

**IN THE 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.

**RESPONSE IN SUPPORT OF THE RECEIVER’S MOTION TO REIMPOSE
LITIGATION STAY AS TO CLAIMS AGAINST
ECKERT SEAMANS AND/OR JOHN W. PAUCIULO**

Plaintiffs in the putative class actions captioned *Montgomery v. Eckert Seamans Cherin & Mellott*, No. 20-cv-23750-RAR (S.D. Fla.) (Ruiz, J.) (the “Montgomery Action”) and *Melchior v. Vagnozzi*, No. 20-cv-05562 (E.D. Pa.) (Schiller, J.) (the “Melchior Action”), submit this Response in Support of the Motion to Reimpose Litigation Stay as to Claims Against Eckert Seamans Cherin & Mellott (“Eckert Seamans”) and/or John W. Pauciulo by Ryan K. Stumphauzer (the “Receiver”), as equity receiver in *SEC v. Complete Business Solutions Group, Inc. d/b/a Par Funding*, No. 20-cv-81205-RAR (S.D. Fla.) (Ruiz, J.). See ECF No. 1598.

The undersigned are counsel for the investor plaintiffs in the Montgomery Action and the Melchior Action. Working with the Receiver, on June 7, 2023, we reached an agreement in principle to resolve the class claims against Eckert Seamans and John W. Pauciulo. The proposed settlement, which is the product of lengthy, hard fought negotiations, would provide substantial monetary benefits for investors in various merchant cash advance-backed securities that were sold by certain of Receivership Entities.

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The proposed stay of litigation will provide plaintiffs in the Montgomery Action and the Melchior Action sufficient time to finalize the settlement with Eckert Seamans and attorney John W. Pauciulo. Accordingly, plaintiffs in the Montgomery Action and the Melchior Action believe that it would be appropriate to reimpose the Litigation Stay over any case against Eckert Seamans and/or John W. Pauciulo that involves Complete Business Solutions Group, Inc., regardless of whether a Receivership Entity is a party.

Dated: June 20, 2023

By: /s/Jason Kellogg
Jason Kellogg
**LEVINE KELLOGG LEHMAN
SCHNEIDER + GROSSMAN LLP**
100 Southeast Second Street
36th Floor
Miami, FL 33131
Tel.: (305) 403-8788
jcs@lklsg.com
jk@lklsg.com
vjw@lklsg.com

*Counsel for Class Plaintiffs Dennis
Melchior et al. and Robert Montgomery et
al.*