

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

CASE NO.: 20-CV-81205-RAR

v.

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

Defendants.

DANIEL SCARAMELLINO, ONE NINE COUNTRY DRIVE, LLC. AND MICHELLE SCARAMELLINO'S UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO FILE RESPONSE IN OPPOSITION TO RECEIVER'S EXPEDITED MOTION TO EXPAND RECEIVERSHIP [ECF NO. 1180]

Interested Parties, Daniel Scaramellino, 19 Country Drive, LLC. and Michelle Scaramellino (collectively, "Responding Parties"), through their undersigned counsel, hereby jointly file this unopposed Motion for Extension of Time to File Response to *Receiver, Ryan K. Stumphauzer's Expedited Motion to Expand the Receivership to Include 19 Country Drive, Morristown, NJ 07960 [ECF No. 1180]* (the "Expedited Motion")., and states as follows:

1. Pursuant to the Court's original order (doc. 1182), the Responding Parties were to file their response to the Expedited Motion on March 24, 2022.

2. On about March 24, 2022, The Receiver and the Responding Parties had reached an agreement in principle to an escrow procedure regarding the proceeds of the sale of the New Jersey Property, with the intent of providing the parties a 30-day opportunity to attempt reach a settlement regarding the Motion to Expedite. The Respondents worked for hours on attempting to reach the agreement, however, due to information learned by Receiver's counsel at about

11:45 p.m. or so on March 24, 2022, Receiver's counsel indicated that the Receiver needs to discuss the issues further and determine how to proceed. Thus, the Responding Parties filed their First Motion for Extension to File their Response (the "Motion for Extension") (doc. 1193).

3. Currently, per the Court's Order Granting the Motion for Extension, the current deadline for the Responding Parties to file a response is now April 1, 2022.

4. In the past 7 days, the Receiver and the Responding Parties have been in further discussions and working together diligently towards a resolution which would allow the sale of the Property to be completed and the net sale proceeds to be held in escrow pending an ultimate resolution or adjudication of the pending disputed matters. Additional time is needed to obtain additional information related to the proposed sale, including, but not limited to pay off letters for existing encumbrances, O&E title reports, etc.

5. As a result, the Responding Parties require a 7 day extension of their response deadline. This will provide time to see whether the agreement in principle can be salvaged or to otherwise finalize their response.

6. In view of the circumstances, the Receiver has no objection to the foregoing 7 day extension.

7. If the preliminary agreement cannot be salvaged Responding Parties oppose the Expedited Motion on numerous grounds, including due process and jurisdiction, and would request an evidentiary hearing and a right to full discovery.

WHEREFORE, the Responding Parties, respectfully request that this Court enter an order extending the deadline for the Responding Parties to file a response for seven (7) additional days, through and including, April 8, 2022, and for such other relief as the Court deems just.

Respectfully submitted,

/s/ James D. Silver

James D. Silver, Florida Bar No.: 373702

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Attorney for Daniel Scaramellino

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 1, 2022, a true and correct copy of the foregoing was filed with the Clerk of the Court using CM/ECF.

/s/Katie Brinson Hinton

Katie Brinson Hinton