

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 20-CIV-81205-RAR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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

Defendants.

**JOINT DISCOVERY MEMORANDUM OF PLAINTIFF SECURITIES AND EXCHANGE
COMMISSION AND DEFENDANTS PERRY ABBONIZIO, JOSEPH COLE BARLETA,
LISA MCELHONE, DEAN VAGNOZZI, AND JOSEPH LAFORTE IN
ADVANCE OF THE APRIL 13, 2021 DISCOVERY HEARING**

Undersigned counsel for the U.S. Securities and Exchange Commission and Defendant Perry Abbonizio certify that they conferred concerning the dispute raised in this request for a discovery hearing, and undersigned counsel for Abbonizio certifies he was conferring on behalf of Defendants Joseph Cole Barleta, Lisa McElhone, Dean Vagnozzi, and Joseph LaForte. Despite good faith efforts to resolve their differences, the following issues require resolution by the Court.

I. STATEMENT OF THE ISSUE BEFORE THE COURT

The issue before the Court is the Plaintiff's scheduling of Defendants Abbonizio, McElhone, Barleta, Vagnozzi, and LaForte's depositions. The SEC unilaterally re-set depositions for May 2021. Defendants seek relief from this Court, for depositions to occur in July and August.

II. THE DEFENDANTS' ARGUMENT

Defendants will be unfairly prejudiced if they are required to sit for the SEC's unilaterally-set depositions in May (See Ex.A)¹ because they will be left without an adequate opportunity to review the voluminous discovery that is still being finalized and produced.² Defendants did not begin receiving productions of Par Funding materials from either the SEC or the Receiver until January 2021, nearly six months after this case was filed, and the productions are ongoing. Just last week, the Receiver produced to Defendants more than **3.63 million emails and attachments** comprising more than 2 TB of data from 7 key Par Funding custodians.³ The Receiver also

¹ See *Chavez v. Arancedo*, No. 17-20003, 2017 WL 3025841 at *3-4 (S.D. Fla. July 17, 2017) (finding plaintiff's unilateral setting of depositions led to motions that "waste[d] the parties' time and the Court's judicial resources" and plaintiff was not prejudiced by defendant's unavailability because there was adequate time in the discovery schedule).

² The Undersigned, who represents Perry Abbonizio, is specially set for a back-to-back federal criminal trial and FINRA final arbitration hearing starting on May 10. The earliest the second proceeding will end is May 21. After being told of these scheduling conflicts, Counsel for the SEC set Mr. Abbonizio's deposition for May 28. Given the state of discovery production in this matter and with these other May proceedings, there is simply no way that the Undersigned will have sufficient time to prepare Mr. Abbonizio by May 28. Further, Counsel for Mr. Vagnozzi has a AAA arbitration set from May 10-14 and will face similar preparation difficulties as a result.

³ The recently-produced three million-plus e-mail documents contain important correspondence with: CPA's; in-house counsel; external counsel; the accounting firm which conducted daily reconciliations as well as audits; insurance companies; and the underwriting department.

produced an additional 100,000 documents prior to this large production. Defendants have been conferring with the Receiver and awaiting its production of critical underwriting files, which will comprise another half-TB. Once received, it still will take a few weeks to make it searchable.

The SEC has not completed its production, either. The SEC began producing electronic files comprising the equivalent of 300 boxes of Par Funding files in late February. The SEC has represented that it will produce the final tranche of these documents by mid to late April but has been unable to provide a date certain. All told, these recent SEC productions to date constitute over 300,000 documents and more than 375 GB of data.

The Court recently extended the discovery deadlines in this case, moving the close of fact discovery from May 2021 to September 10, 2021, and with the permission of the Court, until September 24, 2021 (D.E. 521). One of the central reasons Defendants requested the extension was to allow adequate time to review the productions prior to party depositions.⁴

In short, there are at least two reasons why Defendants need more than a few weeks to analyze this voluminous discovery prior to their depositions. *First*, Defendants need the aforementioned to formulate and prove their defenses.⁵ The SEC claims that each Defendant in this case misrepresented the nature and truth of various aspects of Par's business. Without the documents and a meaningful opportunity to review them, Defendants have a very limited ability

⁴ ECF No. 519 at 2 (“As a result of the delayed production of documents and the massive volume of document production still underway, Defendants have canceled numerous depositions and have conferred with counsel for the SEC to postpone depositions the SEC has scheduled until document discovery is complete and the parties have had an ample opportunity to review them.”); at 3 & 6.

