

**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.

**RECEIVER’S MOTION FOR EXTENSION OF PAGE LIMIT AND
FOR ONE DAY EXTENSION OF TIME FOR REPLIES TO CERTAIN
RESPONSES TO RECEIVER’S MOTION (1) TO APPROVE PROPOSED
TREATMENT OF CLAIMS AND (2) FOR DETERMINATION OF PONZI SCHEME**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,¹ hereby requests an extension of the page limit and a one-day extension of time for the replies

¹ The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding (“CBSG”); 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; 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; LM Property Management LLC; and

he intends to file in response to various responses to the Receiver's Motion (1) to Approve Proposed Treatment of Claims and (2) for Determination of Ponzi Scheme [ECF No. 1843] (the "Claims Motion"). Specifically:

1. On April 22, 2024, the Receiver filed his Claims Motion.
2. On April 23, 2024, the Court entered its Order Setting Briefing Schedule for Claim Determination. [ECF No. 1845]. In that Order, the Court required claimants to file any responses to the Claims Motion, which were not to exceed 10 pages, by May 7, 2024. Further the Court directed the Receiver to file a reply to "each response, or category of response," on or before May 21, 2024. Additionally, the order provided that the Receiver's replies were not to exceed 10 pages.
3. As of the filing of this motion, there are 44 responses to the Receiver's Claims Motion. The Receiver is in the process of finalizing his replies to these responses, and is consolidating his replies so as to avoid duplicative arguments and minimize the number of filings on the Claims Motion.
4. To that end, the Receiver intends to file the following replies:
 - a. A consolidated reply to all investor responses (the "Investor Responses");
 - b. A consolidated reply to the responses from (i) Joseph Cole Barleta, (ii) Lisa McElhone and Joseph LaForte, and (iii) MHL Union Alliance LLC (the "Defendant/Insider Responses");
 - c. A reply to the consolidated response from the Chehebar Investors (the "Chehebar Response");
 - d. A reply to the non-party merchant claimants represented by attorney Shane Heskin (the "Merchant Response");
 - e. A reply to the response from sales agent Michael Tierney (the "Tierney

ALB Management, Inc., and the Receivership also includes the property located at 107 Quayside Drive, Jupiter, Florida 33477.

Response”); and

- f. A reply to the response from Michael Wheatley, as Trustee for Estate of James Brad Law (the “Trustee Response”).

5. The Receiver intends to file timely replies, within the established page limitations, to (a) the Investor Responses, (b) the Tierney Response, and (c) the Trustee Response.

6. With the Court’s permission [ECF No. 1857], the Merchant Response was 20 pages [ECF No. 1887]. The Receiver is prepared to file a timely response to the Merchant Response, but requests permission to exceed the page limitation and file a reply to the Merchant Response that does not exceed 15 pages.

7. With the Court’s permission [ECF No. 1877], Lisa McElhone and Joseph LaForte filed a 17-page response to the Claims Motion [ECF No. 1890]. Because the Receiver intends to file a single, consolidated reply to those arguments, which also addresses the arguments from Joseph Cole Barleta [ECF No. 1855] and MHL Union Alliance LLC [ECF No. 1860], the Receiver requests permission to file a consolidated reply to the Defendant/Insider Responses that does not exceed 15 pages. In addition, due to the press of business, including multiple pending deadlines in this and other cases, counsel for the Receiver requests one additional day, through May 22, 2024, to file that reply.

8. With the Court’s permission [ECF No. 1852], the Chehebars filed a 19-page consolidated response to the Claims Motion [ECF No. 1889]. The Receiver requests permission to file a single reply to that response that does not exceed 15 pages. In addition, due to the press of business, including multiple pending deadlines in this and other cases, counsel for the Receiver requests one additional day, through May 22, 2024, to file that reply.

9. The Receiver is cognizant of Rule 3I(1) of the Southern District of Florida’s CM/ECF Administrative Procedures, which requires a movant to attach the proposed filing when seeking leave of court to file a document. Given the practicalities of the Receiver’s efforts to minimize the number

of filings on the Claims Motion, and the press of deadlines, the Receiver is still in the process of finalizing these replies and, therefore, not attaching the proposed filings to this Motion and requests relief from this requirement.

WHEREFORE, the Receiver requests: (a) permission to file a 15-page reply to the Merchant Response; (b) permission to file a 15-page reply to the Defendant/Insider Responses; (c) permission to file a 15-page reply to the Chehebars Response; and (d) a one-day extension of time to file his replies to the Defendants/Insiders Responses and the Chehebars Response.

Local Rule 7.1 Certification

Pursuant to Local Rule 7.1, the undersigned counsel for the Receiver certifies that he has conferred with counsel for the Chehebars, Joseph LaForte, Lisa McElhone, and the merchants, and confirms that they do not oppose the relief requested herein.

Dated: May 21, 2024

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 21, 2024, 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

UNITED STATES DISTRICT COURT
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SECURITIES AND EXCHANGE
COMMISSION,

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v.

COMPLETE BUSINESS SOLUTIONS
GROUP, INC. d/b/a PAR FUNDING, *et al.*,

Defendants.

[PROPOSED] ORDER GRANTING RECEIVER’S MOTION FOR EXTENSION OF PAGE LIMIT AND FOR ONE DAY EXTENSION OF TIME FOR REPLIES TO CERTAIN RESPONSES TO RECEIVER’S MOTION (1) TO APPROVE PROPOSED TREATMENT OF CLAIMS AND (2) FOR DETERMINATION OF PONZI SCHEME

THIS CAUSE comes before the Court upon the Receiver’s Motion for Extension of Page Limit and for One-Day Extension of Time for Replies to Certain Responses to the Receiver’s Motion (1) to Approve Proposed Treatment of Claims and (2) for Determination of Ponzi Scheme [ECF No. _____] (the “Motion”). The Court has reviewed the Motion and the record in this matter, and is otherwise fully advised. The Receiver has made a sufficient and proper showing in support of the relief requested in the Motion. Accordingly, for the reasons stated in the Motion, it is hereby

ORDERED AND ADJUDGED that the Motion is **GRANTED**. The Receiver is (a) permitted to file a 15-page reply to the Merchant Response [ECF No. 1887]; (b) permitted to file a 15-page reply to the Defendant/Insider Responses [ECF Nos. 1855, 1860, 1890]; (c) permitted to file a 15-page reply to the Chehebars Response [ECF No. 1889]; and (d) granted a one-day extension of time, through May 22, 2024, to file his replies to the Defendants/Insiders Responses and the Chehebars Response

DONE AND ORDERED in Miami, Florida, this ____ day of May, 2024.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record