

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

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

Debtors.

Chapter 11 Cases

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

Jointly Administered

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

Plaintiff,

Adversary Proceeding
No. 16-4036

v.

JOELE FRANK WILKINSON BRIMMER
KATCHER,

Defendant.

**NOTICE OF PROPOSED ORDER APPROVING MOTION BY TRUSTEE TO
APPROVE STIPULATION OF SETTLEMENT BETWEEN CHAPTER 11 TRUSTEE
AND JOELE FRANK, WILKINSON, BRIMMER, KATCHER**

Stephen B. Darr, the duly appointed Chapter 11 Trustee of the bankruptcy estates of TelexFree, LLC, TelexFree, Inc., and TelexFree Financial, Inc., respectfully submits this proposed *Order Approving Motion by Trustee to Approve Stipulation of Settlement between Chapter 11 Trustee and Joele Frank, Wilkinson, Brimmer, Katcher*. This matter relates to docket number 757 in the main case scheduled for hearing on July 27, 2016.



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

By his attorneys,

/s/ Andrew G. Lizotte

Charles R. Bennett, Jr. (BBO #037380)

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Dated: July19, 2016
712520

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KATCHER,

Defendant.

**ORDER APPROVING MOTION BY TRUSTEE TO APPROVE STIPULATION OF
SETTLEMENT BETWEEN CHAPTER 11 TRUSTEE AND JOELE FRANK,
WILKINSON, BRIMMER, KATCHER**

This matter having come before the Court on this ____ day of July, 2016 on the motion (“Motion”) by Stephen B. Darr, the duly appointed Chapter 11 Trustee (the “Trustee”) of the bankruptcy estates (“Estates”) of TelexFree, LLC, TelexFree, Inc., and TelexFree Financial, Inc. (collectively, the “Debtors”), to approve the stipulation (“Stipulation”) by and between the Trustee and Joele Frank, Wilkinson, Brimmer, Katcher (“Joele Frank”), all parties in interest having been notified, and a statement having been filed by the Plaintiffs’ Interim Executive Committee, it is hereby ORDERED that:

1. The Motion is approved, subject to the terms herein.

2. While the Trustee shall retain no causes of action against the Joele Frank, nothing contained in the Stipulation shall impair, release, or discharge claims that have been or could be asserted, whether or not such claims have to date been asserted, by the plaintiffs in the multi-district litigation pending in the United States District Court for the District of Massachusetts, *captioned* In re TelexFree Securities Litigation, MDL No. 4:14-md-2566- TSH. For the avoidance of doubt, the Trustee agrees he shall not attempt to assert any claims or causes of action against Joele Frank in this multi-district litigation or otherwise. Nothing in this release grants the plaintiffs in the multi-district litigation any claims or causes of action that they would otherwise not have absent the Stipulation.

3. This order shall supercede the provisions of any prior order in connection with the Stipulation.

Dated: July __, 2016

Hon. Melvin S. Hoffman
Chief United States Bankruptcy Judge

712118

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JOELE FRANK WILKINSON BRIMMER
KATCHER,

Defendant.

CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that on July 19, 2016, I caused to be served a copy of the Notice of Proposed Order Approving Motion by Trustee to Approve Stipulation of Settlement Between Chapter 11 Trustee and Joele Frank, Wildenson, Brimmer, Katcher via operation of this Court's CM/ECF system, by Electronic Mail and by First Class Mail, postage prepaid as indicated on the attached service list.

/s/ Andrew G. Lizotte

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DATED: July 19, 2016
740148

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