

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 0:18-cv-61991-BLOOM/Valle**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

1 GLOBAL CAPITAL LLC and  
CARL RUDERMAN,

Defendants, and

1 WEST CAPITAL LLC,  
BRIGHT SMILE FINANCING, LLC,  
BRR BLOCK INC.,  
DIGI SOUTH, LLC,  
GANADOR ENTERPRISES, LLC,  
MEDIA PAY LLC,  
PAY NOW DIRECT LLC, and  
RUDERMAN FAMILY TRUST,

Relief Defendants.

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**SPECIALLY APPEARING FOREIGN CANADIAN NON-PARTY  
JUMBLEBERRY ENTERPRISES USA LTD.'S  
OPPOSITION TO RECEIVER JON A. SALE'S MOTION TO COMPEL**

Pursuant to the Court's Paperless Order of August 1, 2019 (Dkt. 216), Foreign, Canadian Non-Party Jumbleberry Enterprises USA Ltd. ("Jumbleberry"), by its attorneys, hereby specially appears to oppose the motion to compel (Dkt. 215) filed by the court-appointed receiver.

### **INTRODUCTION**

The receiver's motion should be denied for several independent reasons. Contrary to the receiver's assertion, non-party Jumbleberry served objections to his subpoena on July 26, 2019, the date agreed-upon by the receiver and Jumbleberry's outside counsel for service of objections. Among its many other objections, Jumbleberry objected to the receiver's subpoena on the grounds that this Court lacks authority over Jumbleberry, a non-party Canadian company with no physical presence in the United States. *See* Objections, Declaration of S. Tyler Hale ("Hale Decl.") (Ex. A hereto) at Ex. 1. In violation of this Court's Local Rule 7.1(a)(3), the receiver filed the instant motion without meeting and conferring on any of Jumbleberry's objections. The receiver's motion should be denied for this reason alone.

Even were the Court to reach the merits of the receiver's motion, it should nonetheless be denied because this Court lacks authority over Jumbleberry. Jumbleberry is incorporated under Canadian law with its headquarters in Canada. Jumbleberry has no offices or personnel located anywhere in the United States, let alone in Florida. As this Court and several others have held, "[a]liens residing abroad cannot be compelled to respond to a subpoena from a U.S. court because they owe no allegiance to the United States." *KLP Indus., L.L.C v. Pelaez*, 2006 WL 8434699, at \*5 (S.D. Fla. Dec. 19, 2006) (citing *Gillars v. United States*, 182 F.2d 962, 978 (D.C. Cir. 1950)). Because this Court lacks authority over Jumbleberry, the receiver's motion must be denied.

Finally, the receiver's motion must also be denied because: (1) this case has been stayed pending the Securities and Exchange Commission's approval of the parties' settlement agreement

(see Dkt. 204); (2) the receiver's subpoena, on its face, violates Rule 45's territorial limitations; and (3) the receiver may not proceed under Rule 37 against a *non-party* like Jumbleberry.

### **FACTUAL BACKGROUND**

Jumbleberry is a Canadian company with its principal place of business in Toronto, Canada. See Declaration of Stephen Jukes ("Jukes Decl.") ¶ 7 (Ex. B hereto). It operates an affiliate marketing network which connects companies wishing to expand their internet advertising presences with independent marketing professionals around the world. *Id.* ¶ 6. Jumbleberry's clients are brands, and Jumbleberry provides them with marketing services. *Id.*<sup>1</sup> Jumbleberry has no offices or personnel located anywhere in the United States. *Id.* ¶¶ 7-10. All of its officers are residents of Canada, and all of its corporate documents are maintained in Canada. *Id.* ¶ 7.

Before July 1, 2019, Jumbleberry had no knowledge of this action. *Id.* ¶ 12. From a review of the docket, Jumbleberry now understands that the receiver was appointed on August 23, 2018, to maintain, protect and recover assets of the Receivership Entities. See Dkt. 12; Motion at 2. To date, the receiver has been awarded \$1,468,112.57 from the restitution fund for his services. See Dkt. 125; Dkt. 178; Dkt. 218. The Court previously cautioned the receiver to avoid "the depletion of funds, allegedly needed to pay defrauded investors." Dkt. 195.

On June 14, 2019, the parties to this action filed an unopposed motion to stay to allow the SEC Commissioners time to approve a settlement of all claims against all defendants. See Dkt. 203. The Court entered the stay the next day, specifically ordering that the case, and "[a]ll deadlines in this matter," are stayed until October 13, 2019. Dkt. 204 (attached as Ex. C hereto

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<sup>1</sup> The presence of "USA" in Jumbleberry's name refers to its sometime use as a contact point with American companies and does not indicate a U.S. domicile or place of incorporation, of which there is none. Jukes Decl. ¶ 11.

for the Court's convenience).<sup>2</sup> The Court's online docket in this matter clearly indicates that the case is stayed. *See* Ex. D hereto.

On July 1, two weeks after the case was stayed, and one day before the previously-scheduled close of all discovery,<sup>3</sup> a purported process server appeared at Jumbleberry's offices in Toronto, Canada, and delivered a document styled "Subpoena Duces Tecum In A Civil Case" addressed to "Jumbleberry" with this action's caption, rather than the format of Form AO 88B. *See* Motion at Ex. A. The subpoena purported to command production of documents kept in the ordinary course of business in Canada to a law firm in Miami, Florida within eleven days of "service." *See id.*

On July 11, an attorney from undersigned outside counsel for Jumbleberry reached out to the issuing attorney to discuss the subpoena. *See* Motion at Ex. B. As a courtesy to reduce costs, and as a convenience for all involved, outside counsel for Jumbleberry agreed to accept service and to meet and confer regarding any voluntary production, reserving all rights and objections. *See id.* Counsel for both sides agreed that formal objections would be served on July 26, 2019. *See id.* Counsel telephonically conferred again on July 23, 2019 and then discussed the subpoena, Jumbleberry's lack of knowledge about the underlying action, and the documents requested by the receiver. Notably, counsel did not agree on timing of any production, and counsel for Jumbleberry did not agree to waive Jumbleberry's objections. *See* Ex. E hereto.

On July 26, 2019, in accordance with the agreed-upon schedule, counsel for Jumbleberry served objections to the subpoena. *See* Hale Decl. Ex. 1.

At 12:23 PM on July 31, without meeting-and-conferring on Jumbleberry's objections, the

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<sup>2</sup> Although not docketed until June 17, the Order itself is dated June 15, 2019.

<sup>3</sup> *See* Order Setting Trial and Pre-Trial Schedule, Dkt. 85 (ordering that all discovery be "completed" by July 2, 2019).

receiver filed the instant motion, incorrectly alleging that Jumbleberry “never served objections to the Subpoena.” Motion at 3. The receiver evidently did not see fit to notify non-party Jumbleberry of his motion until ordered to by the Court. Rather than withdraw the motion in light of Jumbleberry’s objections, the receiver filed a notice of compliance confirming service of the paperless order on August 1. Dkt. 217.

