

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

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

Reorganized Debtors.

Chapter 11 Cases

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

Substantively Consolidated

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.,

Plaintiff,

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

Defendants.

Adversary Proceeding
No. 16-4007

**ASSENTED TO MOTION BY TRUSTEE TO EXTEND TIME TO RESPOND TO
DEFENDANTS' MOTION TO EXCLUDE TESTIMONY OF TIMOTHY MARTIN**

Stephen B. Darr as he is the Liquidating Trustee (the "Trustee") of the Reorganized Debtors TelexFree, LLC, TelexFree, Inc. and TelexFree Financial, Inc. (collectively, "TelexFree" or the "Debtors") respectfully requests that the Court grant a one-week extension of time in which the Trustee may submit his reply to the Class Action Representatives' Motion to



Exclude Testimony of Timothy Martin, the Trustee's expert witness (the "Motion to Exclude").

In support thereof, the Trustee states as follows:

1. On November 24 and 25, 2020, the Court conducted an evidentiary hearing respecting the admissibility of the expert opinion of Timothy Martin as to the methodology used in aggregating the User Accounts of Participants to determine Net Winners in TelexFree.

2. The deadline for the Defendant Class Representatives to submit their post-trial brief was January 19, 2021.

3. The Defendant Class Representatives requested and obtained a two week extension of time to submit their brief to February 2, 2021. The Court scheduled February 16, 2021 as the deadline for the Trustee to file his reply brief.

4. On February 2, 2021, the Defendant Class Representatives filed their Motion to Exclude.

5. The Trustee requires a brief additional period of time in which to complete his reply.

6. The one-week extension of time requested will not prejudice any party in interest. The Defendants have assented to the requested relief.

Wherefore, the Trustee prays that the Court:

1. Extend by one-week, to February 23, 2021, the deadline for the Trustee to file his reply to the Motion to Exclude; and
2. Grant such other relief as is just and proper.

STEVEN B. DARR,
LIQUIDATING TRUSTEE,

By his counsel,

/s/ Andrew G. Lizotte
Andrew G. Lizotte (BBO #559609)
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Dated: February 11, 2021
792429

CERTIFICATE OF SERVICE

I, Andrew Lizotte, hereby certify that on this date, I caused a copy of the foregoing to be served by the Court's CM/ECF system upon all parties entitled to notice thereunder.

Dated: February 11, 2021

/s/ Andrew Lizotte
Andrew Lizotte