

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

GRISEL ALONSO, as Receiver for
Elm Tree Investment Advisors, LLC,
Elm Tree Investment Fund, LP,
Elm Tree 'e'Conomy Fund, LP, and
Elm Tree Motion Opportunity, LP,

Case No. 16-62603-CIV-DIMITROULEAS
Proceeding Ancillary to
No. 15-CV-60082-Dimitrouleas/Snow

Plaintiff,

v.

JAMES BENVENUTO, an individual,
NGU INVESTORS, LLC, a Florida limited
liability company; JEAN BENVENUTO, an
individual, SURJIT WALIA, an individual,
S.W. EQUITIES CORP., a New York corporation,
TIMOTHY HARTMANN, an individual,
ALEXANDER BUKHSHTABER, an individual,
MVS MEDIA GROUP, LLC, a Florida limited
liability company, HARRY TAWIL, an individual,
EDUARDO DOS SANTOS, an individual,
FILOMENA CALABRIA, an individual,
JOSE ROFFE, an individual, MIREILLE ROFFE,
an individual, SOMESWARI NUKALA, an individual,
Yael TAPIERO, an individual, LAAS W. TURNBULL,
an individual, OMRI TINTPULVER, an individual,
CONSTANTINO DOS SANTOS, an individual,
ARMAND DELMAR, an individual, AHMAD NAQVI,
an individual, MERCEDES ELMALEH, an individual,
ELIA BLUMIN, an individual, TED GREENWALD,
an individual, ALINA TALSKY, an individual,
ELVIS PERVAN, an individual,
ANGELO ISMIRNIOGLOU, an individual, and
JONATHAN VERK, an individual.

Defendants.

**JOINT NOTICE CONCERNING
SETTLEMENT OF CLAIMS AND REQUEST FOR EXTENSION**

Grisel Alonso, not individually but solely in her capacity as the Receiver appointed over
Elm Tree Investment Advisors, LLC, Elm Tree Investment Fund, LP, Elm Tree 'e'Conomy Fund,

LP, and Elm Tree Motion Opportunity, LP, along with Defendants Alex Bukhshtaber and MVS Media Group LLC (collectively, the "Parties"), respectfully submit this Joint Notice Concerning Settlement of Claims and Request for Extension:

1. The Parties have come to an agreement on settlement terms that would resolve the Receiver's claims in this action against Defendants Alex Bukhshtaber and MVS Media Group LLC (the "Defendants")

2. At present, the deadline for Defendants to file their response to the Amended Complaint is February 20, 2017. [D.E. 33].

3. Given undersigned counsel's pre-existing scheduling issues, including but not limited to federal court deadlines and a trial that began February 13, 2017 and will continue into the week of February 20, the final settlement documents and motion to approve the settlement will not be finalized until after the Defendants' February 20, 2017 deadline with respect to the Amended Complaint. [See D.E. 33].

4. As such, the Parties jointly request a thirty (30) day extension of time for Defendants to respond to the Amended Complaint, before which time the settlement documents will be finalized and the motion to approve settlement will be filed with the Court.

5. No party will be prejudiced by this extension, and this request is made by the Parties in good faith, not for the purpose of delay, and in order to settle these specific claims without need for either Party to incur additional attorneys' fees or costs.

6. Undersigned counsel submit this Notice jointly.

CONCLUSION

For the foregoing reasons, the Parties respectfully submit that they have agreed in principle to a settlement of the Receiver's claims against Alex Bukhshtaber and MVS Media

Group LLC, and request an enlargement of time through and including March 22, 2017, for Defendants to file their responses to the Amended Complaint, before which time the settlement documents will be executed and a motion to approve the settlement will be filed with the Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 17, 2017, a true and correct copy of the foregoing was served via electronic transmission on all counsel or parties of record, including Sherryll Martens Dunaj, sdunaj@miami-law.net.

Respectfully submitted,

BROAD AND CASSEL LLP Attorneys for Receiver One Biscayne Tower, 21 st Floor 2 S. Biscayne Boulevard Miami, FL 33131 Telephone: (305) 373-9467 Facsimile: (305) 995-6387 By: <i>s/Daniel S. Newman</i> Daniel S. Newman, P.A. Florida Bar No. 0962767 dnewman@broadandcassel.com Christopher Cavallo, Esq. Florida Bar No. 0092305 ccavallo@broadandcassel.com	SIMON, SCHINDLER & SANDBERG, LLP 2650 Biscayne Blvd. Miami, FL 33137 Tel.: (305) 576-1300 Fax: (305) 576-1331 By: <i>s/ Sherryll Martens Dunaj</i> Sherryll Martens Dunaj Florida Bar No. 136707 sdunaj@miami-law.net
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ANGELO ISMIRNIOGLOU, an individual, and
JONATHAN VERK, an individual.

Defendants.

**ORDER GRANTING JOINT REQUEST
FOR EXTENSION OF TIME GIVEN NOTICE OF SETTLEMENT**

THIS CAUSE came before the Court on the Joint Notice Concerning Settlement of Claims and Request for Extension (the "Notice"). The Court has considered the Notice, notes that it is filed jointly, and is otherwise fully advised in the premises.

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The request for extension is **GRANTED**.
2. The Receiver, along with Defendants Alex Bukhshtaber and MVS Media Group LLC (the "Defendants"), notified the Court that they have come to an agreement on settlement terms that would resolve the Receiver's claims against Defendants in this action, and a motion for approval of the settlement is forthcoming.
3. Given the Notice, Defendants have up to and including March 22, 2017 to serve their responses to the Receiver's Amended Complaint [D.E. 6].

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida this __
_____ day of February, 2017.

WILLIAM P. DIMITROULEAS
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of record