

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.

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**NOTICE CONCERNING SETTLEMENT OF CLAIMS AND REQUEST FOR  
EXTENSION OF TIME TO RESPOND TO ORDER TO SHOW CAUSE**

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, and Etopia LP (the "Receivership Entities") respectfully submits this Notice Concerning Settlement of Claims and Request for Extension of Time to Respond to Order to Show Cause [D.E. 129].

1. On May 31, 2017, the Court entered an Order to Show Cause for Failure to Comply with Rule 4(m) of the Federal Rules of Civil Procedure ("Order to Show Cause"). [D.E. 129]. The Order to Show Cause requires the Receiver, by June 7, 2017, to perfect service, show that service has been made, or show good cause why service has not been perfected with respect to the Roffe Defendants, Laas Turnbull, and Omri Tintpulver.

2. The Receiver filed motions seeking approval for the settlement of claims against Omri Tintpulver and Laas Turnbull. [D.E. 132; D.E. 133]. The Receiver respectfully requests that such filings be deemed sufficient showing to moot the Order to Show Cause with respect to these Defendants.

3. In addition, the Receiver and Jose Roffe and Mireille Roffe (the "Roffe Defendants") have come to an agreement on settlement terms that would resolve the Receiver's claims in this against the Roffe Defendants.

4. The Receiver anticipates filing a motion to approve the settlement of claims against the Roffe Defendants as soon as possible.

5. The Receiver respectfully requests an additional thirty (30) days to either file her motion to approve the settlement of claims against the Roffe Defendants, or, in the alternative, to respond to the Order to Show Cause with respect to the Roffe Defendants.

6. No party will be prejudiced by this extension, and this request is made by the Receiver in good faith, not for the purpose of delay, and in order settle the Receiver's claims against the Roffe Defendants without need for the Receiver to incur additional fees or costs.

**CONCLUSION**

Based on the foregoing, the Receiver respectfully requests that the Court: (i) deem the Order to Show Cause moot as to the claims against Defendants Tintpulver and Turnbull; and (ii) grant the Receiver an extension of time through and including July 7, 2017, to respond to the Order to Show Cause as to the claims against the Roffe Defendants, in order to allow the parties sufficient time to complete the settlement documents and a motion to approve the settlement.

**BROAD AND CASSEL LLP**

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By: *s/Daniel S. Newman*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 6, 2017, a true and correct copy of the foregoing was served via electronic transmission on all counsel or parties of record.

By: *s/Daniel S. Newman*

Daniel S. Newman, P.A.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
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JONATHAN VERK, an individual.

Defendants.

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**ORDER GRANTING PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO  
RESPOND TO ORDER TO SHOW CAUSE**

**THIS CAUSE** is before the Court upon Plaintiff's Motion for Extension of Time to Respond to Order to Show Cause [D.E. 134], filed herein on June 6, 2017. The Court has

carefully considered the Motion, and is otherwise fully advised in the premises.

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

1. Plaintiff's Notice Concerning Settlement of Claims and Motion for Extension of Time to Respond to Order to Show Cause [D.E. 134] is hereby **GRANTED**;

2. The Court's Order to Show Cause, dated May 31, 2017 [D.E. 129], is hereby deemed moot as to Defendants Laas Turnbull and Omri Tintpulver as a result of the motions for approval of settlement agreements [D.E. 132, 133] filed with the Court on June 5, 2017.

3. As to Defendants Jose Roffe and Mireille Roffe (the "Roffe Defendants"), Plaintiff shall have up to and including July 7, 2017, within which to respond to the Order to Show Cause [D.E. 129] as to the claims against the Roffe Defendants, or to file a motion to approve any settlement with the Roffe Defendants.

**DONE AND ORDERED** in Chambers in Fort Lauderdale, Broward County, Florida, this \_\_\_ day of June, 2017.

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WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:  
All counsel or parties of record