

**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,

STATUS REPORT PURSUANT TO DOCKET No. 1766

On December 1, 2023, Lisa McElhone’s counsel James Kaplan and Noah Snyder conferred with Securities and Exchange Commission Counsel Amie Berlin and Michael Roessner in accordance with the Court’s Order requiring the parties to “meet and confer and notify the Court as to whether Defendant will be asserting her Fifth Amendment privilege in response to the proposed Court-ordered accounting.” Dkt. No. 1766.

On December 4, 2023, Counsel advised by email that Ms. McElhone will assert the Fifth Amendment privilege with respect to any order to provide a sworn accounting.

In accordance with the Court's direction, the parties propose the following briefing Schedule:

Proposed Briefing Schedule

SEC's Motion: December 15, 2023

McElhone's Opposition brief: January 5, 2024

SEC's Reply Brief: January 12, 2024

McElhone's Counsel requested the inclusion of the following paragraph:

Ms. McElhone's Counsel believes that there is no motion before the Court at this time seeking to compel a sworn accounting from Ms. McElhone, as the SEC's Motion for an Order to Show Cause (Dkt. No. 1729) is based on Ms. McElhone's failure to pay the Final Judgement and asks the Court to order Ms. McElhone to identify and turn over the six bank accounts identified in her motion to release such funds from the Court's Asset Freeze Order. (Dkt. No. 1721). Ms. McElhone will agree to identify the bank accounts at issue in her motion (Dkt. No. 1721), but she will not provide a sworn accounting. Ms. McElhone understands that the Court previously ordered her to provide a sworn accounting as part of a Temporary Restraining Order filed on July 28, 2020 (Dkt. No. 42), which she declined to provide on 5th Amendment grounds. To the extent the TRO has not been merged into the Final Judgment and the SEC subsequently seeks to enforce compliance

with the sworn accounting provision, Ms. McElhone will renew the exercise of her 5th Amendment privilege with respect to any order to provide a sworn accounting.

Dated: December 1, 2023
Washington, D.C.

Respectfully submitted,

s/MICHAEL J. ROESSNER
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