

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

In re:  
Telexfree, LLC,  
Telefree, Inc., and  
Telexfree Financial, Inc.,  
Debtors.

Chapter 11  
Case No. 14-40987-MSH  
Case No. 14-40988-MSH  
Case No. 14-40989-MSH

(Jointly Administered)

EXPEDITED MOTION FOR REQUEST TO REINSTATE PROOF OF  
CLAIM FILED FOR EDIVALDO ALVES REIS AND TIME TO FILE  
SUPPORTING DOCUMENTS

1. Now comes Edivaldo Alves Reis (Movant) who moves to have the Court reinstate his Proof of Claim (#66876).
2. Movant has been proceeding without counsel since 2016. See affidavit from attorney Ronald P. Passatempo attached as **Exhibit 1**.
3. Movant filed a timely Electronic Proof of Claim.
4. However, Movant files this expedited Motion because Movant recently learned that his claim was disallowed by the Trustee for failure to respond to the Trustee's inquiries and because his claim did not match any of the user accounts found in the Telexfree records.
5. Movant was born in Brazil and has minimal understanding of the English language and has no computer skills. See **Exhibit 2**- Movant's Affidavit in support of Motion.
6. Movant has no memory or knowledge of receiving any notices or inquires from the Trustee regarding his claim.



7. Movant has documents to support his claim and requests that the Court reinstate his claim and allow him the opportunity to submit documents in support of his claim.

8. This case has been going on for over six years now. As of today, there have been about 3400 documents filed in this matter. Tracking this case by one person who does not understand bankruptcy obligations and the filing procedures requires substantial time, effort and skill.

9. Claimants have had to go through two different claims filing process.

10. Movant may have received complex documents that said something about him having to respond by a date certain, but he did not understand any document that so stated, if one was even sent to him (which he does not recall ever receiving).

11. Movant has a good and meritorious and substantial claim for monies that he lost while investing in Telex.

12. Movant has a claim for \$345,000.00.

13. This was Movants entire life savings and, because he believed the salespeople for Telex that he would receive an enormous return on his investments. Movant believed them and came up with the funds to invest.

14. Like many of the other Telexfree victims, Movant was ill informed, uneducated and did not even have a basic understanding of investments.

15. Movant has no money left after being told Telex was a safe investment and that he could not lose money because there were so many others who already had made substantial profits on their Telexfree investment.

16. There is no harm or prejudice to anyone if the Court allows the Movant's request to have his claim reinstated and to discuss the same with the Trustee. There are many claims still undecided and disputed, including many net winners' claims and it appears that many trials will be likely in the future.

17. Under these circumstances, it would be unjust for the Court to not allow Movant's motion.

WHEREFORE, Edivaldo Alves Reis moves to have the Court Reinstate his Proof of Claim and an opportunity to file supporting documents.

Edivaldo Alves Reis

BY HIS ATTORNEY,  
s/ Jordan L. Shapiro

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Shapiro & Hender  
105 Salem Street, Malden, MA 02148  
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Email: [jslawma@aol.com](mailto:jslawma@aol.com)

DATED: July 24, 2020

CERTIFICATE OF SERVICE

I, Jordan L. Shapiro, certify that I have this day served a copy of the within Expedited Motion for Request to Reinstate Proof of Claim through the Court's EM/ECF system to the following:

- **William R. Baldiga** wbaldiga@brownrudnick.com
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- **Elton Watkins** watkinslaw@comcast.net

- **Jason C. Weida** Jason.weida@usdoj.gov

Signed under the penalties of perjury this 24<sup>th</sup> Day of July, 2020.

/s/ Jordan L Shapiro

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JORDAN L. SHAPIRO

# **EXHIBIT 1**

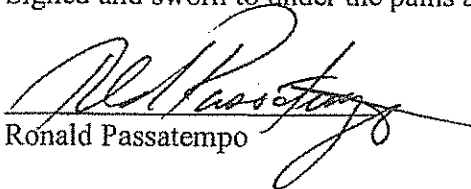


## AFFIDAVIT OF RONALD PASSATEMPO

I, Ronald Passatempo, Law Office of Ronald Passatempo, swear and depose to the following:

1. My name is Ronald Passatempo and I am a lawyer in good standing in the Commonwealth of Massachusetts.
2. My office is located at 200 Broadway, Suite 102, Broadway, Lynnfield, MA 01040.
3. On or about April 2014, Mr. Edivaldo Reis, Mr. Valdecir Dos Santos and Ms. Rita Dos Santos sought guidance with a matter against Telexfree, LLC.
4. My office, with Portuguese speaking colleagues, guided the three named above for the bankruptcy involving Telexfree.
5. In the summer of 2016, my office, through Portuguese speaking colleagues, informed the three named above that my office will no longer be assisting each of them in the Telexfree bankruptcy matter.
6. The communication was in person, via telephone and via US Postal mail to all three named individuals. Exhibit A
7. All three were told verbally and via written form that they need to personally follow the Bankruptcy case and to use the web sites provided to them to log in and enter their respective names into the system.

Signed and sworn to under the pains and penalties of perjury this 8 day of July 2020.

