

**IN THE 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 NOTICE OF FILING
TIME RECORDS IN CONNECTION WITH ORDER GRANTING RECEIVER'S
EXPEDITED MOTION TO QUASH SUBPOENA AND FOR PROTECTIVE ORDER**

The Receiver, Ryan K. Stumphauzer, pursuant to the Court's Order Granting Receiver's Expedited Motion to Quash July 23, 2023¹ Subpoena and for Protective Order [ECF No. 1623] (the "Order"), provides notice of filing the attached time records of the attorneys' fees the Receiver has incurred in connection with the Receiver's Expedited Motion to Quash July 23, 2023 Subpoena and for Protective Order [ECF No. 1620] (the "Motion to Quash"). In the Order, the Court instructed the Receiver "to file a notice with the billing records detailing the time his counsel incurred in filing this Motion, by no later than July 5, 2023. Thereafter, the Court will enter a subsequent order determining the amount of attorneys' fees and costs to be paid to the Receiver pursuant to this Order." *See* Order at 2.

Enclosed as Exhibit 1 and Exhibit 2 are records of the time the Receiver and his counsel incurred in connection with the Motion to Quash. These time records reflect that the Receiver has

¹ In filing this Notice, the Receiver notes that this reference to July 23, 2023, should have been "June 23, 2023."

incurred the following attorneys' fees in connection with the Motion to Quash:

<u>Law Firm</u>	<u>Hours</u>	<u>Fees</u>
Pietragallo Gordon Alfano Bosick & Raspanti, LLP (<u>Exhibit 1</u>)	8.7	\$2,786.50
Stumphauzer Kolaya Nadler & Sloman, PLLC (<u>Exhibit 2</u>)	1.5	\$592.50
Total:	10.2	\$3,279.00

A proposed Order awarding the Receiver attorneys' fees in this amount is attached as Exhibit 3.

Dated: July 3, 2023

Respectfully Submitted,

**STUMPHAUZER KOLAYA
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By: /s/ Timothy A. Kolaya
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Co-Counsel for Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 3, 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”

TRANS NO	PROF	DATE	MATTER ID	CLIENT/REPORTING NAME	MATTER	CODE	HOURS	RATE	FEES
6518213	GJA	6/23/2023	SFSLAW-114215.032	CORRESPONDENCE FROM COUNSEL FOR PARKER PLAINTIFFS REGARDING GJA DEPOSITION; REVIEW SUBPOENA FOR DEPOSITION	ASSET ANALYSIS AND RECOVERY (AAR)	AAR / T	0.30	\$395.00	\$118.50
6517188	MEY	6/26/2023	SFSLAW-114215.032	DRAFTING MOTION FOR PROTECTIVE ORDER	ASSET ANALYSIS AND RECOVERY (AAR)	AAR / T	2.10	\$295.00	\$619.50
6517240	MEY	6/26/2023	SFSLAW-114215.032	EDITING MOTION FOR PROTECTIVE ORDER TO INCLUDE GJA'S SUGGESTIONS	ASSET ANALYSIS AND RECOVERY (AAR)	AAR / T	2.30	\$295.00	\$678.50
6517319	MEY	6/26/2023	SFSLAW-114215.032	EDITING MOTION FOR PROTECTIVE ORDER PER GJA'S SUGGESTIONS (PARKER)	ASSET ANALYSIS AND RECOVERY (AAR)	AAR / T	1.20	\$295.00	\$354.00
6517378	MEY	6/26/2023	SFSLAW-114215.032	EDITING MOTION FOR PROTECTIVE ORDER RE: SUBPOENA FOR FINAL TIME	ASSET ANALYSIS AND RECOVERY (AAR)	AAR / T	0.90	\$295.00	\$265.50
6519249	GJA	6/26/2023	SFSLAW-114215.032	REVIEW, REVISE MOTION TO QUASH AND FOR A PROTECTIVE ORDER REGARDING PARKER PLAINTIFFS' DEPOSITION SUBPOENA	ASSET ANALYSIS AND RECOVERY (AAR)	AAR / T	1.90	\$395.00	\$750.50
TOTALS							8.70		\$2,786.50

