

**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 (1) DENYING NON-PARTY TOORAK CAPITAL
PARTNERS, LLC'S MOTION TO INTERVENE AND LIFT LITIGATION
INJUNCTION AND (2) GRANTING RECEIVER, RYAN K.
STUMPHAUZER'S MOTION TO LIFT LITIGATION INJUNCTION TO
ALLOW TOORAK CAPITAL PARTNERS, LLC TO PROCEED WITH
CERTAIN FORECLOSURE ACTIONS IN NEW YORK STATE COURT**

THIS CAUSE comes before the Court upon Non-Party Toorak Capital Partners, LLC's Motion to Intervene and Lift Litigation Injunction to Allow it to Proceed with Foreclosure Actions in New York State Court [ECF No. 1391] ("Motion to Intervene"); and the Receiver's Motion to Lift Litigation Injunction to Allow Toorak Capital Partners, LLC to Proceed with Certain Foreclosure Actions in New York State Court [ECF No. 1420] ("Receiver's Motion to Lift Litigation Injunction").

In the Motion to Intervene, Non-Party Toorak Capital Partners, LLC seeks to intervene in this action for the limited purpose of requesting the Court to lift the litigation injunction provided for in the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141] ("Amended Order"), so as to permit Toorak Capital Partners, LLC to proceed with the following two foreclosure actions that are pending in the Supreme Court of the State of New York, Kings

County: (a) *Toorak Capital Partners, LLC v. 145 Stuyvesant Ave. Prop. LLC, et al.*, Index No. 500868/2021 (“145 Stuyvesant Foreclosure Action”), which names Complete Business Solutions Group, Inc. d/b/a Par Funding as a junior lienholder defendant; and (b) *Toorak Capital Partners, LLC v. 347A Quincy St. Prop. LLC, et al.*, Index No. 501908/2021 (“347A Quincy Foreclosure Action”), which names Fast Advance Funding Inc. as a junior lienholder defendant.

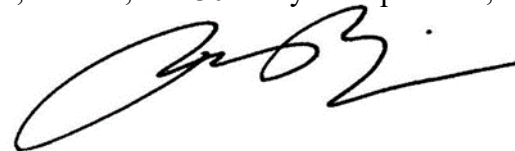
In the Receiver’s Response to the Motion to Intervene and the Receiver’s Motion to Lift Litigation Injunction, the Receiver opposes the Motion to Intervene, but simultaneously requests the Court lift the litigation injunction provided for in the Amended Order to allow Non-Party Toorak Capital Partners, LLC to proceed with the Foreclosure Action.

The Receiver has made a sufficient and proper showing in support of the relief requested. Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Motion to Intervene is **DENIED**.
2. The Receiver’s Motion to Lift Litigation Injunction is **GRANTED**. For the reasons stated in the Receiver’s Motion to Lift Litigation Injunction, the litigation injunction set forth in the Court’s Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141] is hereby lifted to allow Toorak Capital Partners, LLC to proceed with the 145 Stuyvesant Foreclosure Action and the 347A Quincy Foreclosure Action.

DONE AND ORDERED in Fort Lauderdale, Florida, this 30th day of September, 2022.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record