

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

GRISEL ALFONSO, 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,

Civil Action No. 16-CV-60797-KMW

Plaintiff,

v.

AEROFUND FINANCIAL, INC.,  
a California corporation,

Defendants.

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**NOTICE OF NO OPPOSITION TO FILING OF SUR-REPLY**

Without admitting that a Sur-Reply is appropriate or necessary, Defendant states that it does not oppose the Motion for Leave to File Sur-Reply (DE-18). Defendant requests that, if the Court finds that any matter raised in the Sur-Reply warrants a further response from Defendant, that the Court permit Defendant to provide a further response.

Dated: July 25, 2016

Respectfully Submitted,

/s/ Peter H. Levitt  
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ATTORNEYS FOR DEFENDANT AEROFUND  
FINANCIAL, INC.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on July 25, 2016, I served by ECF a true and correct copy of the foregoing upon Daniel S. Newman, Esq. ([dnewman@broadandcassel.com](mailto:dnewman@broadandcassel.com)) and Amanda S. Frazier, Esq. ([afrazer@broadandcassel.com](mailto:afrazer@broadandcassel.com)), Broad and Cassel, One Biscayne Tower, 2 South Biscayne Boulevard, Suite 2100, Miami, FL 33131 .

*/s/ Peter H. Levitt*

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Peter H. Levitt