Exhibit “2”

Date	User	Description	Matter number	Matter description	Hours	Rate (\$)	Billable (\$)
6/26/2023	Timothy Kolaya	Finalize and file motion to quash subpoena and for protective order in connection with subpoena served by Cliff Haines.	2020-00554	CBSG / Par Funding Receivership	0.8	\$395.00	\$316.00
6/26/2023	Ryan Stumphauzer	Review of motion to quash deposition notice to Alfano, review Rosenblum email with proposed edits to same, review Kolaya redline copy, draft email to Alfano and Rosenblum with feedback re: same.	2020-00554	CBSG / Par Funding Receivership	0.4	\$395.00	\$158.00
6/27/2023	Timothy Kolaya	Review of response to expedited motion to quash subpoena and order granting motion, and follow up emails with co-counsel re same.	2020-00554	CBSG / Par Funding Receivership	0.3	\$395.00	\$118.50

TOTALS 1.5 \$592.50

Exhibit “3”

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.

**[PROPOSED] ORDER AWARDING ATTORNEYS' FEES TO RECEIVER IN
CONNECTION WITH ORDER GRANTING RECEIVER'S EXPEDITED MOTION
TO QUASH JULY 23, 2023 SUBPOENA AND FOR PROTECTIVE ORDER**

THIS CAUSE comes before the Court upon Ryan K. Stumphauzer, Court-Appointed Receiver's Expedited Motion to Quash July 23, 2023 Subpoena and for Protective Order [ECF No. 1620] (the "Motion to Quash"), the Court's Order Granting Receiver's Expedited Motion to Quash July 23, 2023 Subpoena and for Protective Order [ECF No. 1623] (the "Order Granting Motion to Quash"), and the Receiver's Notice of Filing Time Records in Connection with Order Granting Receiver's Expedited Motion to Quash July 23, 2023 Subpoena and for Protective Order [ECF No. ____] (the "Notice of Filing Time Records"). The Court has reviewed the Motion to Quash, the Order Granting Motion to Quash, the Notice of Filing Time Records, and the record in this matter. For the reasons set forth in the Order Granting Motion to Quash, it is hereby

ORDERED AND ADJUDGED that

1. In the Order Granting Motion to Quash, the Court stated:

Pursuant to Fed. R. Civ. P. 26(c) and 37(a)(5), Plaintiffs in the case of *Parker, et al. v. Pauciulo, et al.*, Case No. 210502334 (Phila Ct. Com. Pl. 2021) and their counsel shall pay the Receiver his reasonable expenses incurred in making the Motion, including attorneys' fees, in an amount to be determined by the Court. The Receiver is

INSTRUCTED to file a notice with the billing records detailing the time his counsel incurred in filing this Motion, by no later than July 5, 2023. Thereafter, the Court will enter a subsequent order determining the amount of attorneys' fees and costs to be paid to the Receiver pursuant to this Order.

Order Granting Motion to Quash at 2.

2. Fed. R. Civ. P. 26(c)(3) and 37(a)(5)(A) command courts to award reasonable attorneys' fees and costs to a party prevailing on a motion to quash a subpoena and for a protective order. The Court, having scrutinized the 10.2 hours of billing records submitted by the Receiver in connection with filing the Motion to Quash and pursuing the Order Granting Motion to Quash, finds the time spent and hourly rates requested reasonable. *See* Receiver's Notice of Filing Time Records. Accordingly, Plaintiffs in the case of *Parker, et al. v. Pauciulo, et al.*, Case No. 210502334 (Phila Ct. Com. Pl. 2021) and their counsel are **INSTRUCTED** to pay the Receiver **\$3,279.00** in attorneys' fees on or before **July _____, 2023**.

DONE AND ORDERED in Miami, Florida, this _____ day of July, 2023.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record