

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 9:20-cv-81205-RAR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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

Defendants

**DEFENDANT JOSEPH COLE BARLETA’S UNOPPOSED MOTION
TO RELEASE CAPITAL SOURCE 2000 FROM THE RECEIVERSHIP**

Defendant **JOSEPH COLE BARLETA** (“Barleta”), by and through their undersigned counsel, hereby move the Court for entry of an order to release Capital Source 2000 (“CS 2000”) from the Receivership, and to address the disposition of certain bank accounts and assets, and respectfully state in support as follows:

1. After extensive discussions with counsel for both the Receiver and the SEC, Barleta has prepared the enclosed draft order that would accomplish the separation of Capital Source 2000 and to clarify the release of certain assets and accounts. The substance of the relief is fully described in the proposed order submitted herewith and attached hereto as Text of Proposed Order and will not be repeated herein.

2. Moreover, Barleta has provided a sworn declaration, attached hereto as Exhibits A, attesting to the factual matters set forth in the proposed order.

3. It should be known to the Court that Mr. Barleta has 70% ownership, while Mr. Bromney has 30% ownership of CS 2000.

4. On information and belief, Mr. Bromley has been in contact with the Receiver, and has some reservations regarding the return of CS 2000. However, it appears that the Receiver, through Receiver counsel, has addressed all of the concerns.

5. Regardless, at this point, Mr. Bromley has not signed a proposed declaration like Mr. Cole has. Mr. Cole's position is that Mr. Bromley's acquiescence is immaterial to the return of CS 2000 as he is, at best, a minority stakeholder. However, if the Court wishes for something to be done regarding this, Cole will comply with all of the Court's Requirements.

6. This issue has, likewise, been discussed between Receiver's counsel and Cole's counsel, who will leave it to the Court to fashion any remedy it sees fit, assuming one is even necessary.

WHEREFORE, Barleta respectfully request that this Court enter the attached order.

Local Rule 7.1 Statement

Pursuant to Southern District of Florida Local Rule 7.1, undersigned counsel has conferred with counsel for both the SEC and the Receiver in a good-faith effort to resolve the issues raised in this motion, The Receiver has no objection to the relief sought. The SEC has advised that it will not oppose the relief sought herein and takes no position.

Dated: February 27, 2023

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of February 2023, a true and correct copy of the foregoing was served via the Court's CM/ECF System upon all counsel of record.

= Andre G. Raikhelson, Esq
= FBN: 123657

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Defendants

**ORDER GRANTING DEFENDANT JOSEPH COLE BARLETA’S AND
NON-PARTY WILLIAM BROMLEY’S UNOPPOSED MOTION TO RELEASE
CAPITAL SOURCE 2000 FROM THE RECEIVERSHIP**

THIS CAUSE comes before the Court on Defendant Joseph Cole Barleta’s (“Barleta”) Unopposed Motion to Release Capital Source 2000 from the Receivership (“Motion”).

In the Motion, Barleta request that the Court carve out from the Receivership— including from any direct or indirect coordination with or reporting obligations to the Receiver Capital Source 2000. The Securities and Exchange Commission has represented that it does not intend to seek satisfaction of any judgment against Barleta based on Barleta’s ownership interest in Capital Source 2000 and has requested that Receiver release Capital Source 2000 from the Receivership. Barleta will pay the Receiver the amount of \$10,000.00 in consideration for the Receiver’s services during the period. Having reviewed the Motion and Barleta’s Sworn Declarations, and being otherwise fully advised, it is hereby

ORDERED AND ADJUDGED that the Motion is **GRANTED** as follows:

1. Within 10 days from the date of this Order, Barleta shall authorize the Receiver to transfer from the Capital Source 2000 bank account at City National Bank of Florida to the Receiver’s bank account \$10,000.00, representing the fees, costs, and expenses the Receivership

has paid or incurred for the purpose of managing, operating, or otherwise coordinating with Barleta and Bromley in connection with his operation of Capital Source 2000.

2. Upon compliance with the foregoing provisions of this Order, the Receiver shall file a notice with the Court confirming that Capital Source 2000 no longer has any association or involvement with, or coordination or reporting obligations to, the Receiver and the Receivership Estate.

3. The removal of Capital Source 2000 from the Receivership shall constitute a vacation of the appointment of the Receiver over the assets and affairs of any General Partner thereof for purposes of Section 17-402 of the Delaware Revised Uniform Limited Partnership Act, relating solely to Capital Source 2000 and shall not otherwise affect or impair any rights or claims that the Receiver may have in matters unrelated to Capital Source 2000, including any rights or claims that the Receiver may have against Barleta.

4. After the Court enters its Order removing the Capital Source 2000 from the Receivership, then the following shall occur, as will be memorialized in the Order removing Capital Source 2000 from the Receivership:

- The Receiver shall be replaced as the signatory on the bank accounts for Capital Source 2000 within 5 days from the date of the Order removing Capital Source 2000 from the Receivership;
- The Receiver shall transfer the books and records and QuickBooks files for Capital Source 2000, and all other data or documentation necessary for the continued operation of Capital Source 2000, to Barleta;
- The Receiver shall coordinate with third party vendors and Barleta the transfer of data which does not reside within the Receiver's books and records and Barleta agrees that any costs associated with the transfer of this data is excluded from the

\$10,000 noted herein and Barleta will be responsible for engaging and paying the third party vendor;

- The Receiver shall coordinate the transfer of Capital Source 2000's internet domain name and address which the Receiver now controls. Barleta agrees to pay any and all fees, including to the Receiver's information technology consultant, related to the transfer of internet domain name and address; and,
- The Court's existing litigation hold pursuant to its Amended Order Appointing Receiver [ECF No. 141] will be lifted as to Capital Source 2000.

DONE AND ORDERED in Fort Lauderdale, Florida, this ___ day of _____, 2023.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record

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DECLARATION OF JOSEPH COLE BARLETA REGARDING UNOPPOSED MOTION

I, JOSEPH COLE BARLETA hereby submit the following Declaration, and do hereby declare under the penalty of perjury as follows:

1. I am over the age of 18 and am competent to testify. I have personal knowledge of the facts and circumstances set forth in herein.
2. I am providing this sworn declaration to accompany my Unopposed Motion to Release Capital Source 2000 from the Receivership (the "Motion").
3. I have reviewed the Motion and the proposed Order to be submitted with the Motion. All factual matters set forth in the Motion and proposed Order are true and correct.

I declare under penalty of perjury pursuant to 28 USC 1746 that the foregoing is true and correct. Executed on this 11TH day of JANUARY 2023.



Joseph Cole Barleta