

**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.

**ORDER GRANTING IN PART MOTION TO INTERVENE AND
FOR RELIEF FROM AMENDED ORDER APPOINTING RECEIVER**

THIS CAUSE comes before the Court Upon Non-Party, Wilmington Savings Fund Society, Fsb, (“Wilmington”) not in its Individual Capacity but Solely as Trustee For Invictus Residential Pooler Trust 3a’s Motion to Intervene and for Relief from the Amended Order Appointing Receiver and Incorporated Memorandum of Law [ECF No. 845] (“Motion”) filed on October 19, 2021 and Receiver, Ryan K. Stumphauzer’s (1) Response in Opposition to Non-Party, Wilmington Savings Fund Society, Fsb, not in its Individual Capacity but Solely as Trustee For Invictus Residential Pooler Trust 3a’s Motion to Intervene and for Relief from the Amended Order Appointing Receiver and (2) Motion To Lift Litigation Injunction To Allow Commencement Of Proceedings Involving Non-Judicial Sale Of Property Located At 984 Bel Air Road, Los Angeles, CA 90077 [ECF No. 938] (“Motion to Lift Litigation Injunction”).

In the Motion, non-party Wilmington asks the Court to permit it to intervene in this action for the purpose of obtaining relief from the stay of litigation in the Amended Order Appointing Receiver [ECF No. 141] (the “Litigation Injunction”), so that Wilmington may proceed with a non-judicial foreclosure over certain property located at 984 Bel Air Road, Los Angeles, CA 90077

(the "Property"). The Receiver opposes the Motion insofar as Wilmington requests to intervene in the action. Resp. ¶ 15. However, in its Response, the Receiver asks the Court to lift the Litigation Injunction for the limited purpose of allowing Wilmington to foreclose on its Deed and Trust and proceed with a non-judicial foreclosure sale of the Property, in accordance with applicable state law. *Id.*

Wilmington has made a sufficient and proper showing in support of the aforementioned request for relief *in part* and the Receiver has made a sufficient and proper showing in support of the aforementioned request for relief.


Accordingly, having reviewed the record and being otherwise fully advised, it is hereby

ORDERED AND ADJUDGED as follows:

1. Wilmington's Motion [ECF No. 845] is **GRANTED IN PART** with respect to the requested relief of lifting the litigation injunction for the limited purpose of allowing it to proceed with its non-judicial foreclosure on the Property in California. The Motion [ECF No. 845] is **DENIED IN PART** insofar as it requests that Wilmington be permitted to intervene as a party Defendant in this action.

2. Considering the foregoing, the Receiver's Motion to Lift Litigation Injunction [ECF No. 938] is **GRANTED**.

DONE AND ORDERED in Fort Lauderdale, Florida, this 16th day of November, 2021.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record