⁵ It is appropriate for a court to order a deposition to occur later to give a party a meaningful opportunity to digest discovery, especially where the discovery is voluminous *See FTC v. IAB Marketing Assoc.*, No. 12-61830, 2013 WL 12032591 at *3 (S.D. Fla. Jun. 4, 2013) (ordering FTC to re-notice depositions for 1-2 months later where FTC had recently produced 3 million pages of documents and Defendants did not have “sufficient time to review the documents in advance of the scheduled depositions.”); *Martin v. I-Flow Corp.*, No. 08-127, 2008 WL 11508380, at *1-3 (N.D. Fla. Dec. 4, 2008) (quashing deposition notices because the court was “concerned that Plaintiffs have not had adequate time to prepare for the depositions – given the voluminous discovery recently provided by Defendant to Plaintiffs.”); *Vita-Mix Corp. v. Basic Holdings, Inc.*, No. 06-2622, 2007 WL 9724451, at *2 (N.D. Oh. Oct. 25, 2007).

to review what they said, whom they said it to, and whether what they said was true or false based on the underlying data. The risk of “deposition by ambush” in this environment — and of unintentionally inaccurate testimony — increases substantially. *Second*, there is a pending parallel federal criminal investigation, and Defendants need adequate time to review their files to make an informed choice about whether to invoke their Fifth Amendment rights on various areas of inquiry.

Even in the best possible scenario where these productions are complete in late April, Defendants will only have days to analyze documents and prepare for the May depositions—an obviously inadequate amount of time. Defendants request to begin *no earlier than July 12, 2021*.

III. THE PLAINTIFF’S ARGUMENT

The SEC Properly Re-Noticed Depositions For May 2021 Under Local Rule 26.1(h)

On January 7, 2021, the SEC requested deposition dates from defense counsel. We agreed to notice the depositions **on March dates defense counsel provided**. [Ex.B]. None occurred. McElhone failed to appear for her deposition, and the SEC agreed to reschedule all depositions in April/May to allow Defendants more time to prepare.⁶ However, after we agreed to cancel and reschedule for April/May, Barleta, Abbonizio, LaForte, and Vagnozzi would not agree to any date or provide any dates within that timeframe. Thus, on April 2, we unilaterally Re-Noticed depositions pursuant to Local Rule 26.1(h), avoiding dates Defendants said they are unavailable.

B. The Defendants Cannot Meet Their Burden For Obtaining A Protective Order

Since the depositions are properly noticed under Local Rule 26.1(h), the Court should construe the Defendants’ request as a motion for a protective order directing that the discovery

⁶ In July 2020, the Court granted the SEC’s motion for, among other things, expedited discovery, allowing depositions on two days’ notice before the preliminary injunction hearing.[D.E. 42]. The SEC noticed each Defendant’s deposition; only Vagnozzi’s occurred. Counsel for Abbonizio and McElhone claimed they would assert the Fifth Amendment and agreed to requests for admission, Cole refused to attend, and LaForte was incarcerated.

may be had only on specified terms and conditions under Rule 26(c)(2), including a designation of when the SEC may take depositions.⁷ Pursuant to Rule 26(b), the Court may issue a protective order upon “good cause” to protect a party from annoyance, embarrassment, oppression, or undue burden or expense, to specify the time of discovery. The Defendants cannot meet their burden.

They fail to specify any reason why they can’t answer questions or would be unduly annoyed, embarrassed, oppressed, or burdened in answering questions before they have digested every shred of material that was at the Receivership sites. In fact, all parties continue to collect discovery, and therefore, this is a moving target. To be clear, these are not 30(b)(6) depositions. Nor are Defendants awaiting their own documents from us. They can’t articulate how, if at all, their ability to answer questions is affected in any way by reading all 3 million-plus emails of third parties they requested (which the SEC believes are irrelevant). Nor do they acknowledge to this Court that: (1) the SEC voluntarily produced *all* non-privileged Par Funding and other documents in its investigative files in August 2020; (2) Vagnozzi, Abbonizio, LaForte, and Cole have never propounded a Request for Production (“RFP”) during discovery other than expedited requests we produced in *August 2020*; (3) the SEC produced all documents in our possession responsive to McElhone’s January 2021 RFP (the singular RFP) on or before January 28, 2021; and (4) the SEC has been producing all documents responsive to McElhone’s request for all electronic productions from the Receiver *as soon as we receive and process them*. Defense counsel have not identified what specific documents they await that have any bearing on their ability to testify based on their own personal knowledge, and how their personal knowledge is impacted. Further, we have told