### **ARGUMENT**

The receiver’s motion should be denied because it was filed in the wrong country, at the wrong time, and under the wrong Rule.

#### **I. The Motion Must Be Denied Because This Court Has No Authority Over Foreign Non-Party Jumbleberry.**

As this Court has held, “[a]liens residing abroad cannot be compelled to respond to a subpoena from a U.S. court because they owe no allegiance to the United States.” *KLP*, 2006 WL 8434699, at \*5 (citing *Gillars*, 182 F.2d at 978); *see also Air Turbine Tech., Inc. v. Atlas Copco AB*, 217 F.R.D. 545, 546 (S.D. Fla. 2003) (“[T]here appears to be no authority which permits the court to circumvent the procedures required to compel testimony from non-United States citizens residing in foreign countries.”).

It is axiomatic that a foreign non-party like Jumbleberry is “beyond the subpoena power” of a U.S. District Court. Courts within this judicial district have long recognized this conclusion in analyzing transfer and *forum non conveniens* motions. *See, e.g., Rosen v. Execujet Servs. LLC*, 241 F. Supp. 3d 1303, 1306 (S.D. Fla. 2017) (“[T]he critical witnesses in this case are located in the Bahamas outside the subpoena power of the Court.”); *SOC-USA, LLC v. Office Depot, Inc.*, 2009 WL 2365863, at \*4 (S.D. Fla. July 30, 2009) (“[T]o the extent that most of the witnesses appear to be located in England, Japan, and California, they will be beyond the subpoena power of both this Court and the Illinois Court.”); *Miyoung Son v. Kerzner Int’l Resorts, Inc.*, 2008 WL

4186979, at \*8 (S.D. Fla. Sept. 5, 2008) (“[T]his Court cannot effectively subpoena these foreign nationals residing in the Bahamas and compel them to appear before this Court.”); *Da Rocha v. Bell Helicopter Textron, Inc.*, 451 F. Supp. 2d 1318, 1324 (S.D. Fla. 2006) (“[T]he third party witnesses and documents in Brazil are beyond the subpoena power of this court.”); *Carnival Cruise Lines, Inc. v. Oy Wartsila Ab*, 159 B.R. 984, 996 (S.D. Fla. 1993) (finding proposed “Finnish witnesses” to be “beyond the compulsory subpoena power of this court”).<sup>4</sup>

As might be expected because of its geographic proximity to Canada, the Western District of New York is occasionally required to repeat this conclusion as it applies to Canadian residents. For example, in *Maid of the Mist Corp v. Alcatraz Media, LLC*, 2006 U.S. Dist. LEXIS 79872, at \*5 (W.D.N.Y. Nov. 1, 2006), the court did not mince words regarding its inability to compel Canadian individuals to respond to a Rule 45 subpoena:

[T]he Court also finds that [the] issue of standing with respect to the motion brought on behalf of Ms. Thomas and Ms. Carlson is immaterial because these individuals are Canadian citizens who reside and work in Canada. The Subpoenas, were served upon them outside of the United States and are therefor[e] unenforceable because this Court has no subpoena power or jurisdiction outside of the United States over these individuals. The Subpoenas and Notice with respect to these individuals must therefore be quashed on this ground.

*Id.* The court cited over 180 years of case law in support of its conclusion. *See id.* n.5.

Here, Jumbleberry is a Canadian entity organized and existing under the laws of Canada with its headquarters in Toronto. Jukes Decl. ¶ 7. All of its officers are residents of Canada, and all of its corporate documents are maintained in Canada. *Id.* Jumbleberry has no offices or

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<sup>4</sup> It is important to note that the territorial limitation on the subpoena power in Rule 45(c)-(d) is a limitation on enforcement, not on service. The territorial limits of service are governed separately by Rule 45(b)(2-3) (limiting subpoena service to the geographic limits of the United States except in the case of U.S. nationals found abroad). Indeed, there is nothing in Rule 45 permitting service or enforcement of a subpoena on or against foreign entities.

personnel located in the United States. *Id.* ¶¶ 7-10. This Court cannot compel Jumbleberry to comply with a U.S. subpoena for this reason alone.

## **II. The Motion Should Be Denied Because the Case is Stayed.**

Even if the receiver had the ability to enforce the subpoena against Jumbleberry in this Court (he doesn't), he should not be permitted to do so because the case is stayed. *See* Dkt. 204 (Ex. C hereto). The Court's Order, titled "Order Granting Plaintiff's Unopposed Motion to Stay," specifies that "[a]ll deadlines in this matter are stayed for 90 days from the date of this Order." *Id.* The Court's docket, on the CM/ECF system, also states that the case is "STAYED." *See* Docket at Header (Ex. D). There is no indication that the receiver is immune from this Order, *see* Ex. C, especially given the Court's previous Order reminding the receiver to conserve the assets of the Receivership Entities. *See* Dkt. 195.

District courts within this Circuit regularly chasten overzealous litigants for attempting to issue subpoenas while matters are stayed, and consequently instruct recipients not to comply with those subpoenas. *See Moseley v. Sessions*, 2017 WL 1682537, at \*3 (S.D. Ga. May 1, 2017), *recon. denied*, 2017 WL 2294675 (S.D. Ga. May 25, 2017) ("Of course, Plaintiff must not seek a deposition or request documents unless and until the Court lifts the stay of discovery."); *Smith v. Barrow*, No. CV 311-044, 2012 WL 4339555, at \*2 n.3 (S.D. Ga. Sept. 20, 2012). A general stay is, by its nature, broader than a stay of discovery. Because the case is stayed, the receiver's motion to compel compliance with a subpoena issued after the stay was entered should be denied.

## **III. On its Face, the Subpoena Violates Rule 45.**

Rule 45 contains strict territorial limitations. *See* Fed. R. Civ. P. 45(c)(2) ("A subpoena may command: (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person."). A subpoena that purports to command production further than 100 miles away instead

must be quashed. *See id.* at Fed. R. Civ. P. 45(d)(3)(A)(ii); *id.* at 2013 advisory committee's notes subdivision (c) ("Rule 45(d)(3)(A)(ii) directs the court to quash any subpoena that purports to compel compliance beyond the geographical limits specified in Rule 45(c)."). The Court does not retain discretion to gainsay this limit; rather, the 100-mile rule is a mandatory constraint on a District Court's subpoena power. *See Nordotek Envtl., Inc. v. RDP Techs., Inc.*, 2010 WL 3070196, at \*1 (S.D. Ga. Aug. 5, 2010) ("If the subpoena requires a nonparty witness to travel more that [*sic*] 100 miles from his home or the place where he regularly conducts business in order to attend a deposition, the issuing court 'must quash or modify' that subpoena. This Court, therefore, is prohibited by the federal rules from enforcing the subpoenas as issued" (internal citations omitted) (emphasis original to cited decision)).

