

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 TALSKEY, an individual,
ELVIS PERVAN, an individual,
ANGELO ISMIRNIOGLOU, an individual, and
JONATHAN VERK, an individual.

Defendants.

**DEFENDANT'S UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE REPLY IN FURTHER
SUPPORT OF MOTION TO SET ASIDE FINAL DEFAULT JUDGMENT**

COMES NOW, Defendant, ELIA BLUMIN ("Mr. Blumin"), by and through undersigned



BRODSKY FOTIU-WOJTOWICZ

counsel, respectfully submits this unopposed motion for enlargement of time for Mr. Blumin to file his Reply in Further Support of the Motion to Set Aside Final Default Judgment [D.E. 214].

1. On May 26, 2017, the Court entered its Final Default Judgment against Mr. Blumin. [D.E. 117].

2. On December 21, 2018, Mr. Blumin filed his Motion to Set Aside Final Default Judgment (the “Motion”). [D.E. 211].

3. On December 27, 2018, the Receiver filed an unopposed motion for enlargement of time to file a response to the Motion. [D.E. 214.]

4. On December 31, 2018, Magistrate Judge Snow granted the Receiver an enlargement of time, until January 18, 2019, to respond to the Motion.

5. On January 17, 2019 the Receiver filed a second unopposed motion for enlargement of time to file a response to the Motion. [D.E. 216.]

6. On January 18, 2019, Magistrate Judge Snow granted the Receiver an enlargement of time, until January 25, 2019, to respond to the Motion. [D.E. 217].

7. On January 25, 2019, the Receiver filed her response to the Motion [D.E. 218].

8. On January 31, 2019, Mr. Blumin filed an unopposed motion for enlargement of time to file a Reply in Further Support of the Motion. [D.E. 219].

9. On January 31, 2019, Magistrate Judge Snow granted Mr. Blumin an enlargement of time, until February 11, 2019, to respond to the Motion. [D.E. 220].

10. The parties have been engaging in settlement discussions and have reached a settlement in principal. To avoid prejudice to any party and to allow the parties time to finalize and execute a mutually agreeable settlement agreement, Mr. Blumin requests that he be granted a twenty-eight (28) day enlargement of time, until March 8, 2019, to reply to

the Receiver's Motion. It is anticipated no reply will be necessary by that time given the parties agreement in principle, however Mr. Blumin does not waive his right to file a Reply should the parties fail to execute a mutually agreeable settlement.

11. The extension is being requested in good faith and not for purposes of delay.
12. The Receiver does not oppose the requested extension.
13. The Receiver will not be prejudiced by the requested extension.

CONCLUSION

For the foregoing reasons, the Defendant, Elia Blumin, respectfully requests a 28-day extension of time, until March 8, 2019, to file his Reply in Further Support of the Motion to Set Aside Final Default Judgment.

Respectfully submitted,

By: /s/ Joshua Truppman, Esq.
Joshua Truppman, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that on **February 9, 2019**, the foregoing was filed using the Court's CM/ECF system and served via transmission of Notices of Electronic Filing generated by CM/ECF to all counsel by the Court's CM/ECF system.

By: /s/ Joshua Truppman, Esq.
Joshua Truppman, Esq.