⁷ “Local Rule 26.1(h) permits a party to unilaterally set a deposition with sufficient notice. The burden then shifts to the deponent to seek a protective order. In the overwhelming majority of cases, through the lawyers’ civility and professionalism, they can reach agreement on deposition dates. In the rare instances when they cannot, use Rule 26.1(h); don’t file a motion to compel.” Best Practices for Discovery in Federal Court.

defense counsel exactly when the last tranche from the Receiver will be sent. And the Court did not grant the trial continuance based on any finding about discovery or otherwise; the SEC agreed to a 3-month continuance, Defendants sought 6, and the Court granted the 3 the SEC agreed to.

The Defendants fail to articulate why, if a question is posed and they somehow cannot answer without reviewing one of the 3 million email messages (of third parties) they separately sought from the Receiver, they can just testify to explain that. There is no requirement that a witness receive all documents before being deposed. Nor can they identify any case where a Court has ordered such relief. In fact, the Court ordered their depositions could occur 8 months ago. [DE 42]. Each case Defendants cite is inapposite and deals with either financial burdens of traveling, an agreed postponement offering less time than we offered,⁸ or the party *taking* the deposition needing time to prepare to depose a witness due to recently received evidence.⁹ The SEC will be prejudiced if depositions occur in July and August, when undersigned is unavailable. Nor would we have time to conduct follow-up discovery (which we anticipate) or file dispositive motions.

⁸ *FTC v. IAB Marketing Assoc.* (fn 5 herein): Defendants argued they required costs to be paid for depositions due to an asset freeze and they needed time. The FTC offered to reschedule the depositions for a later date. The Court found, “[T]he Court finds that *the FTC's offer* to reset the [June and July] depositions for dates in August to occur, to the extent possible, within a two week period should alleviate some of the Defendants' financial burden. It will also give Defendants' counsel more time to review the produced documents in advance of the depositions.” (emphasis added). Here, we offered about what the Court found reasonable; postponing from March to May.

⁹ *Martin v. I-Flow Corp.* (fn 5 herein): The case involves the highly unusual, wholly inapposite situation where defendants unilaterally scheduled the date the plaintiff would take the defendants' 30(b)(6) deposition. Plaintiff argued they could not be prepared to take the depositions on the date the defendants wanted because they had just received massive discovery. The Court agreed, finding among other things that the Defendants could not unilaterally schedule the date the plaintiffs would take a deposition and *the Plaintiffs* needed time to prepare to *take* it. The case is wholly inapposite. Here, the Commission is taking the Defendants' depositions, and we are prepared to do so. We obtain the productions the same time the Defendants receive it.

Vita-Mix Corp. v. Basic Holdings, Inc. (fn 5): As with *Martin*, this is a case where the Plaintiff sought more time for the Plaintiff *to take* depositions because it wanted to review documents before taking them. Again, wholly inapposite. The Commission is prepared to take depositions and we do not require the Receiver's production before deposing the Defendants.

Dated April 12, 2021

Respectfully submitted,

s/Amie Riggle Berlin
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E-mail: Alejandro.paz@akerman.com

From: Berlin, Amie R. <BerlinA@sec.gov>

Sent: Friday, April 2, 2021 3:59 PM

To: Jeffrey Marcus <jmarcus@mnrlawfirm.com>

Cc: Alan Futerfas <asfuterfas@futerfaslaw.com>; Jacqmein, Victoria <JacqmeinV@SEC.GOV>; Gaetan J. Alfano <GJA@pietragallo.com>; Timothy Kolaya <tkolaya@sfslaw.com>; bschein@bettinascheinlaw.com; Jason Mays <jmays@mnrlawfirm.com>; James R. Froccaro Jr. <jrfesq61@aol.com>; Brian.Miller@akerman.com; Jeffrey Cox <jlc@sallahlaw.com>; Joshua R. Levine <levine@kolawyers.com>; David L. Ferguson <ferguson@kolawyers.com>; Alejandro Soto <asoto@ffslawfirm.com>; Jacqmein, Victoria <JacqmeinV@SEC.GOV>