Here, the receiver issued a document subpoena to a Canadian entity headquartered in Toronto, and seeks to compel production of documents requested in that subpoena to a law firm located in Miami, Florida approximately 1,234 miles away. *See* Motion at Ex. A. This is a clear violation of Rule 45 that requires denial of the receiver's motion. *See* Fed. R. Civ. P. 45(d)(3)(A)(ii).

Indeed, the receiver's motion entirely ignores the above authority and the geographic reach of a U.S. subpoena. The notion that this Court could compel any foreign non-party to produce documents in this District would turn Rule 45(d) on its head. That provision requires the party seeking to compel compliance with a subpoena to file its motion in "the district where compliance is required," not in the court presiding over the underlying action. Fed. R. Civ. P. 45(d)(2)(B)(i). Thus, if, for example, Jumbleberry were a California corporation with its principal place of business in San Francisco and no offices in Florida, the receiver would be required to file his motion to compel in the Northern District of California, not here in this Court. *See id.* Here,



however, Jumbleberry is not even a domestic entity; it is Canadian. If the receiver wants to compel Jumbleberry, he needs to do so in a Canadian court, not here.<sup>5</sup>

**IV. The Receiver Cannot Move to Compel a Non-Party Under Rule 37.**

The receiver's motion should also be denied because he filed it under Rule 37, which is the wrong rule even for a U.S. non-party document subpoena recipient. *See* Motion at 1. Rule 37 governs discovery disputes *between parties*. *See* Fed. R. Civ. P. 37(a)(3)(B). There are only two exceptions to this rule, and neither applies here: to compel an answer from an evasive deponent and to compel the designation of a representative witness for a corporation. *Id.* at Fed. R. Civ. P. 37(a)(3)(B)(i-ii); *See also S.E.C. v. Kimmes*, 1996 WL 734892, at \*5-11 (S.D.N.Y. Dec. 24, 1996) (concluding that an SEC receiver has no ability to demand fees for litigating compliance with a non-party subpoena under Rule 37).

Additionally, because Jumbleberry served objections, and because there has been no order compelling discovery (nor could there be for the reasons stated herein), the receiver's request for a finding of contempt should also be rejected. *See* Fed. R. Civ. P. 45, 2013 advisory committee's notes, subdivision (g) ("In civil litigation, it would be rare for a court to use contempt sanctions without first ordering compliance with a subpoena, and the order might not require all the compliance sought by the subpoena.").

**V. The Receiver's Motion Should Also Be Denied Under Local Rule 7.1.**

Local Rule 7.1 provides, in relevant part, that, "[p]rior to filing any motion in a civil case, . . . counsel for the movant shall confer (orally or in writing), or make reasonable effort to confer

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<sup>5</sup> The Ontario *Evidence Act* and the Ontario *Rules of Civil Procedure* set forth the specific procedures that a U.S. litigant is required to follow to request compulsion of information from a Canadian entity located in Ontario, such as Jumbleberry. *See* Ontario *Evidence Act*, RSO 1990, c E-23, s.60(1); Ontario *Rule of Civil Procedure* 31.10; *see also The Presbyterian Church of Sudan v Rybiak* (2006), 275 DLR (4th) 512, ¶¶ 7, 20 (Ont CA).

(orally or in writing), with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion.” L.R. 7.1(a)(3). “Failure to comply” with this requirement “may be cause for the Court to grant or deny the motion and impose on counsel an appropriate sanction, which may include an order to pay the amount of the reasonable expenses incurred because of the violation, including a reasonable attorney’s fee.” *Id.*

Contrary to the receiver’s motion, non-party Jumbleberry served objections to the receiver’s subpoena on the agreed-upon date of July 26, 2019. *See* Hale Decl. ¶ 2. The receiver filed his motion before meeting and conferring at all on those objections including, but not limited to, Jumbleberry’s objections to this Court’s authority over it as a Canadian non-party. For this additional reason, the receiver’s motion should be denied and Jumbleberry awarded its reasonable attorney’s fees.

### **CONCLUSION**

For the foregoing reasons, foreign non-party Jumbleberry respectfully requests that the Court deny the receiver’s motion, quash the subpoena, and grant Jumbleberry its attorney’s fees.

Date: August 7, 2019

Respectfully submitted,

/s/ Theodore B. Randles  
Theodore B. Randles (Fla. Bar No. 115790)  
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*Attorneys for Specially Appearing Foreign  
Non-Party Jumbleberry Enterprises USA  
Ltd.*

# EXHIBIT A

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Case No. 0:18-cv-61991-BLOOM/Valle

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

1 GLOBAL CAPITAL LLC and  
CARL RUDERMAN,

Defendants, and

1 WEST CAPITAL LLC,  
BRIGHT SMILE FINANCING, LLC,  
BRR BLOCK INC.,  
DIGI SOUTH, LLC,  
GANADOR ENTERPRISES, LLC,  
MEDIA PAY LLC,  
PAY NOW DIRECT LLC, and  
RUDERMAN FAMILY TRUST,

Relief Defendants.

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**DECLARATION OF S. TYLER HALE IN SUPPORT OF  
SPECIALLY APPEARING FOREIGN CANADIAN NON-PARTY  
JUMBLEBERRY ENTERPRISES USA LTD.'S  
OPPOSITION TO RECEIVER JON A. SALE'S MOTION TO COMPEL**

I, S. Tyler Hale, declare:

1. I am over eighteen years of age and competent to testify to the facts herein. I am an attorney with the firm Venable LLP in Washington, D.C.
2. On July 26, 2019, I caused a copy of a document titled "Foreign Non-Party Jumbleberry Enterprises USA Ltd.'s Objections to Subpoena Duces Tecum Issued By Receiver

Jon A. Sale, Esq.” to be deposited in the United States Mail, First Class, postage prepaid, addressed to:

Christopher Cavallo, Esq.  
Nelson Mullins Broad and Cassel  
One Biscayne Tower, 21<sup>st</sup> Floor  
2 South Biscayne Boulevard  
Miami, FL 33131

A true and correct copy of the document is attached as Exhibit 1 hereto.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 7, 2019.

  
\_\_\_\_\_  
S. Tyler Hale

# EXHIBIT 1

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 0:18-cv-61991-BLOOM/Valle**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

1 GLOBAL CAPITAL LLC, and  
CARL RUDERMAN,

Defendants, and

1 WEST CAPITAL LLC,  
BRIGHT SMILE FINANCING, LLC,  
BRR BLOCK INC.,  
DIGI SOUTH, LLC,  
GANADOR ENTERPRISES, LLC,  
MEDIA PAY LLC,  
PAY NOW DIRECT LLC, and  
RUDERMAN FAMILY TRUST,

Relief Defendants.

