

**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’S ELEVENTH MOTION TO LIFT
LITIGATION INJUNCTION AS TO CERTAIN GARNISHMENT PROCEEDINGS**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities¹, by and through undersigned counsel, hereby files this Eleventh Motion to Lift Litigation Injunction as to Certain Garnishment Proceedings:

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

1. The Receiver hereby moves this Court to lift the Litigation Injunction for the limited purpose of allowing the Receiver, in his discretion, to dissolve current writs of garnishment, to mark judgments satisfied, and/or to reopen confessed judgments, where the counterparty merchant either has resolved or agreed to resolve prior defaults, or otherwise filed for bankruptcy protection, in the following cases in the Court of Common Pleas of Philadelphia County, Pennsylvania.²

2. The cases are:

- a. *Complete Business Solutions Group, Inc. v. Hard Rock Concrete of Central FL LLC and John Georges Ouimet*, Docket No. 191000475.
- b. *Complete Business Solutions Group, Inc. v. Ravens Nest Foundation Inc. and Shelby Green*, Docket No. 191200250.
- c. *Complete Business Solutions Group, Inc. v. Kodiak Construction, LLC and Marco Chavez and Norma Chavez*, Docket No. 200400531.
- d. *Complete Business Solutions Group, Inc. v. Gulf Northern Express LLC and Curtis B. Snider*, Docket No. 191003200.
- e. *Complete Business Solutions Group, Inc. v. Tracey Webb Hawking Sole Proprietor dba Hawkins Convenience Mart & Grill and Tracey Webb Hawkins*, Docket No. 190800435.
- f. *Complete Business Solutions Group, Inc. v. LJ Traders LLC and Thomas Johns*, Docket No. 200203205.
- g. *Complete Business Solutions Group, Inc. v. Diego J. Solorzano Sole Proprietor D/B/A DS Snacks and Diego J. Solorzano*, Docket No. 200301712.
- h. *Complete Business Solutions Group, Inc. v. Fantastic Kids Corp and Steven Reis*, Docket No. 200400157.

properties located at 568 Ferndale Lane, Haverford PA 19041; 105 Rebecca Court, Paupack, PA 18451; 107 Quayside Dr., Jupiter FL 33477; and 2413 Roma Drive, Philadelphia, PA 19145.

² See the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141] (the "Operative Receivership Order"). The Receiver generally incorporates the background section of his prior Motions to Lift Litigation Injunction as to Certain Garnishment Proceedings. (See, e.g. ECF Nos. 111, 145, 198, 232, and 264.) To conserve resources and promote efficiency, the Receiver is providing only a summary narrative, as approved by the Court at the October 7, 2020 status conference.

- i. *Complete Business Solutions Group, Inc. v. Oscar Vita Moderna, LLC and Oscar A. Hernandez Garcia*, Docket No. 170803363.
- j. *Complete Business Solutions Group, Inc. v. Applied Sciences Group Inc. dba Applied Sciences Group and Joel Schenfield and Julie Dotton*, Docket No. 190700675.
- k. *Complete Business Solutions Group, Inc. v. Jared Simchuck Plumbing and Roger Hascall*, Docket No. 171103314.
- l. *Complete Business Solutions Group, Inc. v. Marks Home & Yard Service LLC dba Marks Home & Yard Service and Mark A. Novitski*, Docket No. 200203613.
- m. *Complete Business Solutions Group, Inc. v. Jabbok Treatment Center LLC dba Jabbok Treatment Center and Jacqueline Irwin*, Docket No. 190903746.
- n. *Complete Business Solutions Group, Inc. v. Big Boys Seafood LLC dba Big Boys Seafood and Jody A. Tregre, and Jonquil F. Tregre*, Docket No. 190402233.
- o. *Complete Business Solutions Group, Inc. v. BC Logistics dba BC Logistics Inc. and William Connolly*, Docket No. 191000788.
- p. *Complete Business Solutions Group, Inc. v. The Phoenicians Inc dba The Phoenicians dba Gyros & More dba Gyros & More Greek Restaurant and Faoud Khaled Houssamy*, Docket No. 191100654.

3. The Receiver has determined, in his professional judgment, that it is in the best interests of the Receivership Estate to dissolve current writs of garnishment, to mark judgments satisfied, and/or to reopen confessed judgments with respect to these cases.

WHEREFORE, Ryan K. Stumphauzer, as Court-Appointed Receiver, by and through his undersigned counsel, respectfully requests this Honorable Court to grant the motion and lift the Litigation Injunction on a limited basis as set forth above. A proposed order for the Court's consideration is attached as Exhibit 1.

CERTIFICATION REGARDING PRE-FILING CONFERENCE

The undersigned counsel has conferred with all counsel of record in this matter regarding the relief sought through this motion and certifies that (1) Defendants Lisa McElhone and Joseph LaForte oppose the relief sought and (2) counsel of record for all other Defendants have confirmed

that their clients either do not oppose or take no position with respect to the relief sought, or did not respond to the Receiver's conferral requests. The SEC takes no position on the motion to lift the litigation injunction, and its position on the underlying transaction was not solicited and therefore none was provided.

