

**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 NOTICE OF FILING INVESTOR RESPONSE TO RECEIVER’S
MOTION TO SUPPLEMENT MOTION TO (1) APPROVE PROPOSED PLAN
OF DISTRIBUTION AND (2) AUTHORIZE FIRST INTERIM DISTRIBUTION**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities, by and through his undersigned counsel, files this Notice of Filing Investor Response to the Receiver’s Motion to Supplement [ECF No. 2047] (the “Motion to Supplement”) the Receiver’s Motion to (1) Approve Proposed Plan of Distribution and (2) Authorize First Interim Distribution [ECF No. 2014], and states as follows:

1. The Receiver filed the Motion to Supplement on September 23, 2024.
2. On September 24, 2024, the Court entered an Order Establishing Briefing Schedule on the Motion to Supplement [ECF No. 2048]. In that Order, the Court instructed that “[a]ny claimants whose claims are impacted by the Motion to Supplement are permitted to file a response to the Motion to Supplement of no more than ten (10) pages on or before October 7, 2024.”

3. On October 3, 2024, an investor in Retirement Evolution, Patricia Staub, sent an email to the Receiver with a response to the Motion to Supplement. A copy of this investor's response to the Motion to Supplement is attached as Exhibit "1."

Dated: October 7, 2024

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 7, 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

Exhibit “1”

Patricia Kuker Staub
3509 Pensacola Place
The Villages, FL 32163
Claim Nos. 20405, 20007, and 20006

October 3, 2024

TRANSMITTED BY EMAIL: Ruiz@flsd.uscourts.gov
Receiver@parfundingreceivership.com

RE: Case No. 9:20-CV-81205 – Complete Business Solutions (Par Funding)
Receiver’s Motion to Amend Distribution to Retirement Evolution

Dear Honorable Rodolfo Ruiz II, and
Ryan Stumphauzer, Esq., Receiver

The recent modification request of the Receiver for investors through Retirement Evolution should be denied. The seven additional claimants violated the claims-bar date and totally ignored their obligations to submit timely claims for Par Funding Investments. Allowance of these claims-date barred claims would irreparably damage those Retirement Evolution claimants that timely submitted their claims and abided by the directives of the Court. Allowing some investors to violate the claims-bar date is NOT treating all claimants equally and results in the remaining claimants paying for the negligence of a few. Those claimants that violated the filing procedures, even after receiving notices from the Receiver still can sue Mr. Gissas for his post -verdict representations that the Claimants need not file. Claimants that adopted this stance presumably did not hire counsel, did not heed notices, and instead relied on their conversation with a Defendant in their own case!

1. The Receiver should treat all claimants equally. This means that all claimants play by the same rules; some claimants should not have the benefit of claims that were negligently filed late, even after four years of litigation and two years of notices from the Court.
2. Claimants claim they relied on conversations with John Gissas in NOT filing timely claims. They were, however, on notice that Mr. Gissas had been charged with fraud. It was their choice to continue to rely on him rather than the Court’s receiver after the case concluded.
3. The Claimants ignored the Receiver Notices and mailings that they received. They chose, instead, to rely on a defendant in their own case.

4. There are not enough assets to make all claimants whole – so the allowance of these late-filed claims results in a direct dollar for dollar deduction from the funds used to compensate claimants that complied fully with the Court-ordered procedure for recovering losses. In our case the loss is \$14,395.59 more from the initial distribution.
5. Allowance of some time-barred claims opens the door to allowance of other time-barred claims.
6. The purpose of this litigation is to recover losses for investors due to fraud not losses due to subsequent apathy, neglect, or ignorance post-verdict.
7. **The barred claimants can still sue Mr. Gissas after the fact, for losses that they maintain were due to their conversations after the case had been adjudicated. The Claimants whose claims were decreased by the barred claims allowance cannot similarly sue Mr. Gissas for losses to these representations post-judgment.**

Sincerely,

Patricia Kuker Staub,
Retirement Evolution Claimant