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**FOREIGN NON-PARTY JUMBLEBERRY ENTERPRISES USA LTD.'S  
OBJECTIONS TO SUBPOENA DUCES TECUM ISSUED BY  
RECEIVER JON A. SALE, ESQ.**

Pursuant to Federal Rule of Civil Procedure 45, Foreign Non-Party Jumbleberry Enterprises USA Ltd. (“Jumbleberry”), by and through its attorneys, hereby objects to the Subpoena Duces Tecum in a Civil Case (the “Subpoena”) issued by the court-appointed Receiver, Jon A. Sale, Esq. (“Receiver”), in the above-captioned action (the “Action”).

**GENERAL OBJECTIONS**

The following objections apply to and are hereby incorporated into non-party Jumbleberry’s “Specific Objections to Document Requests,” set forth below. Jumbleberry hereby



objects to the Subpoena on the following grounds:

A. Jumbleberry objects to the Subpoena on the grounds that the Action has been stayed pending settlement approval by the Commissioners of the Securities and Exchange Commission. *See* No. Dkt. 204, 18-cv-61991-BLOOM/Valle (S.D. Fla. June 17, 2019). Jumbleberry objects to the Subpoena on the grounds that the Subpoena was not issued by the appropriate court in Canada through petition to and issuance of letters rogatory by the forum court, as Jumbleberry is a Canadian limited company duly organized and existing under the laws of the Province of Ontario, Canada. *See, e.g., Parker v. Four Seasons Hotels, Ltd.*, 291 F.R.D. 181, 186–87 (N.D. Ill. 2013) (“Plaintiff served Isadore Sharp in Toronto, Canada. Not only is Canada outside of the Court’s subpoena power, but Plaintiff admits she is aware of that fact. . . . [S]ince Plaintiff admits to being aware of the Court’s subpoena power limitations, it warns her that if she tries to compel compliance with any improper subpoena she issued, the Court will sanction her.”).

B. Jumbleberry objects to the Subpoena on the grounds that it is not subject to Florida’s long-arm statute, Fla. Stat. § 48.193, or the general or specific personal jurisdiction of a Court seated in the Southern District of Florida. Jumbleberry is an Ontario limited company and is not “essentially at home” in the Southern District of Florida or in any locality other than Ontario. *See Daimler AG v. Bauman*, 571 U.S. 117, 139 (2014). Further, Jumbleberry does not have sufficient “minimum contacts” that it itself created with the State of Florida to support specific personal jurisdiction in that forum. *See Walden v. Fiore*, 571 U.S. 277, 283 (2014).

C. Jumbleberry objects to the Subpoena on the grounds that the Subpoena seeks the disclosure of confidential or competitively sensitive information and information that is neither relevant to any party’s claim or defense nor proportional to the needs of the case.

D. Jumbleberry objects to the Subpoena on the grounds that it was not involved in any

conduct at issue in the Action and has no knowledge, actual or constructive, of any of the allegedly actionable conduct that is the subject of the Action.

E. Jumbleberry objects to the Subpoena on the grounds that the Subpoena exceeds the scope of the Receiver's authority under Fla. Stat. § 726.105(a)-(b). The Receiver has no grounds to allege in good-faith that any transfer was made to Jumbleberry by a Relief Defendant "[w]ith actual intent to hinder, delay, or defraud any creditor of the debtor" for purposes of Fla. Stat. § 726.105(a). The Receiver has no grounds to allege in good-faith that any transfer was made to Jumbleberry by a Relief Defendant "[w]ithout receiving a reasonably equivalent value in exchange for the transfer or obligation, and the debtor: 1. Was engaged or was about to engage in a business or a transaction for which the remaining assets of the debtor were unreasonably small in relation to the business or transaction; or 2. Intended to incur, or believed or reasonably should have believed that he or she would incur, debts beyond his or her ability to pay as they became due."

F. Jumbleberry objects to the Subpoena to the extent it calls for the disclosure of information subject to the protections of Canada's Personal Information Protection and Electronic Documents Act, S.C. 2000, c. 5.

G. Jumbleberry objects to the Subpoena to the extent it imposes duties and obligations greater than, or inconsistent with, those set forth under the Federal Rules of Civil Procedure or any applicable local rules or orders of this Court.

H. Jumbleberry objects to the temporal scope of the Subpoena as overly broad, unduly burdensome, not proportional to the needs of the Action, and seeking documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to the extent that the Subpoena seeks documents or information related to transactions that occurred more than four years prior to the date of the Subpoena, as forbidden by Fla. Stat. § 726.110(2).

I. Jumbleberry objects to the return date in the Subpoena as unduly burdensome to Jumbleberry.

J. Jumbleberry objects to the Subpoena to the extent that it seeks production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine.

K. Jumbleberry objects to the Subpoena to the extent that it seeks documents or information more appropriately sought from the parties in the Action.

L. Jumbleberry objects to the Subpoena to the extent that it seeks documents or communications already in the custody of the Receiver, information available from public sources or in the public domain, or otherwise accessible to Receiver.

M. Jumbleberry objects to any characterization of alleged facts or events in the Subpoena, as well as any facts assumed in the Subpoena.

N. To the extent that any documents can lawfully be produced in response to the Subpoena, such documents are for use only in the Action, and documents will be produced only after the entry and subject to the terms of an adequate and governing protective order in accordance with Canadian law.

O. No objection made herein, or lack thereof, is an admission by Jumbleberry as to the existence or non-existence of any documents or information.

P. Jumbleberry objects to the Subpoena to the extent that it subjects Jumbleberry, a non-party, to significant expense and undue burden in responding through, *inter alia*, the identification, collection, restoration and/or processing of information or otherwise, that is likely to be disproportionate relative to the likely probative value, if any, of the information sought in the Subpoena to the claims or defenses in the Action.

Q. Jumbleberry objects to the Subpoena to the extent that it seeks to discover information for purposes outside of the Action.

R. Jumbleberry objects to producing electronically-stored information or other records in response to the Subpoena other than in a form to which Jumbleberry agrees and which is reasonable. Jumbleberry reserves the right to have the cost of producing any electronically-stored information or other records or items in a particular form requested by Receiver shifted to Receiver.

S. Jumbleberry responds to the Subpoena on behalf of itself and no other person or entity.

T. To the extent that specific objections are cited herein in response to specific requests, those specific objections are provided out of an abundance of caution and because they are particularly applicable to such request. Such specific objections are not intended to waive any of the General Objections.