Subject: Re: Deposition dates

Jeff,

Local Rule 26.1(h) permits a party to unilaterally set a deposition with sufficient notice. Therefore, I will unilaterally set the depositions with sufficient notice. We will issue the notice today. If you would like to provide your available dates in advance, for April and May, I will schedule around that. If I don't receive that from you and other defense counsel today, I will set them unilaterally. This does not apply to Mr. Furman, who has agreed to provide dates.

Thanks,

Amie

On Apr 2, 2021, at 3:41 PM, Berlin, Amie R. <BerlinA@sec.gov> wrote:

Jeff,

Thanks for your message. I don't believe we need to wait to take depositions until after we have produced every document from the receiver sites (which is the only thing in process right now). I will seek assistance from the Court to get deposition dates. I'm sorry we couldn't resolve this without litigation.

Thank you,

Amie

On Apr 2, 2021, at 3:23 PM, Jeffrey Marcus <jmarcus@mnrlawfirm.com> wrote:

CAUTION: This email originated from outside of the organization. Do not

EXHIBIT

A

click links or open attachments unless you recognize the sender and know the content is safe.

Amie,

We appreciate your willingness to accommodate scheduling conflicts and we certainly will do the same.

But the problem with party depositions this month or even next month, setting aside scheduling issues, is our ability to be ready and prepared. Document production still is ongoing and what has been produced is voluminous. Just yesterday, we received a large tranche from the SEC (production #6). We received similar productions on 3/25, 3/18, 3/10, 3/5 and 2/25. The Receiver also made separate large-batch productions, based on our initial requests, on 3/2 and 3/5. It is a positive development that document production is well under way but we need the current production to be completed and have appropriate time to review it prior to party depositions. This was one of the central reasons we requested the extension of discovery deadlines from the Court and the Court granted our request and extended discovery deadlines into September.

When will the SEC's current production be complete? Once we have a completion date, then we can discuss a reasonable deposition schedule.

Best,
Jeff

<image001.jpg>

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<http://www.mnrlawfirm.com>

*Please note that as of February 22, 2021, our Miami office has relocated to a new suite. Please make sure to update our suite number in your records for all future correspondence to: **Suite 2530** (the rest of our address remains the same).*

From: Berlin, Amie R. <BerlinA@sec.gov>

Sent: Thursday, April 1, 2021 6:22 PM

To: Jeffrey Marcus <jmarcus@mnrlawfirm.com>

Cc: Alan Futerfas <asfuterfas@futerfaslaw.com>; Jacqmein, Victoria <JacqmeinV@SEC.GOV>; Gaetan J. Alfano <GJA@pietragallo.com>; Timothy Kolaya <tkolaya@sflaw.com>; bschein@bettinascheinlaw.com; Jason Mays <jmays@mnrlawfirm.com>; James R. Froccaro Jr. <jrfesq61@aol.com>; Brian.Miller@akerman.com; Jeffrey Cox <jlc@sallahlaw.com>; Joshua R. Levine <levine@kolawyers.com>; David L. Ferguson <ferguson@kolawyers.com>; Alejandro Soto <asoto@ffslawfirm.com>

Subject: Re: Deposition dates

Thank you, Jeff.

I cannot wait to conduct depositions in August and require the depositions as soon as possible. I understand that you have a conflict with the dates I suggested. Please propose other dates in April and May and I will work with you to find convenient dates that work with your schedule. Please get back to me by the end of the day tomorrow with new deposition dates that are in April or May 2021.

Thank you,
Amie

On Apr 1, 2021, at 5:58 PM, Jeffrey Marcus <jmarcus@mnrlawfirm.com> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Amie,

A group of the defense lawyers talked this afternoon about your scheduling proposal and we wanted to get back to you. Given the delays in document production to the defendants (with production still ongoing) and the volume of the discovery (in the terabytes), deposing the defendants in May just does not give adequate time for us to prepare properly. Some of us also have scheduling conflicts in May. I will speak for me. I am specially set in SDNY for a criminal trial beginning the second week of May. I also have a Final FINRA

arbitration hearing set for the third week of May.

