

**UNITED STATES DISTRICT COURT
FOR THE 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.

**RECEIVER'S MOTION TO APPROVE AMENDED
INVESTOR SUPPLEMENT TO PROOF OF CLAIM FORM**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,¹ by and through undersigned counsel, respectfully requests the Court to approve an

¹ The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding (“CBSG”); Full Spectrum Processing, Inc.; ABetterFinancialPlan.com LLC d/b/a A Better Financial Plan; ABFP Management Company, LLC f/k/a Pillar Life Settlement Management Company, LLC; ABFP Income Fund, LLC; ABFP Income Fund 2, L.P.; United Fidelis Group Corp.; Fidelis Financial Planning LLC; Retirement Evolution Group, LLC; RE Income Fund LLC; RE Income Fund 2 LLC; ABFP Income Fund 3, LLC; ABFP Income Fund 4, LLC; ABFP Income Fund 6, LLC; ABFP Income Fund Parallel LLC; ABFP Income Fund 2 Parallel; ABFP Income Fund 3 Parallel; ABFP Income Fund 4 Parallel; and ABFP Income Fund 6 Parallel; ABFP Multi-Strategy Investment Fund LP; ABFP Multi-Strategy Fund 2 LP; MK Corporate Debt Investment Company LLC; Capital Source 2000, Inc.; Fast Advance Funding LLC; Beta Abigail, LLC; New Field Ventures, LLC; Heritage Business Consulting, Inc.; Eagle Six Consulting, Inc.; 20 N. 3rd St. Ltd.; 118 Olive PA LLC; 135-137 N. 3rd St. LLC; 205 B Arch St Management LLC; 242 S. 21st St. LLC; 300 Market St. LLC; 627-629 E. Girard LLC; 715 Sansom St. LLC; 803 S. 4th St. LLC; 861 N. 3rd St. LLC; 915-917 S. 11th LLC; 1250 N. 25th St. LLC; 1427 Melon St. LLC; 1530 Christian St. LLC; 1635 East Passyunk LLC; 1932 Spruce St. LLC; 4633 Walnut St. LLC; 1223 N. 25th St. LLC; 500 Fairmount Avenue, LLC; Liberty Eighth Avenue LLC; Blue Valley Holdings, LLC; LWP North LLC; The LME 2017 Family Trust; Recruiting and Marketing Resources, Inc.; Contract Financing Solutions, Inc.; Stone Harbor Processing LLC; LM Property Management LLC; and ALB Management, LLC; and the receivership also includes the properties located at 568 Ferndale Lane, Haverford PA 19041; 105 Rebecca Court, Paupack, PA 18451; 107 Quayside Dr., Jupiter FL 33477; and 2413 Roma Drive, Philadelphia, PA 19145.

amended Investor Supplement to Proof of Claim Form to correct a scrivener's error. In support thereof, the Receiver states:

1. On December 23, 2022, the Court entered an Order (1) Approving Proof of Claim Form; (2) Establishing Claims Bar Date and Notice Procedures; and (3) Approving Procedure to Administer and Determine Claims [ECF No. 1471] (the "Order").

2. In the Order, the Court approved the Receiver's Proof of Claim Form, including an Investor Supplement to Proof of Claim Form, which is attached as Exhibit A to the Proof of Claim Form [ECF No. 1467-1] (the "Investor Supplement").

3. There is a scrivener's error in the Investor Supplement. At the bottom of that form, there is a space for claimants to indicate the total amount of their "net investment," which is supposed to be calculated by adding the total amounts the claimant invested in Par Funding or another related entity, and then subtracting the total amounts the investor received from Par Funding or another related entity. The form mistakenly states that, to determine the "net investment" amount, the claimant should: "(Calculate by Adding Total Amounts **Received**, and then Subtracting Total Amounts Received)." (*See* Investor Supplement (emphasis added)). The bolded and underlined text should state "invested," rather than "received," such that the instructions provide: "(Calculate by Adding Total Amounts **Invested**, and then Subtracting Total Amounts Received). (*Id.* (emphasis added)).