### **OBJECTIONS TO INSTRUCTIONS**

The following Objections to Instructions apply to and are hereby incorporated into non-party Jumbleberry's "Specific Objections to Document Requests," set forth below. Jumbleberry hereby objects to the Instructions in the Subpoena on the following grounds:

1. Jumbleberry objects to the Instructions to the extent they are contrary to the requirements of, and attempting to impose obligations beyond, Federal Rule of Civil Procedure 45.

2. Jumbleberry further objects to Instruction Nos. 2, 3, and 4 as overly broad, not proportional to the needs of the Action, and attempting to impose an undue burden on Jumbleberry to the extent they require production of "all" or "any" documents being requested.

3. Jumbleberry objects to Instruction Nos. 1, 2, 3, 4, and 6 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine.

4. Jumbleberry objects to Instruction No. 5 as calling for information beyond that required by Rules 45 and 26(b)(5). Jumbleberry further objects to Instruction No. 5 to the extent it attempts to require Jumbleberry to log an unreasonable and/or unduly burdensome number of documents that are responsive to the Subpoena but protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine.

5. Jumbleberry objects to the temporal scope in the relevant time period of January 1, 2015 to present as overly broad, not proportional to the needs of the Action, requesting documents that are not relevant to the subject matter of the Action, and attempting to impose an undue burden on Jumbleberry. Jumbleberry further objects to the extent that the Subpoena seeks documents or information related to transactions that occurred more than four years prior to the date of the Subpoena, as forbidden by Fla. Stat. § 726.110(2)

#### **OBJECTIONS TO DEFINITIONS**

The following “Objections to Definitions” apply to and are hereby incorporated into non-party Jumbleberry’s “Specific Objections to Document Requests,” set forth below. Jumbleberry hereby objects to the Definitions in the Subpoena on the following grounds:

1. Jumbleberry objects to the definition of “Documents” as overly broad, attempting to impose an undue burden upon Jumbleberry, not proportional to the needs of the Action, and to the extent it is contrary to the definition of “Document” in Federal Rule of Civil Procedure 34(a)(1). Jumbleberry specifically objects to the definition of “Documents” as contrary to the proportionality limitations set forth in Federal Rules of Civil Procedure 26(b)(1) and 45, especially

in light of the fact that Jumbleberry is a foreign non-party.

2. Jumbleberry objects to the definition of “electronically stored information” as overly broad, attempting to impose an undue burden upon Jumbleberry, and not proportional to the needs of the Action given the proportionality limitations set forth in Federal Rules of Civil Procedure 26(b)(1) and 45 and in light of the fact that Jumbleberry is a non-party.

3. Jumbleberry objects to the definition of “Receivership Entities,” specifically as to its inclusion of “all entities in which any of the foregoing have or had a controlling interest, including but not limited to all divisions, subsidiaries, affiliates, predecessors, successors, officers, directors, employees, agents, general partners, managing partners, limited partners, partnerships, and aliases, code names, or trade or business names used by any of the foregoing,” as requiring knowledge or information that is not in Jumbleberry’s care, custody, or control.

4. Jumbleberry objects to the definition of “Carl Ruderman,” specifically as to its inclusion of “any of his representatives, attorneys, affiliates, predecessors, or successors,” as requiring knowledge or information that is not in Jumbleberry’s care, custody, or control.

5. Jumbleberry objects to the definition of “You” and “Your” as overly broad, not proportional to the needs of the Action, calling for the production of documents and/or information not in Jumbleberry’s care, custody, or control, and attempting to impose an undue burden on Jumbleberry to the extent the terms include “all its divisions, subsidiaries, affiliates, predecessors, successors, officers, members, managers, directors, employees, agents, general partners, managing partners, limited partners, partnerships, and aliases, code names, or trade or business names used by any of the foregoing.”

**SPECIFIC OBJECTIONS TO DOCUMENT REQUESTS**

**REQUEST FOR PRODUCTION NO. 1:**

All documents that refer, relate to, or reflect all assets, books, records, or real or personal property of Carl Ruderman or any of the Receivership Entities, whether or not those assets, books, records, and real and personal property are in your possession, custody, or control.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 1:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 1 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 1 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 1 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 1 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 1 to the extent it seeks production of confidential or proprietary information.

**REQUEST FOR PRODUCTION NO. 2:**

All documents that refer, relate to, or reflect any relationship or business involving Carl Ruderman or any of the Receivership Entities, directly or indirectly, whether active or inactive.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 2:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and

Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 2 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 2 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 2 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 2 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 2 to the extent it seeks production of confidential or proprietary information. Jumbleberry objects to Request for Production No. 2 as duplicative and/or cumulative of Request for Production No. 1.

**REQUEST FOR PRODUCTION NO. 3:**

All documents that refer, relate to, or reflect any loans, lines of credit, or transfers related to Carl Ruderman or any of the Receivership Entities.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 3:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 3 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 3 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 3 to the extent it calls for



a legal conclusion. Jumbleberry further objects to Request for Production No. 3 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 3 to the extent it seeks production of confidential or proprietary information.

**REQUEST FOR PRODUCTION NO. 4:**

All documents that refer, relate to, or reflect any payments or transfers made by or on behalf of Carl Ruderman or any of the Receivership Entities, including but not limited to, checks, billing statements, or credit card stubs, including the purpose of any such payment.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 4:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 4 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 4 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 4 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 4 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 4 to the extent it seeks production of confidential or proprietary information. Jumbleberry objects to Request for Production No. 4 as duplicative and/or cumulative of Request for Production No. 3.

**REQUEST FOR PRODUCTION NO. 5:**

All documents that refer, relate to, or reflect any payments or transfers made to or for the benefit of Carl Ruderman or any of the Receivership Entities, including, but not limited to, checks, billing statements, or credit card stubs.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 5:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 5 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 5 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 5 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 5 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 5 to the extent it seeks production of confidential or proprietary information. Jumbleberry objects to Request for Production No. 5 as duplicative and/or cumulative of Request for Production No. 3.

**REQUEST FOR PRODUCTION NO. 6:**

All communications that refer, relate to, or reflect Carl Ruderman or any of the Receivership Entities.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 6:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and

Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 6 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 6 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 6 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 6 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 6 to the extent it seeks production of confidential or proprietary information.

**REQUEST FOR PRODUCTION NO. 7:**

All communications with any third party that refer, relate to Carl Ruderman or any of the Receivership Entities.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 7:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 7 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 7 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 7 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 7 as calling for the

production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 7 to the extent it seeks production of confidential or proprietary information. Jumbleberry objects to Request for Production No. 7 as duplicative and/or cumulative of Request for Production No. 6.

**REQUEST FOR PRODUCTION NO. 8:**

To the extent not already covered by Requests 4 and 5 above, all documents that refer, relate to, or reflect transactions, funds transfers, or payments to, from, on behalf of, or for the benefit of Media Pay LLC.

