

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

TELEXFREE, LLC,
TELEXFREE, INC. and
TELEXFREE FINANCIAL, INC.,

Debtors.

STEPHEN B. DARR AS HE IS THE
TRUSTEE OF THE CHAPTER 11 ESTATES
OF EACH OF THE DEBTORS,

Plaintiff,

v.

BENJAMIN ARGUETA, ALEXANDRO
ROCHA, JOSE NETO, JULIO C. PAZ,
EUZEBIO SUDRE NETO, HUGO
ALVARADO, ANA R. RAMOS, LINDA
SUZANNE HACKETT, RUDDY ABREAU,
MARCO ALMEIDA, RODRIGO
MONTEMOR, LAUREANO ARELLANO,
AARON ATAIDE, ROSANE CRUZ, OMAR
QUINONEZ, CARLOS C. DEJESUS,
BILKISH SUNESARA, ANDRES BOLIVAR
ESTEVEZ, JOSE LOPEZ, ANA ROSA
LOPEZ, FRANTZ BALAN, MARCELO
DASILVA, GLADYS ALVARADO, MARIA
TERESA MILAGRES NEVES, MARCOS
LANA, LUIZ ANTONIO DA SILVA, BRUNO
GRAZIANI, EDUARDO N. SILVA, MICHEL
CHRISTIANO SANTOLIN DE ARRUDA,
FRANCISDALVA SIQUEIRA, ALEXANDER
N. AURIO, AMILCAR LOPEZ, RENATO
SACRAMENTO, JULIO SILVA, DAVIDSON
R. TEIXEIRA, JOSE CARLOS MACIEL,
JESUS OSUNA, CHAI HOCK NG, EDILENE
STORCK NAVARRO, SORAYA FERREIRA,
EDSON F. SOUZA, VAMING SERVICES,
JORGE ANTONIO MEJIA SEQUEIRA,
RODRIGO CASTRO, DAVID REIS,

Chapter 11 Cases

14-40987-MSH
14-40988-MSH
14-40989-MSH

Jointly Administered

Adversary Proceeding
No. 16-04006



1440987160608000000000012

ANA SANTOS, WESLEY DIAS, TIMEX
RESEARCH CONSULTING, INC., CELSO
ROBERTO SILVA FILHO, TEAM GLOBAL
ADVERTISING LLC, LWC MARKETING,
INC., BARTOLO CASTLLO, GASPAR
JESUS, LUISA E. LOPEZ, MARCIO SOUZA
NERY, DEBORA C. BRASIL, JOELITO
SOUZA CALDAS JUNIOR, UNITED GROUP
USA, JEAN 2004, ENTERPRISE CORP.,
RUDMAR GENTIL, NEW GENERATION
MED SUPPLY, INC., DANEUNG XIONG,
CARLOS ALFARO, LUSETTE BALAN,
TECHNOVIA, INC., FAITH SLOAN,
MARIZA S. MORINELLI, NUBIA R.
GLOULART, ROBERTO NUNEZ, GILSON
NASSAR, BINGJIAN PAN, YUE CHEN,
RODRIGO R. BREDAS, PAULO GIULIANO
DIOGENES DE BESSA ROSADO, JOSE
MIGUEL FILHO, LAN LAN JI,
VENERANDO CONTRERAS, JAP
INTERNATIONAL NETWORK, LLC,
WALACE AUGUSTO DA SILVA, EZAU
SOARES FERREIRA, EDDIT ALBERTO
DUVERGE, GLOBAL MARKETING
STRATEGIES, CAROL VANTERPOOL,
DEVENDRA SHAH, PAT JACKSON,
SILVERIO REYES, FABIANA ACACIA DA
CRUZ DOS SANTOS, GERALD AGNEW,
DWAYNE JONES, JOSEPH PIETROPAOLO,
JAMILSON MARCO CONCEICAO, SONYA
CROSBY, RANDY CROSBY, WESLEY
NASCIMENTO ALVESBY, ANTONIO
OLIVEIRA, RONEIL BARRETO,
MILAGROS ADAMES, LM DAVAR, INC.,
PARROT BAY HOMES, INC., EDGAR
BORELLI, RICHARDO FABIN, DANIEL
CHAVEZ, FAUSTINO TORRES, HELIO
BARBOSA, GELALIN-3377, LLC AND A
DEFENDANT CLASS OF NET WINNERS,
Defendant(s).

ANSWER TO COUNTERCLAIM OF DWAYNE JONES

Stephen Darr, the duly appointed and acting trustee (the “Trustee”) of the Chapter 11 bankruptcy estates of TelexFree, Inc., TelexFree, LLC and TelexFree Financial, Inc. (collectively, the “Debtors”), hereby answers the Counterclaim of *pro se* defendant Dwayne Jones filed on or about May 26, 2016.

1. The Trustee denies in full the sole allegation in the defendant’s Counterclaim, that the defendant is entitled to unspecified damages for emotional distress and anticipated attorney and court costs arising out of this litigation.

Affirmative Defenses

2. Defendant has failed to state a claim upon which relief can be granted.
3. The complained of conduct is privileged.
4. The defendant has failed to satisfy the necessary prerequisites to bring such a counterclaim.
5. Defendant has pled insufficient facts to support the claim asserted.
6. Defendant’s counterclaim is barred by the doctrine of unclean hands.

WHEREFORE, Stephen Darr as he is the Trustee of the Chapter 11 estates of TelexFree, Inc., TelexFree, LLC and TelexFree Financial, Inc. respectfully requests that the Court deny all relief sought by Defendant in his Counterclaim and grant the relief sought by the Trustee in his Complaint.

STEPHEN DARR, CHAPTER 11
TRUSTEE,
By his attorneys,

/s/ Charles R. Bennett, Jr.
Charles R. Bennett, Jr. (BBO #037380)
Andrew G. Lizotte (BBO #559609)
Murphy & King, Professional Corporation
One Beacon Street
Boston, MA 02108
(617) 423-0400
CBennett@murphyking.com

Dated: June 6, 2016
709857

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CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that I have this day, caused to be served a copy of the *Answer to Counterclaim of Dwayne Jones* via this Court's CM/ECF System and/or by First Class Mail, postage prepaid to the following:

Dwayne Jones
6404 Julie Ann Drive
Hanover, MD 21076

/s/ Andrew G. Lizotte
Andrew G. Lizotte (BBO #559609)
Murphy & King, Professional Corporation
One Beacon Street
Boston, MA 02108
(617) 423-0400
ALizotte@murphyking.com

Dated: June 6, 2016

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