

**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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**LISA MCELHONE’S AND JOSEPH LAFORTE’S MOTION TO SUBMIT  
THEIR PROPOSED ORDER ON ECF NO. 1843 *NUNC PRO TUNC***

Defendants, Lisa McElhone and Joseph LaForte, by and through their undersigned counsel, hereby file this Motion seeking to submit their Proposed Order on the Receiver’s Motion (1) to Approve Proposed Treatment of Claims and (2) for Determination of Ponzi Scheme *nunc pro tunc*, and treat the Proposed Order as timely submitted on June 7, 2024. As support therefore, McElhone and LaForte state as follows:

1. On April 22, 2024, the Receiver filed its Motion (1) to Approve Proposed Treatment of Claims and (2) for Determination of Ponzi Scheme [ECF No. 1843, the “Claim Motion”].
2. On May 7, 2024, McElhone and LaForte filed their Memorandum of Law in Opposition to Receiver’s Motion (1) to Approve Proposed Treatment of Claims and (2) for Determination of Ponzi Scheme [ECF No. 1890, the “Response in Opposition”].
3. Pursuant to the Court’s Omnibus Order on Claims Determination Process [ECF No. 1944], all parties with an interest in the outcome of the Receiver’s Claim Motion were requested to submit a proposed order in support of, or in opposition to, the Claim Motion by June 7, 2024.

4. Due to the press of other deadlines in this matter and in undersigned counsel's other cases (including, without limitation, the need to prepare for oral argument before the Eleventh Circuit Court of Appeals, which was conducted on June 12, 2024), as well as the complexity of the Claim Motion and Response in Opposition, and the need to prepare a fulsome proposed order addressing the various issues presented therein, McElhone and LaForte were unable to submit their Proposed Order on the Claim Motion until today's date.

5. As of this date, the Court has not yet entered a ruling on the Claim Motion.

WHEREFORE, Lisa McElhone and Josphe LaForte respectfully request that the Court accept their Proposed Order *nunc pro tunc*, treat it as though it had been timely submitted on June 7, 2024, and give it due consideration.

**S.D. Fla L. R. 7.1(a)(3) Certification of Counsel**

Counsel for Ms. McElhone and Mr. LaForte hereby certify that they have conferred with counsel for the Receiver in a good faith effort to resolve the issues raised in this motion and are authorized to state that the Receiver takes no position on the relief requested in this motion.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 14<sup>th</sup> day of June, 2024, I electronically filed the forgoing 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 transmissions of Notices of Electronic Filing generated by CM/ECF.

By: /s/ James M. Kaplan  
JAMES M. KAPLAN