

**UNITED STATES DISTRICT COURT
FOR THE 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, RYAN K. STUMPHAUZER, DEFENDANT LISA
MCELHONE, AND DEFENDANT JOSEPH COLE BARLETA'S JOINT MOTION
REGARDING SHOW CAUSE HEARING SCHEDULED FOR MARCH 11, 2021**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,¹ Defendant Lisa McElhone (“McElhone”), and Defendant Joseph Cole Barleta (“Cole”),

¹ The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding; 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; Capital Source 2000, Inc.; 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; and 500 Fairmount Avenue, LLC and the Receivership Estate also includes the properties located at 568 Ferndale Lane, Haverford PA 19041; 105 Rebecca Court, Paupack, PA 18451; and 107 Quayside Dr., Jupiter FL 33477.

by and through their respective undersigned counsel, hereby file this Joint Motion Regarding the Show Cause Hearing Scheduled for March 11, 2021 (the “Joint Motion”), and state:

1. On December 11, 2020, the Receiver filed a Motion for an Order Requiring Lisa McElhone and Joseph Cole Barleta to Show Cause Why They Should Not Be Held in Contempt (ECF No. 423) (the “Show Cause Motion”). In the Show Cause Motion, the Receiver requested that the Court award the Receiver the attorneys’ fees and investigative costs he incurred in connection with the conduct described in the Show Cause Motion (the “Alleged Conduct”), to be paid by McElhone and Cole.

2. On December 12, 2020, the Court granted the Show Cause Motion and entered an Order for Lisa McElhone and Joseph Cole Barleta to Show Cause Why They Should Not Be Held in Contempt (ECF No. 425).

3. On January 13, 2021, Lisa McElhone and Joseph Cole Barleta responded to the Show Cause Motion through the filing of a Response to the Receiver’s Motion for Contempt and annexed exhibits (ECF 467).

4. On February 26, 2021, the Court entered a Paperless Order (ECF. No 496) setting an evidentiary hearing on the Show Cause Motion for March 11, 2021, at 2:00 P.M. EST (the “Order Setting Hearing”).

5. The Receiver, McElhone, and Cole have engaged in several meet-and-confer discussions since the entry of the Order Setting Hearing and have reached an agreement regarding reimbursement of the Receiver’s attorneys’ fees and investigative costs. Specifically, McElhone and Cole—without admitting and specifically denying any liability for the Alleged Conduct—have agreed to pay the Receiver \$75,000.00, on or before June 7, 2021, as reimbursement for the attorneys’ fees and investigative costs the Receiver is seeking through the Show Cause Motion

(the “Agreed-Upon Payment”). McElhone and Cole agree that they are jointly and severally responsible for making this Agreed-Upon Payment to the Receiver.

6. In light of this agreement regarding the Payment, the Receiver, McElhone, and Cole respectfully request the Court to enter an Order denying the Show Cause Motion as moot and canceling the Show Cause Hearing scheduled for March 11, 2021.

7. A proposed Order granting this Motion is attached as Exhibit 1.

8. In the event McElhone and Cole do not make the Payment as required, McElhone and Cole agree that the Receiver may file an unopposed motion for the entry of a consent judgment against McElhone and Cole in the amount of \$75,000.00.

Dated: March 8, 2021

Respectfully Submitted,

**STUMPHAUZER FOSLID SLOMAN
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 8, 2021, 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”

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
CASE NO.: 20-CV-81205-RAR-REINHART**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

Defendants.

**ORDER GRANTING RECEIVER, RYAN K. STUMPHAUZER, DEFENDANT LISA
MCELHONE’S, AND DEFENDANT JOSEPH COLE BARLETA’S JOINT MOTION
REGARDING SHOW CAUSE HEARING SCHEDULED FOR MARCH 11, 2021**

THIS CAUSE comes before the Court upon Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,² Defendant Lisa McElhone (“McElhone”), and

² The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding; 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; Capital Source 2000, Inc.; 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; and 500 Fairmount Avenue, LLC and the Receivership Estate also includes the properties located at 568 Ferndale Lane, Haverford PA 19041; 105 Rebecca Court, Paupack, PA 18451; and 107 Quayside Dr., Jupiter FL 33477.

Defendant Joseph Cole Barleta's ("Cole") (collectively, the "Parties") Joint Motion Regarding the Show Cause Hearing Scheduled for March 11, 2021 (ECF No. _____) (the "Joint Motion").

The Court, having reviewed the Joint Motion and the record in this matter, noting the Parties' agreement to the entry of this Order, and being otherwise fully advised, it is hereby

ORDERED AND ADJUDGED that the Joint Motion is **GRANTED** as follows:

1. The Court acknowledges McElhone's and Cole's agreement to pay the Receiver \$75,000.00, on or before June 7, 2021 (the "Payment"), as reimbursement for the attorneys' fees and investigative costs the Receiver is seeking through the Motion for an Order Requiring Lisa McElhone and Joseph Cole Barleta to Show Cause Why They Should Not Be Held in Contempt (ECF No. 423) (the "Show Cause Motion").

2. In light of this agreement, the Court denies the Show Cause Motion as moot.

3. Additionally, the Court cancels the evidentiary hearing that was previously set for March 11, 2021.

4. In the event McElhone and Cole do not make the Payment as required, the Receiver may file a motion for the entry of a consent judgment against McElhone and Cole in the amount of \$75,000.00, and the Court will enter the requested consent judgment.

DONE AND ORDERED in Fort Lauderdale, Florida, this ____ day of March, 2021.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record