

**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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**DEFENDANT LISA MCELHONE’S MOTION FOR STATUS CONFERENCE**

Defendant Lisa McElhone (“Ms. McElhone”) by and through her undersigned counsel, respectfully moves this Court, pursuant to Federal Rule of Civil Procedure 16(a), to convene a status conference to establish procedures to address the remaining case issues affecting her following the issuance of the Mandate by the United States Court of Appeals for the Eleventh Circuit, and in support thereof states as follows:

1. On September 6, 2024, the Eleventh Circuit Court of Appeals issued a Per Curium Opinion in Ms. McElhone’s appeal from the Amended Order Granting In Part Plaintiff’s Amended Omnibus Motion for Final Judgment (ECF No. 1450) and the Amended Final Judgment Judgment As To Defendants Lisa McElhone And Joseph LaForte (ECF No. 1451).
2. The Opinion affirmed this Court’s disgorgement award and vacated and remanded this Court’s civil penalties award for further proceedings consistent with the Opinion.
3. On October 29, 2024, the Eleventh Circuit issued its Mandate and returned the matter to this Court for further proceedings consistent with the Opinion.

4. Rule 16(a) provides that a court may, in its discretion, direct attorneys for the parties to appear before it for a conference in order to expedite disposition of the action and manage the litigation, generally.

5. Following the resolution of her appeal, Ms. McElhone submits that the significant issues remaining before this Court with respect to her are: 1) the entry of a new Final Judgment imposing penalties consistent with the Opinion and recalculating Ms. McElhone's pre-judgment and post-judgment interest; 2) the determination of how sums applied in partial satisfaction of the prior (now vacated) Final Judgment will be applied to the new Final Judgment against Ms. McElhone; and 3) the determination of which Receivership Assets (if any) should be applied to the new Final Judgment against Ms. McElhone and how those assets should be applied.

6. Due to the strong public interest in a prompt and orderly resolution of the remaining issues in this case, Ms. McElhone respectfully requests that the Court schedule – at its convenience, but as soon as practicable – a status conference to establish procedures and a briefing schedule for the resolution of the remaining issues identified above.

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

Counsel for Ms. McElhone hereby certify that they conferred with counsel for the Receiver, Timothy A. Kolaya, Esq., and counsel for the SEC, Amie Rigley Berlin, Esq., and have confirmed that neither the Receiver nor the SEC oppose the relief sought in this motion.

Respectfully submitted,

**KAPLAN ZEENA LLP**

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By: /s/ James M. Kaplan

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18<sup>th</sup> day of November, 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