

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.

FRANTZ 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

**ASSENTED-TO MOTION FOR TWO-WEEK ENLARGEMENT OF**  
**TIME TO COMPLY WITH THIS COURT'S**  
**POST-DAUBERT-HEARING SCHEDULING ORDER**



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With the Trustee's assent, Frantz Balan, Marco Puzzarini, and Sandro Paulo Freitas, as representatives of the Domestic and Foreign Classes of Net Winners ("**Defendants**"), hereby respectfully request a two-week enlargement of the time to comply with this Court's post-*Daubert*-Hearing Scheduling Order entered on November 25, 2020 (ECF No. 368 (*Domestic Matter*); ECF No. 520 (*International Matter*) ("**Scheduling Order**") concerning the admissibility of the Trustee's proposed expert testimony by Timothy J. Martin, Managing Director, Huron Consulting Group, LLC (the "**Trustee's Expert**") and matters related thereto as presented during the two-day *Daubert* evidentiary hearing. As grounds for this joint motion, Defendants state as follows:

1. Per the Scheduling Order, Defendants had two weeks to file a memorandum addressing the admissibility of Trustee's Expert from the filing of the official transcript of the *Daubert* hearing. The Trustee was given two weeks thereafter to file a reply memorandum.

2. The official transcript was filed on January 4, 2021.

3. Due to the press of business and the complexity of the underlying issues, the Defendants respectfully request an enlargement by two weeks in order to file their memorandum.

4. Counsel for Defendants has conferred with counsel for the Trustee, who assents to this request, and both sides agree to a mutual two-week enlargement of the briefing deadlines.

5. Accordingly, Defendants' brief will be due on or before **February 2, 2021**. The Trustee's brief will be due on or before **February 16, 2021**.

WHEREFORE, Frantz Balan, Marco Puzzarini, and Sandro Paulo Freitas, as representatives of the Domestic and Foreign Classes of Net Winners, hereby respectfully request that this Assented-to Motion be allowed and the Court modify the Scheduling Order as set forth above.

FRANTZ BALAN,  
CLASS REPRESENTATIVE,  
DOMESTIC CLASS ACTION,

MARCO PUZZARINI AND SANDRO  
PAULO FREITAS,  
CLASS REPRESENTATIVE  
FOR FOREIGN CLASS OF  
DEFENDANTS,

By their counsel,

Dated: January 19, 2021

/s/ Ilyas J. Rona  
Ilyas J. Rona (BBO #642964)  
Michael J. Duran (BBO # 569234)  
MILLIGAN RONA DURAN & KING LLC  
50 Congress Street, Suite 600  
Boston, MA 02109  
Tel: (617) 395-9570  
Fax: (855) 395-5525  
ijr@mrcklaw.com  
mjd@mrcklaw.com

**CERTIFICATE OF SERVICE**

I, Ilyas J. Rona, hereby certify that I have caused a copy of the Assented-to Motion for Two-Week Enlargement of Time to Comply with This Court's Post-Daubert-Hearing Scheduling Order to be served on counsel for the Trustee and all registered electronic filers appearing in this case using the Court's CM/ECF system.

Dated: January 19, 2021

/s/ Ilyas J. Rona

Ilyas J. Rona, Esq.