Dated: April 20, 2021

Respectfully Submitted,

**STUMPHAUZER FOSLID SLOMAN
ROSS & KOLAYA, PLLC**
Two South Biscayne Blvd., Suite 1600
Miami, FL 33131
Telephone: (305) 614-1400
Facsimile: (305) 614-1425

By: /s/ Timothy A. Kolaya
TIMOTHY A. KOLAYA
Florida Bar No. 056140
tkolaya@sflslaw.com

Co-Counsel for Receiver

**PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP**
1818 Market Street, Suite 3402
Philadelphia, PA 19103
Telephone: (215) 320-6200
Facsimile: (215) 981-0082

By: /s/ Gaetan J. Alfano
GAETAN J. ALFANO
Pennsylvania Bar No. 32971
(Admitted Pro Hac Vice)
GJA@Pietragallo.com
DOUGLAS K. ROSENBLUM
Pennsylvania Bar No. 90989
(Admitted Pro Hac Vice)
DKR@Pietragallo.com

Co-Counsel for Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 20, 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
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SECURITIES AND EXCHANGE
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COMPLETE BUSINESS SOLUTIONS
GROUP, INC. d/b/a/ PAR FUNDING, et al.,

Defendants.

**[PROPOSED] ORDER GRANTING ELEVENTH MOTION TO LIFT LITIGATION
INJUNCTION AS TO CERTAIN GARNISHMENT PROCEEDINGS**

THIS CAUSE comes before the Court upon the Receiver's Eleventh Motion to Lift Litigation Injunction as to Certain Garnishment Proceedings [ECF No. ____] ("Motion"), filed on April 20, 2021.

In the Motion, the Receiver seeks to modify the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141], so as to lift the litigation injunction provided for in that Order for certain garnishment matters currently pending in the Court of Common Pleas of Philadelphia County, Pennsylvania to be opened for the limited purpose to allow the Receiver, in his discretion, to dissolve current writs of garnishment, to mark judgments satisfied, and/or to reopen confessed judgments, where the counterparty merchant either has resolved or agreed to resolve prior defaults, or otherwise filed for bankruptcy protection, in certain cases in the Court of Common Pleas of Philadelphia County, Pennsylvania.

The Receiver has made a sufficient and proper showing in support of the relief requested. Accordingly, it is hereby

ORDERED AND ADJUDGED that Receiver's Motion is **GRANTED**. Specifically, the litigation injunction set forth in the Court's Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141] is hereby lifted in the following matters in the Court of Common Pleas of Philadelphia County, Pennsylvania, and solely for the purpose as described in the Motion:

- a. *Complete Business Solutions Group, Inc. v. Hard Rock Concrete of Central FL LLC and John Georges Ouimet*, Docket No. 191000475.
- b. *Complete Business Solutions Group, Inc. v. Ravens Nest Foundation Inc. and Shelby Green*, Docket No. 191200250.
- c. *Complete Business Solutions Group, Inc. v. Kodiak Construction, LLC and Marco Chavez and Norma Chavez*, Docket No. 200400531.
- d. *Complete Business Solutions Group, Inc. v. Gulf Northern Express LLC and Curtis B. Snider*, Docket No. 191003200.
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- g. *Complete Business Solutions Group, Inc. v. Diego J. Solorzano Sole Proprietor D/B/A DS Snacks and Diego J. Solorzano*, Docket No. 200301712.
- h. *Complete Business Solutions Group, Inc. v. Fantastic Kids Corp and Steven Reis*, Docket No. 200400157.
- i. *Complete Business Solutions Group, Inc. v. Oscar Vita Moderna, LLC and Oscar A. Hernandez Garcia*, Docket No. 170803363.
- j. *Complete Business Solutions Group, Inc. v. Applied Sciences Group Inc. dba Applied Sciences Group and Joel Schenfield and Julie Dotton*, Docket No. 190700675.
- k. *Complete Business Solutions Group, Inc. v. Jared Simchuck Plumbing and Roger Hascall*, Docket No. 171103314.
- l. *Complete Business Solutions Group, Inc. v. Marks Home & Yard Service LLC dba Marks Home & Yard Service and Mark A. Novitski*, Docket No. 200203613.

- m. Complete Business Solutions Group, Inc. v. Jabbok Treatment Center LLC dba Jabbok Treatment Center and Jacqueline Irwin, Docket No. 190903746.*
- n. Complete Business Solutions Group, Inc. v. Big Boys Seafood LLC dba Big Boys Seafood and Jody A. Tregre, and Jonquil F. Tregre, Docket No. 190402233.*
- o. Complete Business Solutions Group, Inc. v. BC Logistics dba BC Logistics Inc. and William Connolly, Docket No. 191000788.*
- p. Complete Business Solutions Group, Inc. v. The Phoenicians Inc dba The Phoenicians dba Gyros & More dba Gyros & More Greek Restaurant and Faoud Khaled Houssamy, Docket No. 191100654.*

DONE AND ORDERED in Fort Lauderdale, Florida, this _____ day of _____,

2021.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record