Given these issues, we would propose blocking out time later in the discovery period. None of the lawyers who spoke today (this does not include Mr. Miller and Mr. Cox) have any scheduling conflicts in August. Discovery does not close until September. If you have any conflicts in late summer, we will do our best to work around them – perhaps starting in July.

Let us know and we are more than happy to get on a call to discuss at your convenience.

Best,
Jeff

<image001.jpg>

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jmarcus@mnrlawfirm.com
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*Please note that as of February 22, 2021, our Miami office has relocated to a new suite. Please make sure to update our suite number in your records for all future correspondence to: **Suite 2530** (the rest of our address remains the same).*

From: Berlin, Amie R. <BerlinA@sec.gov>
Sent: Thursday, April 1, 2021 5:17 AM
To: Bettina Schein <bschein@bettinascheinlaw.com>; Jeffrey Marcus <jmarcus@mnrlawfirm.com>; Jeffrey Cox <jlc@sallahlaw.com>; James R. Froccaro Jr. <jrfesq61@aol.com>; brian.miller@akerman.com
Cc: Alan Futerfas <asfuterfas@futerfaslaw.com>; Jacqmein, Victoria <JacqmeinV@SEC.GOV>; Gaetan J. Alfano <GJA@Pietragallo.com>; Timothy Kolaya <tkolaya@sflaw.com>
Subject: RE: Deposition dates

Good morning,

As a reminder, please get back to me today concerning deposition dates.

Thank you,
Amie

From: Berlin, Amie R.

Sent: Tuesday, March 30, 2021 5:31 PM

To: 'Bettina Schein' <bschein@bettinascheinlaw.com>;

Jeffrey Marcus (<jmarcus@mnrlawfirm.com>

<jmarcus@mnrlawfirm.com>; 'Jeffrey Cox'

<jlc@sallahlaw.com>; 'James R. Froccaro Jr.'

<jrfesq61@aol.com>; brian.miller@akerman.com

Cc: 'Alan Futerfas' <asfuterfas@futerfaslaw.com>; Jacqmein,

Victoria <JacqmeinV@SEC.GOV>; 'Gaetan J. Alfano'

<GJA@Pietragallo.com>; 'Timothy Kolaya'

<tkolaya@sfslaw.com>

Subject: Deposition dates

Good afternoon,

I am happy to reset and/or set depositions for your clients later, in lieu of the Court's Order amending the scheduling order. However, I need to complete the depositions by late May.

Per my email of earlier today, I have proposed May 4 or 5 for McElhone.

For the remaining defendants (LaForte, Cole, Abbonizio, Vagnizzo, Furman), I propose the following schedule:

May 18: Cole

May 19: Furman

May 25: Abbonizio

May 26: Vagnozzi

May 27: LaForte

I can also make myself available:

May 20, 21, 24, 28

Please respond by this Thursday to let me know if these dates work, and if not, which, if any, of the other 4 dates I

offered work for you and your client.

Thank you,
Amie

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From: Berlin, Amie R. <BerlinA@sec.gov>

Sent: Friday, April 2, 2021 4:37 PM

To: Alan Futerfas <asfuterfas@futerfaslaw.com>; bschein@bettinascheinlaw.com; James R. Froccaro Jr. <jrfesq61@aol.com>; Brian.Miller@akerman.com; Jeffrey Cox <jlc@sallahlaw.com>; David L. Ferguson <ferguson@kolawyers.com>; Jeffrey Marcus <jmarcus@mnrlawfirm.com>

Cc: Jacqmein, Victoria <JacqmeinV@SEC.GOV>; Gaetan J. Alfano <GJA@pietragallo.com>; Timothy Kolaya <tkolaya@sflaw.com>; Jeffrey Marcus <jmarcus@mnrlawfirm.com>

Subject: Service of Deposition Notice

Counsel,

Attached please find the notice of depositions for the depositions of Ms. McElhone and Messrs. LaForte, Abbonizio, Vagnozzi, and Cole.

I have tried, to no avail other than as to Ms. McElhone and Mr. Furman, to obtain dates of availability in April or May 2021 from you for your client's depositions.