**OBJECTIONS TO REQUEST FOR PRODUCTION NO. 8:**

Jumbleberry incorporates by reference its General Objections, Objections to Definitions, and Objections to Instructions as though set forth in full herein. Jumbleberry objects to Request for Production No. 8 as overly broad, not proportional to the needs of the Action, unduly burdensome, and requesting documents and information that are not relevant to the subject matter of the Action. Jumbleberry further objects to Request for Production No. 8 as requiring knowledge or information, and requesting production of documents and information, not in Jumbleberry's care, custody, or control. Jumbleberry objects to Request for Production No. 8 to the extent it calls for a legal conclusion. Jumbleberry further objects to Request for Production No. 8 as calling for the production of documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or doctrine. Jumbleberry objects to Request for Production No. 8 to the extent it seeks production of confidential or proprietary information. Jumbleberry objects to Request for Production No. 8 as duplicative and/or cumulative of Request for Production Nos. 4 and 5.

Date: July 26, 2019

Respectfully submitted,

/s/ Damon W.D. Wright

Damon W.D. Wright

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*Attorneys for Non-Party Jumbleberry  
Enterprises USA Ltd.*

**CERTIFICATE OF SERVICE**

I certify that, on July 26, 2019, I caused the foregoing document, captioned **NON-PARTY JUMBLEBERRY ENTERPRISES USA LTD.'S OBJECTIONS TO SUBPOENA DUCES TECUM ISSUED BY RECEIVER JON A. SALE, ESQ.**, to be served on the following counsel for the subpoenaing parties by U.S. mail:

Christopher Cavallo, Esq.  
Nelson Mullins Broad and Cassel  
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Miami, FL 33131  
[chris.cavallo@nelsonmullins.com](mailto:chris.cavallo@nelsonmullins.com)

*/s/ Damon W.D. Wright* \_\_\_\_\_

# EXHIBIT B

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 0:18-cv-61991-BLOOM/Valle**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

1 GLOBAL CAPITAL LLC and  
CARL RUDERMAN,

Defendants, and

1 WEST CAPITAL LLC,  
BRIGHT SMILE FINANCING, LLC,  
BRR BLOCK INC.,  
DIGI SOUTH, LLC,  
GANADOR ENTERPRISES, LLC,  
MEDIA PAY LLC,  
PAY NOW DIRECT LLC, and  
RUDERMAN FAMILY TRUST,

Relief Defendants.

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**DECLARATION OF STEPHEN JUKES IN SUPPORT OF  
SPECIALLY APPEARING FOREIGN CANADIAN NON-PARTY  
JUMBLEBERRY ENTERPRISES USA LTD.'S  
OPPOSITION TO RECEIVER JON A. SALE'S MOTION TO COMPEL**

I, Stephen Jukes, declare:

1. I am over eighteen years of age and competent to testify to the facts herein.
2. I am a citizen of Canada and a resident of Toronto, Ontario.
3. I have been a resident of Toronto, Ontario my whole life.



4. I make this declaration based on my personal knowledge of the facts and circumstances described herein. I would testify competently to the contents of this declaration if called to do so in a court of competent jurisdiction.

5. I am the Co-Founder and Director of Jumbleberry Enterprises USA Ltd. (“Jumbleberry”).

6. Jumbleberry operates an affiliate marketing network which connects companies wishing to expand their internet advertising presences with independent marketing professionals around the world. Jumbleberry’s clients are brands, and Jumbleberry provides them with marketing services.

7. Jumbleberry is a Canadian company with its headquarters and principal place of business in Toronto, Canada. Jumbleberry has no offices or personnel located anywhere in the United States. All of its officers are residents of Canada, and all of its corporate documents are maintained in Canada.

8. Jumbleberry has no offices, employees, equipment, vendors, assets, or bank accounts located in Florida.

9. Jumbleberry does not own any property or pay any taxes in Florida.

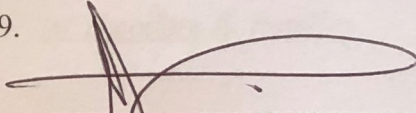
10. Jumbleberry is not registered to do business in Florida and has no registered agent in Florida.

11. The presence of “USA” in Jumbleberry’s name refers to its sometime use as a contact point with American companies and does not indicate a U.S. domicile or place of incorporation, of which there is none.

12. Before July 1, 2019, Jumbleberry had no knowledge of the above-captioned United States legal proceeding.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 7th day of August, 2019.



---

Stephen Jukes

# EXHIBIT C

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 18-cv-61991-BLOOM/Valle

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

1 GLOBAL CAPITAL LLC, and  
CARL RUDERMAN,

Defendants, and

1 WEST CAPITAL LLC,  
BRIGHT SMILE FINANCING, LLC,  
BRR BLOCK INC.,  
DIGI SOUTH, LLC,  
GANADOR ENTERPRISES, LLC,  
MEDIA PAY LLC,  
PAY NOW DIRECT LLC, and  
RUDERMAN FAMILY TRUST,

Relief Defendants.

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**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO STAY**

**THIS CAUSE** is before the Court upon Plaintiff Securities and Exchange Commission's ("SEC") Unopposed Motion to Stay Case for 90 Days to Allow the SEC Commissioners to Consider a Proposed Settlement with Defendant Carl Ruderman, ECF No. [203] (the "Motion"), filed on June 14, 2019. Having reviewed the Motion and the record in this case it is **ORDERED AND ADJUDGED** as follows:

1. The Motion, **ECF No. [203]**, is **GRANTED**. All deadlines in this matter are stayed for 90 days from the date of this Order.
2. The SEC shall promptly file the appropriate settlement paperwork or provide a status report to the Court once the Commissioners have considered the proposed settlement.

Case No. 18-cv-61991-BLOOM/Valle

**DONE AND ORDERED** in Chambers at Miami, Florida, on June 15, 2019.

A handwritten signature in black ink, appearing to be 'JB' with a long horizontal stroke extending to the right.

---

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

Copies to:

Counsel of Record

# EXHIBIT D

**U.S. District Court  
Southern District of Florida (Ft Lauderdale)  
CIVIL DOCKET FOR CASE #: 0:18-cv-61991-BB**

Securities & Exchange Commission v. 1 Global Capital LLC et al Date Filed: 08/23/2018  
Assigned to: Judge Beth Bloom Jury Demand: Defendant  
Referred to: Magistrate Judge Alicia O. Valle Nature of Suit: 850 Securities/Commodities  
Cause: 15:0077 Securities Fraud Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Securities & Exchange Commission**

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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V.

