

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,
Elm Tree Motion Opportunity, LP, and
Etopia, LP

Case No. 17-cv-61390-Altonaga/Goodman

Proceeding Ancillary to
No. 15-CV-60082-Dimitrouleas/Snow

Plaintiff,

v.

VICTOR ELMALEH, an individual,
MERCEDES ELMALEH, an individual,
1925333 ONTARIO INC. d/b/a CLEARTECH
COMPUTING SYSTEM, a Canadian corporation,
ENGAGE MARKETING GROUP, INC., a
Canadian corporation, and M3 DESIGNS, LP a
Delaware partnership,

Defendants.

**PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME TO FILE
CERTIFICATE OF INTERESTED PARTIES AND JOINT SCHEDULING REPORT**

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, Elm Tree Motion Opportunity, LP, and Etopia LP ("Plaintiff"), by and through undersigned counsel, respectfully submits this Motion for Enlargement of Time to File Certificate of Interested Parties and Joint Scheduling Report:

1. On August 2, 2017, the Court entered its Order Requiring Joint Scheduling Report and Certificate of Interested Parties by August 24, 2017. [D.E. 9-13].
2. To date, Defendants have not appeared in this action.
3. On August 16, 2017, the Court entered an order directing Plaintiff to file motions for clerk's default against the Defendants. [D.E. 16].

4. Given that to date no motion or request for enlargement of time has been docketed in this action on Defendants' behalf, Plaintiff filed motions for entry of clerk's default against the Defendants on August 23, 2017 in accordance with the Court's August 16, 2017 Order. [D.E. 17-21].

5. At present, no one has formally appeared for Defendants, Plaintiff has outstanding motions for clerk's default against all Defendants, and there is no ability for Plaintiff to hold a Rule 26(f) conference with opposing counsel.

WHEREFORE, Plaintiff respectfully requests an enlargement of time to file a Joint Scheduling Report and Certificate of Interested Parties, for a time after the resolution of Plaintiff's motions for clerk's default and after Defendants have appeared in this action.

BROAD AND CASSEL

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 23, 2017, a true and correct copy of the foregoing was served via electronic transmission on all counsel or parties of record, and mailed to the following

Defendants:

Victor Elmaleh
59 McCabe Crescent
Thornhill, Ontario Canada L4J 2S6

Mercedes Elmaleh
59 McCabe Crescent
Thornhill, Ontario Canada L4J 2S6

1925333 Ontario, Inc. d/b/a
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59 McCabe Crescent
Thornhill, Ontario Canada L4J 2S6

Engage Marketing Group, Inc.
59 McCabe Crescent
Thornhill, Ontario Canada L4J 2S6

M3 Designs, LP
59 McCabe Crescent
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By: s/Daniel S. Newman
Daniel S. Newman, P.A.