  
Ronald Passatempo

## **EXHIBIT A**

LAW OFFICES OF  
**RONALD P. PASSATEMPO**  
ATTORNEY AT LAW

RONALD P. PASSATEMPO

EDIVALDO REIS  
9 BLACKSMITH WAY  
SAUGUS MA 01906

September 2, 2016

Lynnfield Woods  
200 Broadway, Suite 102  
Lynnfield, MA 01940

Telephone (781) 596-3100  
Facsimile (781) 596-3106  
Facsimile (781) 596-3107  
ron@passatempolaw.com

Re: In re TelexFree, LLC, Case No. 14-4987 (Bankr. D. Mass. 2014)

**AVISO DE NECESSIDADE DE ARQUIVAR NOVO FORMULÁRIO DE PEDIDO ATE DIA 26 DE SETEMBRO DE 2016 às 4:30 PM E DE DISPENSA COMO CLIENTE DE PASSATEMPO**

Prezado EDIVALDO REIS :

**NOS DISPENSAMOS E NAO REPRESENTAMOS MAIS VOCE EM UMA BASE<sup>1</sup> INDIVIDUAL NO CASO DE FALENCIA ACIMA REFERIDA .**

**A pedido do administrador da massa falida nomeado todas as provas de reivindicação anteriormente arquivado em caso de falência da Telexfree ("O Processo de Falência " ) são nulas . VOCE DEVE REGISTRAR UM FORMULARIO DE PEDIDO DE RECLAMACAO ELETRONICAMENTE POR SI PROPRIO ATE DIA 26 de SETEMBRO DE 2016 às 4:30 DA TARDE. O formulário de requerimento eletrônico que você precisa preencher é encontrado em <http://telexfreeclaims.com> . Você também pode entrar em contato com Joseph Morrow, Kurtzman Carson Consultants, o administrador de pedidos de falência, 310-751-1812 .**

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<sup>1</sup> Como ordenado pelo Juiz Hillman de United States District Court em MDL 2566 vamos continuar a representar os interesses de todos os Telexfree vítimas que perderam dinheiro em uma base ampla classe.

Nós recebemos nenhum comunicado de sua parte por algum tempo. O administrador da falência lhe escreveu e informou -lhe que você deve apresentar uma nova prova de Falências da Reivindicação ate dia 26 de Setembro de 2016 às 4:30 PM. Se você não tiver recebido um aviso relacionado ou tiver alguma dúvida , visite <http://www.kccllc.net/telexfree> . O formulário de requerimento eletrônico que você precisa preencher é encontrado em <http://telexfreeclaims.com> . Você também pode entrar em contato com Joseph Morrow em Kurtzman Carson Consultants , o administrador de pedidos de falência , 310-751-1812 .

É nosso entendimento que, se você não apresentar uma nova prova de Falências da Reivindicação voce será para sempre impedido de fazer um pedido de fundos pagos através do administrador da massa falida . É a nossa maior compreensão de que cerca de US\$ 200 milhões foram recolhidos pelo governo dos Estados Unidos e os fundos estão a ser pagos às vítimas pelo Agente Fiduciário . É no seu melhor interesse de preencher o formulário de requerimento eletrônico disponível no <http://telexfreeclaims.com> .

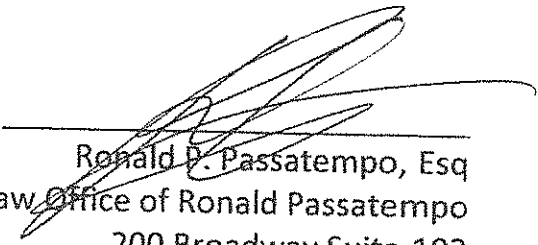
Se você previamente apresentou ou teve alguém incluindo este escritório uma Prova de Falências do pedido, esta prova de Reivindicação não é mais válida .

**NOS DISPENSAMOS VOCÊ E VOCÊ DEVE REGISTRAR UM  
FORMULARIO DE PEDIDO DE RECLAMACAO**

**ELETRONICAMENTE POR SI PROPRIO.** Se você não apresentar um novo pedido de acordo com as instruções fornecidas pelo administrador , você não será elegível para recuperar os fundos através do processo de Falência .

Estamos escrevendo para deixar claro que não iremos mais representar você em conexão com o assunto Telexfree numa base individual . Se você tiver qualquer dúvida sobre a sua prova de reivindicação , você deve entrar em contato com Joseph Morrow em Kurtzman Carson Consultants, o agente de reivindicações da Telexfree, 310-751-1812 .

Atenciosamente,



Ronald P. Passatempo, Esq  
Law Office of Ronald Passatempo  
200 Broadway Suite 102  
Lynnfield MA 01940  
Telephone: 781-596-3100  
Email: Admin@PassatempoLaw.com

## **EXHIBIT 2**

AFFIDAVIT

1. I, Edivaldo Alves Reis, now of 2304 LEMPA RD EINHARTSON <sup>ND 08077</sup> (Address) am an investor in Telex-Free.
2. I filed a timely proof of claim (#66876) in the Telexfree Bankruptcy case.
3. However, I recently learned that my claim was disallowed by the Trustee for failure to respond to the Trustee's inquiries.
4. I was born in BRASIL, I have minimal understanding of the English language and I have very little computer skills.
5. I have no memory or knowledge of receiving any notices or inquires from the Trustee regarding disallowance of my claim.
6. I invested a substantial amount of money (\$345,000.00) because I believed the salespeople for Telex that I would receive an enormous return on my investments.
7. I have documents to support my claim and requests that the Court reinstate my claim to allow me the opportunity to submit documents I have, which support my claim.
8. I lost all my money after being told Telex was a safe investment and that I could not lose my money because there were so many others who already had made substantial profits on their Telexfree investment.
9. I believe, in fairness to me, I should be allowed to pursue this claim in Court.

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Signed under the penalties of perjury July 24, 2020 (date)

/s/ [Signature] (Signature)