4. Through this Motion, the Receiver simply seeks to amend the Investor Supplement to make this correction and to substitute the amended Investor Supplement in place of the version the Court previously approved.

5. The Receiver is in the final stages of preparing the direct notice to be mailed to potential claimants. With the approval of this correction, the Receiver can include the corrected

Investor Supplement in the notice that is sent directly to potential claimants. The Receiver would also update the claims process webpage on the receivership website to include the corrected Investor Supplement form.

6. A copy of the proposed corrected Investor Supplement is attached as Exhibit 1, and a proposed order granting this Motion is attached as Exhibit 2.

CERTIFICATION REGARDING PRE-FILING CONFERENCE

The undersigned counsel has conferred with the SEC and Defendants Lisa McElhone, Joseph LaForte, and Michael Furman regarding the relief sought herein and certifies that: (i) the SEC does not oppose the relief requested herein; and (ii) Defendants Lisa McElhone, Joseph LaForte, and Michael Furman do not oppose the relief requested herein, subject to the objections and reservations they asserted in response to the Receiver's Motion Establish and Approve: (1) Proof of Claim Form; (2) Claims Bar Date and Notice Procedures; and (3) Procedure to Administer and Determine Claims (ECF No. 1467).

Dated: January 10, 2023

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 10, 2023, I electronically filed the foregoing document with the clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Timothy A. Kolaya
TIMOTHY A. KOLAYA

Exhibit “1”

Exhibit A – Investor Supplement to Proof of Claim Form

If you are an investor, please provide a detailed accounting of all funds you invested with the Creditor Entity against which you are making a claim, and all amounts you received from that Creditor Entity.

Investor Name: _____

Creditor Entity: _____

Amounts Invested:

<u>Date</u>	<u>Amount</u>	<u>Payor/Payee of Check/Wire</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
<u>Total Amount Invested:</u>		_____

Amounts Received:

<u>Date</u>	<u>Amount</u>	<u>Return of Principal/ Interest/Other (Describe)</u>	<u>Payor/Payee of Check/Wire</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<u>Total Amounts Received:</u>		_____	_____

Net Investment: _____

(Calculate by Adding Total Amounts Invested, and then Subtracting Total Amounts Received)

ADDITIONAL INFORMATION
(ATTACH ADDITIONAL SHEETS AS NECESSARY)

Exhibit 2

**UNITED STATES DISTRICT COURT
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Defendants.

_____ /

**[PROPOSED] ORDER GRANTING RECEIVER’S MOTION TO APPROVE
AMENDED INVESTOR SUPPLEMENT TO PROOF OF CLAIM FORM**

THIS CAUSE comes before the Court upon Receiver, Ryan K. Stumphauer’s (“Receiver”) Motion to Approve Amended Investor Supplement to Proof of Claim Form (the “Motion”) [ECF No. _____], filed on January 10, 2023.

Having reviewed the Motion and being otherwise duly advised, it is hereby

ORDERED AND ADJUDGED that the Motion is **GRANTED**.

The amended Investor Supplement to Proof of Claim Form, attached to the Motion as Exhibit 1 [ECF No. ____-1] (the “Amended Investor Supplement”), is hereby approved and shall be substituted in place of the Investor Supplement to Proof of Claim Form [ECF No. 1467-1] the Court approved previously in its Order (1) Approving Proof of Claim Form; (2) Establishing Claims Bar Date and Notice Procedures; and (3) Approving Procedure to Administer and Determine Claims [ECF No. 1471] (the “Order Approving Claims Process”). The Receiver is directed: (i) to include the Amended Investor Supplement in the direct notice materials the Receiver sends to potential claimants pursuant to the Notice Procedures the Court approved in the

Order Approving Claims Process; and (ii) post the Amended Investor Supplement on the claims process webpage on the Receiver's website. If any investors have already completed and submitted a Proof of Claim using the original Investor Supplement to Proof of Claim Form, they are not required to amend the Proof of Claim to include a completed Amended Investor Supplement.

DONE AND ORDERED in Fort Lauderdale, Florida, this ____ day of _____, 202__.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record