

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.

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**ORDER GRANTING RECEIVER’S MOTION TO REIMPOSE LITIGATION STAY AS  
TO CLAIMS AGAINST ECKERT SEAMANS AND/OR JOHN W. PAUCIULO**

THIS CAUSE comes before the Court upon Ryan K. Stumphauzer, Court-Appointed Receiver’s, Motion to Reimpose Litigation Stay as to Claims against Eckert Seamans Cherin & Mellott, LLC and John W. Pauciulo [ECF No. 1598] (“Motion”). The Court has carefully reviewed the Motion, the caselaw, and the record in this matter. Accordingly, for the reasons stated herein and in the Motion, it is hereby

**ORDERED AND ADJUDGED** as follows:

1. The Motion [ECF No. 1598] is **GRANTED**.
2. The Receiver has notified the Court that the Receiver and counsel for investor plaintiffs in various actions have reached an agreement in principle to resolve the Receivership Entities’ claims and the investor plaintiffs’ claims against Eckert Seamans Cherin & Mellott, LLC (“Eckert Seamans”) and John W. Pauciulo, which would result in a substantial payment into the Receivership Estate.
3. In light of the foregoing, the stay of all litigation involving the Receivership Entities and any Receivership Property (“Litigation Stay”) in the August 13, 2020, Amended Order

Appointing Receiver [ECF No. 141] (“Appointment Order”) is hereby **REIMPOSED** over any case against Eckert Seamans Cherin & Mellott, LLC and/or John W. Pauciulo that involves Complete Business Solutions Group, Inc., regardless of whether a Receivership Entity is a party, including but not limited to the following actions:

- a. *Melchior v. Vagnozzi, et al.*, No. 20-5562 (E.D. Pa. 2020);
- b. *Montgomery, et al. v. Eckert Seamans Cherin & Mellott, LLC, et al.*, No. 20-cv-23750 (S.D. Fla. 2020);
- c. *Parker, et al. v. Pauciulo, et al.*, No. 20-00892 (Phila. Ct. Com. Pl. 2020);
- d. *Dean Vagnozzi v. Pauciulo, et al.*, No. 210402115 (Phila Ct. Com. Pl. 2021);
- e. *Albert Vagnozzi, et al. v. Pauciulo, et al.*, No. 210502334 (Phila Ct. Com. Pl. 2021);
- and
- f. *Legacy Advisory Group, Inc., et al. v. Pauciulo, et al.*, No. 211001003 (Phila Ct. Com. Pl. 2021).<sup>1</sup>

4. The Receiver shall file a status report within **30 days** from the date of this Order to update the Court on the progress of finalizing and seeking the Court’s approval of the settlement with Eckert Seamans and John W. Pauciulo.

**DONE AND ORDERED** in Miami, Florida, this 29th day of June, 2023.



**RODOLFO A. RUIZ II**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> In its Order dated September 8, 2022 [ECF No. 1398], the Court maintained the Litigation Stay in one additional pending action, *Caputo, et al. v. Vagnozzi, et al.*, No. 20-cv-01042 (D. Del. 2020), which includes claims against Dean Vagnozzi, Eckert Seamans, and John W. Pauciulo, as well as claims against several Receivership Entities, including ABetterFinancialPlan.com, LLC, ABFP Management Company, LLC, ABFP Income Fund LLC, ABFP Income Fund 2, L.P., 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, L.P., ABFP Income Fund 3 Parallel, LLC, ABFP Income Fund 4 Parallel, LLC, and ABFP Income Fund 6 Parallel, LLC. The Litigation Stay shall remain in place as to that action.