Accordingly, pursuant to the Local Rule, I am unilaterally noticing the depositions of Messrs. LaForte, Cole, Abbonizio, and Vagnozzi, with sufficient notice.

In noticing the depositions, I took into consideration Mr. Marcus' email to me that he has a conflict during the second and third week of May, and did not set depositions during that two-week time period.

As for Ms. McElhone, the deposition is noticed for one of the dates she and her counsel are available. We will notice Mr. Furman's deposition next week for a date in April or May 2021.

Thank you,
Amie

**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, and

L.M.E. 2017 FAMILY TRUST,

Relief Defendant.

PLAINTIFF'S NOTICE OF TAKING DEPOSITIONS

PLEASE TAKE NOTICE that pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure Plaintiff Securities and Exchange Commission will take the depositions of the following deponents on the date, time and location indicated below:

DEPONENT	DATE	TIME	LOCATION
Lisa McElhone	May 4, 2021	10:00 am	Webex Internet Platform
Joseph Cole Barleta	May 5, 2021	10:00 am	Webex Internet Platform
Dean Vagnozzi	May 25, 2021	10:00 am	Webex Internet Platform
Joseph LaForte	May 27, 2021	10:00 am	Webex Internet Platform
Perry S. Abbonizio	May 28, 2021	10:00 am	Webex Internet Platform

The depositions will continue from day to day before a person duly authorized to administer oaths until concluded and shall be recorded stenographically and/or videotaped. You are invited to attend and exercise your rights under the Federal Rules of Civil Procedure.

The Commission staff will circulate the Webex Internet Platform login information for each deposition in advance of each deposition.

Please note that the foregoing depositions are without prejudice to the Commission's right later to more fully depose the deponents for any and all purposes, including trial.

April 2, 2021

By: s/Amie Riggle Berlin
Amie Riggle Berlin, Esq.
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Direct email: berlina@sec.gov
Attorney for Plaintiff
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Telephone: (305) 982-6300
Facsimile: (305) 536-4154

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 2, 2021, the foregoing document is being served this day on all parties, deponents/witnesses, and counsel of records by email.

s/Amie Riggle Berlin
Amie Riggle Berlin

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Counsel for Defendant Gissas

**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, and

L.M.E. 2017 FAMILY TRUST,

Relief Defendant.

PLAINTIFF'S NOTICE OF TAKING DEPOSITION

PLEASE TAKE NOTICE that pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure Plaintiff Securities and Exchange Commission will take the deposition of the following deponent on the date, time and location indicated below:

DEPONENT	DATE	TIME	LOCATION
Lisa McElhone	Tuesday, March 30, 2021	10:00 am	Webex Internet Platform

The deposition will continue from day to day before a person duly authorized to administer oaths until concluded and shall be recorded stenographically and/or videotaped. You are invited to attend and exercise your rights under the Federal Rules of Civil Procedure.

Please note that the foregoing deposition is without prejudice to the Commission's right later to more fully depose the deponents for any and all purposes, including trial.

February 5, 2021

Respectfully submitted,

EXHIBIT

B

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 5, 2021, I certify that the foregoing document is being served this day on all parties, witnesses, and counsel of records by email, or other means denoted below.

s/Amie Riggle Berlin
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**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, and

L.M.E. 2017 FAMILY TRUST,

Relief Defendant.

PLAINTIFF'S NOTICE OF TAKING DEPOSITIONS

PLEASE TAKE NOTICE that pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure Plaintiff Securities and Exchange Commission will take the depositions of the following deponents on the date, time and location indicated below:

DEPONENT	DATE	TIME	LOCATION
Michael C. Furman	Wednesday, March 3, 2021	10:00 am	Webex Internet Platform
Joseph Cole Barleta	Friday, March 5, 2021	10:00 am	Webex Internet Platform
Perry S. Abbonizio	Thursday, March 25, 2021	10:00 am	Webex Internet Platform

The depositions will continue from day to day before a person duly authorized to administer oaths until concluded and shall be recorded stenographically and/or videotaped. You are invited to attend and exercise your rights under the Federal Rules of Civil Procedure.

Please note that the foregoing depositions is without prejudice to the Commission's right later to more fully depose the deponents for any and all purposes, including trial.

February 1, 2021

Respectfully submitted,

By: s/Amie Riggle Berlin
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