**Defendant**

**1Global Capital LLC**  
*TERMINATED: 08/29/2018*

**Defendant**

**Carl Ruderman**

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**Defendant**

**1West Capital LLC**  
*TERMINATED: 08/29/2018*

**Defendant**

**Bright Smile Financing, LLC**

**Defendant**

**BRR Block Inc.**

**Defendant**



**DIGI South LLC**

**Defendant**

**Ganador Enterprises, LLC**

**Defendant**

**Media Pay LLC**

**Defendant**

**Pay Now Direct LLC**

**Defendant**

**Ruderman Family Trust**

**Defendant**

**1Global Capital LLC**

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**Defendant****1West Capital LLC**

represented by **Jared Edward Dwyer**  
 (See above for address)  
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*ATTORNEY TO BE NOTICED*

**Stephanie Peral**  
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*LEAD ATTORNEY*  
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**Paul Joseph Battista**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Paul J. Keenan , Jr.**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/23/2018	<a href="#">1</a>	Complaint for Conjunctive and Other Relief against All Defendants. Filing fees \$ 400.00. USA Filer - No Filing Fee Required, filed by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(cbr) (Entered: 08/23/2018)
08/23/2018	2	Clerks Notice of Judge Assignment to Judge Beth Bloom.  Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Alicia O. Valle is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.  Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (cbr) (Entered: 08/23/2018)
08/23/2018	<a href="#">3</a>	Plaintiff Motion to File Under Seal Its Complaint, Emergency Ex Parte Motion and Memorandum of Law for an Asset Freeze and Other Relief, Emergency Ex Parte Motion for Appointment of Receiver, and Other Documents (Attachments: # <a href="#">1</a> Text of Proposed Order) (cbr) (Entered: 08/23/2018)
08/23/2018	<a href="#">4</a>	Plaintiff's Certification Pursuant to Rule 65(b) of the Federal Rules of Civil Procedure by Securities & Exchange Commission (cbr) (Entered: 08/23/2018)
08/23/2018	<a href="#">5</a>	Plaintiff's Motion for Leave to File Its Emergency Ex Parte Motion and Memorandum of Law for an Asset Freeze and Other Relief in Excess of the 20 Page Limit by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(cbr) (Entered: 08/23/2018)
08/23/2018	<a href="#">6</a>	Emergency Ex Parte Motion for Appointment of Receiver and Memorandum of Law by Securities & Exchange Commission. Responses due by 9/6/2018 (Attachments: # <a href="#">1</a> Text of Proposed Order)(cbr) (Entered: 08/23/2018)
08/23/2018	<a href="#">7</a>	Emergency Ex Parte Motion and Memorandum of Law for Asset Freeze and Other Relief

		by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(cbr) (Additional attachment(s) added on 8/23/2018: # <a href="#">2</a> Exhibit) (cbr). (Entered: 08/23/2018)
08/23/2018	<a href="#">8</a>	Index of Exhibits to Emergency Ex Parte Motion and Memorandum of Law for Asset Freeze and Other Relief by Securities & Exchange Commission re <a href="#">7</a> MOTION Emergency Ex Parte Motion and Memorandum of Law for Asset Freeze and Other Relief (cbr) (Additional attachment(s) added on 8/23/2018: # <a href="#">1</a> Exhibits 1-7, # <a href="#">2</a> Exhibits 8-10, # <a href="#">3</a> Exhibits 11-15, # <a href="#">4</a> Exhibits 16-24, # <a href="#">5</a> Exhibits 25-31, # <a href="#">6</a> Exhibits 32-39, # <a href="#">7</a> Exhibit 40, # <a href="#">8</a> Exhibit 41-49, # <a href="#">9</a> Exhibits 50-55) (cbr). (Entered: 08/23/2018)
08/23/2018	<a href="#">9</a>	Summons Issued as to All Defendants. (cbr) (Entered: 08/23/2018)
08/23/2018	<a href="#">10</a>	ORDER granting <a href="#">3</a> Motion to Seal. Signed by Judge Beth Bloom on 8/23/2018. <i>See attached document for full details.</i> (ane) (Entered: 08/23/2018)
08/23/2018	<a href="#">11</a>	ORDER granting <a href="#">5</a> Motion for Leave to File memorandum in excess of the page limit. Signed by Judge Beth Bloom on 8/23/2018. <i>See attached document for full details.</i> (ane) (Entered: 08/23/2018)
08/23/2018	<a href="#">12</a>	ORDER granting in part and denying in part <a href="#">6</a> Motion to Appoint Receiver. The Court appoints Jon. A. Sale as receiver. See order for details. Signed by Judge Beth Bloom on 8/23/18. <i>See attached document for full details.</i> (ane) (Entered: 08/23/2018)
08/23/2018	<a href="#">13</a>	ORDER granting <a href="#">7</a> Motion for asset freeze and other relief. Show Cause Hearing set for 9/7/2018 at 10:00 AM in Miami Division before Judge Beth Bloom. Signed by Judge Beth Bloom on 8/23/18. <i>See attached document for full details.</i> (ane) (Entered: 08/23/2018)
08/27/2018	<a href="#">14</a>	MOTION to Lift The Seal and for The Court to Instruct The Clerk of Court to Place All Previously Filed Pleadings, Exhibits, and Orders on The Publicly Accessible Docket by Securities & Exchange Commission. Responses due by 9/10/2018 (Attachments: # <a href="#">1</a> Text of Proposed Order)(nc) (Entered: 08/27/2018)
08/27/2018	<a href="#">15</a>	ORDER granting <a href="#">14</a> Motion to Lift The Seal and for The Court to Instruct The Clerk of Court to Place All Previously Filed Pleadings, Exhibits, and Orders on The Publicly Accessible Docket Signed by Judge Beth Bloom on 8/27/2018. <i>See attached document for full details.</i> (cbr) (Entered: 08/28/2018)
08/27/2018	<a href="#">16</a>	ORDER granting <a href="#">14</a> Motion to Lift Seal and to Unseal Case. Signed by Judge Beth Bloom on 8/27/2018. <i>See attached document for full details.</i> (ra) (Entered: 08/28/2018)
08/28/2018	<a href="#">17</a>	Unopposed MOTION to Exempt the Receiver from the Asset Freeze by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Levenson, Robert) (Entered: 08/28/2018)
08/28/2018	<a href="#">18</a>	NOTICE of Attorney Appearance by Michael Anthony Pineiro on behalf of Carl Ruderman. Attorney Michael Anthony Pineiro added to party Carl Ruderman(pty:dft). (Pineiro, Michael) (Entered: 08/28/2018)
08/29/2018	<a href="#">19</a>	NOTICE of Attorney Appearance by Daniel Lawrence Rashbaum on behalf of Carl Ruderman. Attorney Daniel Lawrence Rashbaum added to party Carl Ruderman(pty:dft). (Rashbaum, Daniel) (Entered: 08/29/2018)
08/29/2018	<a href="#">20</a>	NOTICE of Attorney Appearance by Jeffrey David Marcus on behalf of Carl Ruderman. Attorney Jeffrey David Marcus added to party Carl Ruderman(pty:dft). (Marcus, Jeffrey) (Entered: 08/29/2018)
08/29/2018	<a href="#">21</a>	NOTICE of Attorney Appearance by Jeffrey Adam Neiman on behalf of Carl Ruderman. Attorney Jeffrey Adam Neiman added to party Carl Ruderman(pty:dft). (Neiman, Jeffrey)

