2, 2021.

3. On or about October 15, 2021, the trial court entered an Order Setting Trial in the State Court Case, scheduling trial in that matter to commence on December 3, 2021. Because Defendant is represented by co-counsel, and the State Court Case has been pending for more than five years it is unlikely that trial in the State Court Case will be continued.

4. As a result, the undersigned is put in the unfortunate position of having to prejudice his longstanding client, to ensure that Mr. Furman has defense in this cause. And, therefore, the undersigned and Mr. Furman request that trial in this matter be continued.

5. Alternatively, Mr. Furman respectfully requests that his case be severed from the remaining defendants. Mr. Furman has had a very limited involvement in this instant case, and the amount of proposed disgorgement has not been articulated by the Plaintiff, the Securities and Exchange Commission.

6. In addition, Furman respectfully requests that the Court authorize the disbursement of funds for the defense of the SEC claims against him. While the SEC previously agreed to the release of \$35,000 for legal fees [ECF No. 176-2], that amount has been expended, and Mr. Furman needs additional funds to pay for the defense of this action through trial. Specifically, Furman requests that the Court authorize the release of Seventy-Five Thousand (\$75,000) to pay for his defense, and the defense of United Fidelis Group Corp. and Fidelis Financial Planning, LLC in connection with the above captioned case.

7. Furman otherwise lacks the funds to be able to pay for defense of this litigation.

WHEREFORE, Defendant, Michael Furman, respectfully requests that the Court enter an Order: (i) Granting the Motion; (ii) Continuing Trial in this Matter; (iii) Severing his cause

from that of the other Defendants; (iv) Authorizing the disbursement of \$75,000 for purposes of his defense at trial; and (v) Granting such further relief as the Court deems just and proper.

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(3)**

**I HEREBY CERTIFY** that counsel for the Movant has conferred with all parties or non-parties who may be affected by the relief sought in this Motion in a good faith effort to resolve the issue and Plaintiff does not consent to the relief sought.

Respectfully submitted,

**MILLENNIAL LAW, INC.**

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this **18th** day of October, 2021, the foregoing was filed using the Court's CM/ECF system which will send notice of electronic filing to all counsel of record.

By: *s/ Zachary P. Hyman*

Zachary P. Hyman