

**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, RYAN K. STUMPHAUZER’S REPLY IN SUPPORT OF
RECEIVER’S MOTION FOR ORDER AUTHORIZING THE SALE OF REAL
PROPERTY LOCATED AT 568 FERNDAL LANE, HAVERFORD, PA 19041**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,¹ files this Reply in Support of his Motion for Order Authorizing the Sale of the Real

¹ The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding; 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; ABFP Income Fund 6 Parallel; ABFP Multi-Strategy Investment Fund LP; ABFP Multi-Strategy Investment 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 Consultants, 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; Liberty Eighth Avenue LLC; The LME 2017 Family Trust; Blue Valley Holdings, LLC; LWP North LLC; 500 Fairmount Avenue, LLC; Recruiting and Marketing Resources, Inc.; Contract Financing Solutions, Inc.; Stone Harbor Processing LLC; and LM

Property Located at 568 Ferndale Lane, Haverford, PA 19041 [ECF No. 1602] (the “Motion”), and states:

Defendants Joseph W. LaForte’s and Lisa McElhone’s Memorandum in Opposition to the Receiver’s Motion [ECF No. 1612] (the “Response”) is simply a rehash of prior arguments about the pendency of their appeal, the adequacy of other assets purportedly available to satisfy the judgments against them, and the authority of the Receiver to manage the assets within the Receivership Estate. The Court has repeatedly rejected these arguments. *See, e.g.*, ECF No. 1540 (noting that the entities McElhone purports to “own or control” are Receivership entities actually under the control of the Receiver, and further noting that “the Receiver has the sole authority to manage the receivership assets”). Their arguments about the value of the property located at 568 Ferndale Lane, Haverford, PA 19041 (the “Haverford Property”) are equally specious. First, they seek to substitute their opinions for the Receiver’s sound business judgment. Second, they hypothesize that the Receiver, who has sold the home for an amount substantially greater than both its appraised value and list price, somehow has “undervalued it.” [Response at 2]. They also speculate that the property may increase in value in the future. [*Id.*]

The Receiver has 25 properties that he is in the process of marketing and selling, under the authority the Court granted him in its Orders dated January 11, 2023 [ECF No. 1486], and January 31, 2023 [ECF No. 1503]. Each of these property sales will be the subject of a future motion to approve the specific sale. The Receiver has commissioned an appraisal for each property, hired real estate brokers and other professionals, and also obtained other comparative market information. He carefully considers this information as part of any proposed sale. By its nature,

Property 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; 2413 Roma Drive, Philadelphia, PA 19145.

this process is complex and time-consuming. To require the Receiver to be hamstrung by a purported need to ascertain LaForte's and McElhone's opinions about the timing and sale price of each property would be even more time-consuming and a waste of Receivership resources.

Finally, the Receiver, who has sole legal authority over Blue Valley Holdings, LLC, the entity that owns the Haverford Property, is fully authorized to waive the requirements of 28 U.S.C. § 2001 with respect to the sale of the Haverford Property. In response, LaForte and McElhone note that the Receiver sought Perry Abbonizio's consent to waive these requirements for two properties in which Mr. Abbonizio maintained "an interest." [Response at 6]. They have neglected to inform the Court, however, that Mr. Abbonizio, personally, was the title owner of one property, and the other property was titled in the name of a corporation that Mr. Abbonizio owned, which was not a Receivership entity. To the extent that any of the remaining 24 properties are not titled in the name of one of the Receivership Entities, the Receiver will comply with the requirements of 28 U.S.C. § 2001 and § 2004, or seek a stipulation from the title owner.²

CONCLUSION

For the foregoing reasons, the Receiver respectfully requests that the Court reject the arguments in LaForte and McElhone's Response and grant the Motion.

² The Receiver believes that this may apply only to two of the properties within the Receivership Estate: 2413 Roma Drive, Philadelphia, Pennsylvania, and 108 Quayside Drive, Jupiter, Florida.

Dated: June 26, 2023

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 26, 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