

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, *et. al.*,

Defendants.

OMNIBUS ORDER GRANTING MOTIONS FOR SUMMARY JUDGMENT

THIS CAUSE is before the Court upon the Receiver's Motion for Summary Judgment as to Someswari Nukala [DE 166] and the Receiver's Motion for Summary Judgment as to Ted Greenwald [DE 168], both filed herein on December 27, 2017. The Court has carefully considered the Motions [DEs 166, 168] and is otherwise fully advised in the premises.

On December 27, 2017, the Receiver filed the instant Motions for Summary Judgment [DEs 166, 168]. On January 22, 2018, the Court issued an Omnibus Order to Show Cause why Motions Should not be Granted [DE 173]. The Court's Order required Defendants to show cause on or before February 2, 2018, and cautioned that a failure to do so would likely result in the Court granting the Motions [DEs 166, 168]. Defendants failed to timely respond.


Apart from Defendants' default, the Court has carefully considered the Receiver's summary judgment motions and the evidence submitted in support thereof, and has ensured that the Motions are properly supported. *See United States v. One Piece of Property*, 5800 S.W. 4th

Ave., Miami, Fla., 363 F.3d 1099, 1101 (11th Cir. 2004). The Court agrees with the Receiver that there is no genuine issue of material fact in dispute. Accordingly, the Court finds that the Receiver is entitled to judgment in its favor as a matter of law.

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

1. The Motions [DEs 166, 168] are **GRANTED**; and
2. This matter is **REFERRED** to Magistrate Judge Snow for determination of damages.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 12th day of February, 2018.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of record

Sumeswari Nukala
7076 Walworth Court
Mississauga, ON L5N 7L4
Canada

Ted Greenwald
3505 S. Ocean Dr., Unit 216
Hollywood, FL 33019