

Darr,  
Plaintiff  
Wanzeler,  
Defendant

Docket #0195 Date Filed: 12/8/2022  
Adv. Proc. No. 16-04032-edk

## CERTIFICATE OF NOTICE

District/off: 0101-4  
Date Rcvd: Dec 06, 2022

User: admin  
Form ID: pdf012

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 08, 2022:

Recip ID	Recipient Name and Address
dft	+ James Merrill, One Coburn Drive, Ashland, MA 01721-3000

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: USTPRegion01.WO.ECF@usdoj.gov	Dec 06 2022 22:08:11	Richard King, Office of US. Trustee, 446 Main Street, 14th Floor, Worcester, MA 01608-2361

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, 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: Dec 08, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 6, 2022 at the address(es) listed below:

Name	Email Address
Andrew G. Lizotte	on behalf of Plaintiff Stephen Darr agl@murphyking.com bankruptcy@murphyking.com;tlombardi@murphyking.com;ddk@murphyking.com;agl@murphyking.com;ecf-72a6723957cc@e cf.pacerpro.com;imccormack@murphyking.com
Ilyas J. Rona	on behalf of Defendant Fabio Faria ijr@mrdklaw.com gnc@mrdklaw.com,kae@mrdklaw.com
Paul V. Kelly	



144098722121200000000002

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on behalf of Defendant Lyvia Mara Campista Wanzeler paul.kelly@jacksonlewis.com

Paul V. Kelly

on behalf of Defendant Ana Costa paul.kelly@jacksonlewis.com

Paul V. Kelly

on behalf of Defendant Fabio Wanzeler paul.kelly@jacksonlewis.com

Paul V. Kelly

on behalf of Defendant Febe Wanzeler de Almeida e Souza paul.kelly@jacksonlewis.com

Paul V. Kelly

on behalf of Defendant Carlos Wanzeler paul.kelly@jacksonlewis.com

Paul V. Kelly

on behalf of Defendant Drucila Wanzeler paul.kelly@jacksonlewis.com

Paul V. Kelly

on behalf of Defendant Priscila Freitas Costa paul.kelly@jacksonlewis.com

TOTAL: 9

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

In re:

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

Debtors.

STEPHEN DARR, LIQUIDATING TRUSTEE  
OF THE CHAPTER 11 ESTATES OF EACH  
OF THE DEBTORS,

Plaintiff,

v.

CARLOS WANZELER, et al  
Defendants.

Chapter 11 Cases

14-40987-EDK

14-40988-EDK

14-40989-EDK

Substantively Consolidated

Adversary Proceeding

No. 16-4032

**JUDGMENT (JAMES MERRILL)**

Upon consideration of the *Plaintiff's Motion by Trustee to Approve Stipulation of Settlement between the Liquidating Trustee and James Merrill* (the "Motion"), and Stephen Darr, the Liquidating Trustee ("Trustee") and Defendant James Merrill ("Merrill") having agreed to the form of judgment, no objections having been filed to the Motion, and due cause appearing to me therefore, and due notice of the Motion having been provided, it is hereby ORDERED and ADJUDGED as follows:

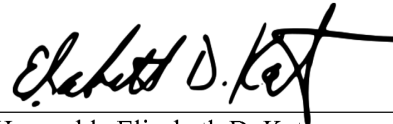
1. Judgment is hereby entered in favor of the Trustee against Merrill on Count Four of the Complaint in the amount of \$3,000,000 (the "Judgment Amount"). Interest on the Judgment Amount shall accrue at the federal judgment rate from the date hereof until the judgment has been satisfied.
2. All other Counts of the Complaint against Merrill shall be and hereby are

dismissed with prejudice.

3. Any funds collected by the Trustee from either Carlos Wanzeler (“Wanzeler”) or Carlos Costa (“Costa”) on account of claims by the Trustee against either or both of them shall reduce the Judgment Amount by a sum equal to fifty percent (50%) of any amounts so recovered.

4. Notwithstanding the provisions of paragraph 3, the Trustee may recover the full amount of the then-outstanding Judgment Amount against Merrill and shall not be required to seek recovery, first, from either Wanzeler or Costa. In the event the Trustee shall recover some or all of the Judgment Amount from Merrill and subsequently recover amounts from either Wanzeler or Costa, Merrill shall not be entitled to any refund against amounts already paid to the Trustee.

Dated: December 6, 2022

A handwritten signature in black ink, appearing to read "Elizabeth D. Katz", written over a horizontal line.

Honorable Elizabeth D. Katz  
United States Bankruptcy Judge