

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.

**PLAINTIFF'S UNOPPOSED MOTION
FOR ENLARGEMENT OF TIME TO RESPOND TO MOTIONS TO DISMISS**

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, by and through undersigned counsel, respectfully moves for an enlargement of time to file her responses to the Motions to Dismiss the Amended Complaint filed by Constantino Dos Santos and Eduardo Dos Santos (the "Dos Santos Defendants") [D.E. 20] and Ted Greenwald ("Mr. Greenwald") [D.E. 27]. In support thereof, the Receiver states:

1. The Dos Santos Defendants filed their Motion to Dismiss on January 20, 2017. [D.E. 20]. The Receiver's deadline to file a response to the Dos Santos Defendants' Motion to Dismiss was extended, without opposition, to February 23, 2017. [D.E. 26]

2. Mr. Greenwald filed his Motion to Dismiss on February 6, 2017. [D.E. 27]. The Receiver's deadline to file a response to Mr. Greenwald's Motion to Dismiss is February 21, 2017.

3. Undersigned counsel's trial was set to begin the first week of February, but was pushed back one full week by the trial court and is now set to begin on Monday, February 13, 2017. The trial is set for two weeks, and is expected to last, at the very least, through a portion of the week of February 20. In addition, undersigned counsel has federal court deadlines in another matter, as represented in the Receiver's previous request for an extension.

4. Given undersigned counsel's pre-existing scheduling issues, including but not limited to another federal court deadline and a trial now set to begin February 13, 2017, the Receiver respectfully requests: (i) an additional twelve (12) day enlargement of time, up to and through March 7, 2017, to respond to the Dos Santos Defendants' Motion to Dismiss; and (ii) a twenty (20) day enlargement of time, up to and through March 13, 2017, to respond to Mr. Greenwald's Motion to Dismiss.

5. No party will be prejudiced by this extension, and this request is made in good faith and not for the purpose of delay.

6. Undersigned counsel met and conferred with counsel for the Dos Santos Defendants and Mr. Greenwald, who have both authorized undersigned counsel to represent to the Court that there is no opposition to the relief sought herein from any of the Defendants.

CONCLUSION

For the foregoing reasons, the Receiver respectfully requests: (i) an enlargement of time through and including March 7, 2017, to file her response to the Dos Santos Defendants' Motion to Dismiss [D.E. 20]; and (ii) an enlargement of time through and including March 13, 2017, to file her response to Mr. Greenwald's Motion to Dismiss [D.E. 27].

Respectfully submitted,

BROAD AND CASSEL

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 13, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF filing system. I also certify that the foregoing document is being served this date on all counsel of record or pro se parties on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by the CM/ECF system or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notice of Electronic Filing.

By: s/Daniel S. Newman
Daniel S. Newman, P.A.

SERVICE LIST

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ANGELO ISMIRNIOGLOU, an individual, and
JONATHAN VERK, an individual.

Defendants.

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION
FOR ENLARGEMENT OF TIME TO RESPOND TO MOTIONS TO DISMISS**

THIS CAUSE came before the Court on Plaintiff's Unopposed Motion for Enlargement of Time to Respond to Defendants Constantino Dos Santos and Eduardo Dos Santos' Motion to Dismiss the Amended Complaint [D.E. 20] and Ted Greenwald's Motion to Dismiss for Lack of

Personal Jurisdiction [D.E. 27]. The Court has considered the Motion, notes that it is unopposed, and is otherwise fully advised in the premises.

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

1. Plaintiff's Motion is **GRANTED**.
2. Plaintiff shall have up to and including March 7, 2017 to serve her response to the Dos Santos Defendants' Motion to Dismiss [D.E. 20].
3. Plaintiff shall also have up to and including March 13, 2017 to serve her response to Ted Greenwald's Motion to Dismiss [D.E. 27].

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