

Darr,  
Plaintiff  
Argueta,  
Defendant

Adv. Proc. No. 16-04006-msh

### CERTIFICATE OF NOTICE

District/off: 0101-4

User: telam  
Form ID: pdf012

Page 1 of 2  
Total Noticed: 1

Date Rcvd: Mar 31, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on  
Apr 02, 2020.

NO NOTICES MAILED.

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
ust +E-mail/Text: USTPRegion01.WO.ECF@usdoj.gov Apr 01 2020 02:01:28 Richard King,  
Office of US. Trustee, 446 Main Street, 14th Floor, Worcester, MA 01608-2361  
TOTAL: 1

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 02, 2020

Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 31, 2020 at the address(es) listed below:

Andrew G. Lizotte on behalf of Plaintiff Stephen B. Darr agl@murphyking.com,  
bankruptcy@murphyking.com; pas@murphyking.com; ddk@murphyking.com; agl@murphyking.com; ecf-72a6723957  
cc@ecf.pacerpro.com  
Charles R. Bennett, Jr. on behalf of Plaintiff Stephen B. Darr cbennett@murphyking.com,  
bankruptcy@murphyking.com; imccormack@murphyking.com; ecf-ca5a5ac33a04@ecf.pacerpro.com  
Elton Watkins, III on behalf of Defendant Milagros Adames watkinslaw@comcast.net  
Elton Watkins, III on behalf of Defendant Ricardo Fabin watkinslaw@comcast.net  
Evans J. Carter on behalf of Defendant Bilkish Sunesara ejcattyl@verizon.net  
Gary W. Cruickshank on behalf of Defendant Jose Miguel Filho gwc@cruickshank-law.com,  
cruickshankgr87938@notify.bestcase.com  
Hilary Schultz on behalf of Defendant Bruno Graziani hschultz@engelschultz.com  
Ilyas J. Rona on behalf of Defendant Frantz Balan ijr@mrcklaw.com, gnc@mrcklaw.com,  
kae@mrcklaw.com  
Ilyas J. Rona on behalf of Defendant Julio Silva ijr@mrcklaw.com, gnc@mrcklaw.com,  
kae@mrcklaw.com  
James P. Ehrhard on behalf of Defendant Andres Bolivar Estevez ehrhard@ehrhardslaw.com,  
cote@ehrhardslaw.com  
Jordan L. Shapiro on behalf of Defendant Linda Suzanne Hackett JSLAWMA@aol.com  
Maksim Nemtsev on behalf of Defendant Daniil Shoyfer menemtsev@gmail.com  
Matthew Shayefar on behalf of Defendant Timex Research Consulting Inc.  
matt@bostonlawgroup.com  
Matthew Shayefar on behalf of Defendant New Generation Med Supply Inc.  
matt@bostonlawgroup.com  
Michael K. O'Neil on behalf of Plaintiff Stephen B. Darr mko@rathlaw.com, fam@rathlaw.com  
Michael M. McArdle on behalf of Defendant Ruddy Abreau mike@mcardlelaw.com,  
morgan@mcardlelaw.com  
Michael M. McArdle on behalf of Defendant Ana Rosa Lopez mike@mcardlelaw.com,  
morgan@mcardlelaw.com  
Valentin D. Gurvits on behalf of Defendant New Generation Med Supply Inc.  
vgurvits@bostonlawgroup.com  
Valentin D. Gurvits on behalf of Defendant Timex Research Consulting Inc.  
vgurvits@bostonlawgroup.com  
Wendy M. Mead on behalf of Defendant Carlos C. DeJesus wendymeadpc@verizon.net  
Wendy M. Mead on behalf of Defendant Luisa E. Lopez wendymeadpc@verizon.net  
Wendy M. Mead on behalf of Defendant Lan Lan Ji wendymeadpc@verizon.net  
Wendy M. Mead on behalf of Defendant Ana R. Ramos wenc  
Wendy M. Mead on behalf of Defendant Hugo Alvarado we  
Wendy M. Mead on behalf of Defendant Benjamin Argueta



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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system (continued)

Wendy M. Mead	on behalf of Defendant Roberto Nunez	wendymeadpc@verizon.net
Wendy M. Mead	on behalf of Defendant Gladys Alvarado	wendymeadpc@verizon.net

TOTAL: 27

**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 B. DARR, TRUSTEE  
OF THE ESTATES OF TELEXFREE, LLC,  
TELEXFREE, INC. and TELEXFREE  
FINANCIAL, INC.,

Plaintiff,

v.

FRANZ BALAN, A REPRESENTATIVE OF A  
CLASS OF DEFENDANT NET WINNERS

Defendants.

Adversary Proceeding  
No. 16-4006

STEPHEN B. DARR AS TRUSTEE  
OF THE ESTATES OF TELEXFREE, LLC,  
TELEXFREE, INC. and TELEXFREE  
FINANCIAL, INC.,

Plaintiffs,

v.

MARCO PUZZARINI AND SANDRO PAULO  
FREITAS, REPRESENTATIVES OF A CLASS  
OF DEFENDANT NET WINNERS

Defendants.

Adversary Proceeding  
No. 16-4007

**SCHEDULING ORDER FOR DETERMINING THE ADMISSIBILITY  
AND PRESUMPTIVE EFFECT OF THE TRUSTEE'S AGGREGATION  
METHODOLOGY IN DETERMINING NET WINNERS**

This matter having come before the Court upon the Joint Motion of Parties requesting the Court enter a Scheduling Order to address issues relating to the admissibility and presumptive effect of the Trustee's aggregation methodology as set forth in the Report of Timothy Martin, who prepared an expert report relating to same.

NOW THEREFORE, Based on the Parties' Joint Motion for entry of a Scheduling Order to address resolution of (a) the admissibility of Martin's expert opinion and (b) whether Martin's expert opinion, in conjunction with the Ponzi Presumptions, establishes the Trustee's prima facie case shifting the burden of production to the individual Class Action Defendants, the Court enters the following Order:

- (1) The Class Action Defendants shall provide the Trustee with any rebuttal expert report on or before June 5, 2020.
- (2) If the Trustee deems it necessary to do so, the Trustee may prepare a rebuttal report and shall provide any rebuttal report to the Defendants Twenty (20) days from receipt of the Class Action Defendants' report.
- (3) To the extent that the Parties propose to exchange data and paper discovery relative to the Trustee's Expert Report, all such data and paper discovery shall be exchanged by April 27, 2020.
- (4) To the extent that the Parties propose to engage in expert depositions, all such expert depositions shall be concluded by Twenty (20) days from receipt of the Trustee's rebuttal report or the Trustee's statement he does not intend to submit a rebuttal report.
- (5) The Parties shall file a status report with the Court on or before July 10, 2020, which shall advise the Court as to the status of the matter and those issues which the Court needs to conduct an evidentiary hearing on in order to appropriately determine the admissibility of the Martin expert opinion,

the weight to be given the opinion, and whether said opinion satisfies the  
Trustee's prima facie case.

Dated at Boston within said District this 31st day of March, 2020.

A handwritten signature in black ink, appearing to read "Melvin S. Hoffman", written over a horizontal line.

Melvin S. Hoffman  
United States Bankruptcy Judge