		(Entered: 08/29/2018)
08/29/2018	<a href="#">22</a>	ACKNOWLEDGMENT OF SERVICE as to <a href="#">5</a> MOTION for Leave to File, <a href="#">10</a> Order on Motion to Seal, <a href="#">8</a> Notice (Other), <a href="#">4</a> Notice (Other), <a href="#">3</a> MOTION to Seal, <a href="#">6</a> MOTION to Appoint Receiver, <a href="#">7</a> MOTION Emergency Ex parte Motion and Memorandum of Law for Asset Freeze and Other Relief, <a href="#">12</a> Order on Motion to Appoint Receiver, <a href="#">1</a> Complaint, <a href="#">11</a> Order on Motion for Leave to File, <a href="#">13</a> Order on Motion for Miscellaneous Relief, by <i>Jeffrey Marcus, Esq., Marcus Neiman &amp; Rashbaum LLP on behalf of Defendant Carl Ruderman and Relief Defendant Ruderman Family Trust</i> , filed by Securities & Exchange Commission. (Martin, Christopher) (Entered: 08/29/2018)
08/29/2018	<a href="#">23</a>	NOTICE of Attorney Appearance by Stephanie Peral on behalf of 1 Global Capital LLC, 1 West Capital LLC. Attorney Stephanie Peral added to party 1 Global Capital LLC(pty:dft), Attorney Stephanie Peral added to party 1 West Capital LLC(pty:dft). (Peral, Stephanie) (Entered: 08/29/2018)
08/29/2018	<a href="#">24</a>	ACKNOWLEDGMENT OF SERVICE as to <a href="#">5</a> MOTION for Leave to File, <a href="#">10</a> Order on Motion to Seal, <a href="#">8</a> Notice (Other), <a href="#">4</a> Notice (Other), <a href="#">3</a> MOTION to Seal, <a href="#">6</a> MOTION to Appoint Receiver, <a href="#">7</a> MOTION Emergency Ex parte Motion and Memorandum of Law for Asset Freeze and Other Relief, <a href="#">12</a> Order on Motion to Appoint Receiver, <a href="#">1</a> Complaint, <a href="#">11</a> Order on Motion for Leave to File, <a href="#">13</a> Order on Motion for Miscellaneous Relief, by <i>Jared E. Dwyer, Esq., Greenberg Traurig on behalf of Defendant 1 Global Capital LLC and Relief Defendant 1 West Capital LLC</i> , filed by Securities & Exchange Commission. (Martin, Christopher) (Entered: 08/29/2018)
08/29/2018	<a href="#">25</a>	NOTICE of Attorney Appearance by Jared Edward Dwyer on behalf of 1 Global Capital LLC, 1 West Capital LLC. Attorney Jared Edward Dwyer added to party 1 Global Capital LLC(pty:dft), Attorney Jared Edward Dwyer added to party 1 West Capital LLC(pty:dft). (Dwyer, Jared) (Entered: 08/29/2018)
08/29/2018	<a href="#">26</a>	ACKNOWLEDGMENT OF SERVICE as to <a href="#">5</a> MOTION for Leave to File, <a href="#">10</a> Order on Motion to Seal, <a href="#">8</a> Notice (Other), <a href="#">4</a> Notice (Other), <a href="#">3</a> MOTION to Seal, <a href="#">6</a> MOTION to Appoint Receiver, <a href="#">7</a> MOTION Emergency Ex parte Motion and Memorandum of Law for Asset Freeze and Other Relief, <a href="#">12</a> Order on Motion to Appoint Receiver, <a href="#">1</a> Complaint, <a href="#">11</a> Order on Motion for Leave to File, <a href="#">13</a> Order on Motion for Miscellaneous Relief, by <i>Daniel S. Newman, Esq., Nelson Mullins Riley &amp; Scarborough LLP on behalf of Relief Defendants, Bright Smile Financing, LLC; BRR Block Inc.; Digi South LLC; Ganador Enterprises, LLC; Media Pay LLC and Pay Now Direct LLC</i> , filed by Securities & Exchange Commission. (Martin, Christopher) (Entered: 08/29/2018)
08/29/2018	<a href="#">27</a>	EMERGENCY MOTION with Certification of Emergency attached <i>for Clarification of the Freeze Order and Receivership Order Regarding Bridge Bank and other Financial Institutions</i> by Jon A. Sale. Responses due by 9/12/2018 (Attachments: # <a href="#">1</a> Exhibit A - Proposed Order, # <a href="#">2</a> Exhibit B - Certification of Emergency)(Cavallo, Christopher) (Entered: 08/29/2018)
08/29/2018	<a href="#">28</a>	ORDER granting <a href="#">27</a> Emergency Motion for Clarification. Signed by Judge Beth Bloom on 8/29/2018. <i>See attached document for full details.</i> (ra) (Entered: 08/29/2018)
08/29/2018	<a href="#">29</a>	ORDER granting <a href="#">17</a> Unopposed MOTION to Exempt the Receiver from the Asset Freeze. Signed by Judge Beth Bloom on 8/28/2018. <i>See attached document for full details.</i> (ail) (Entered: 08/29/2018)
08/29/2018	<a href="#">30</a>	ORDER REQUIRING SCHEDULING REPORT AND CERTIFICATES OF INTERESTED PARTIES: Certificate of Interested Parties and Joint Scheduling Report due by 9/18/2018 Signed by Judge Beth Bloom on 8/28/2018. <i>See attached document for full details.</i> (ail) (Entered: 08/29/2018)

08/30/2018	<a href="#">31</a>	MOTION to Employ Legal Counsel and Paralegals Nunc Pro Tunc by Jon A. Sale. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Cavallo, Christopher) (Entered: 08/30/2018)
08/30/2018	<a href="#">32</a>	MOTION to Continue <i>Hearing on Preliminary Injunction and Extend Temporary Restraining Order</i> by Carl Ruderman. Responses due by 9/13/2018 (Attachments: # <a href="#">1</a> Declaration of Counsel, # <a href="#">2</a> Proposed Order)(Pineiro, Michael) (Entered: 08/30/2018)
08/30/2018	<a href="#">33</a>	ORDER granting <a href="#">31</a> Motion to Employ Legal Counsel and Paralegals Nunc Pro Tunc. Signed by Judge Beth Bloom on 8/30/2018. <i>See attached document for full details.</i> (ls) (Entered: 08/31/2018)
08/31/2018	34	PAPERLESS ORDER requiring SEC's expedited response by 5:00 pm today to Defendant's Motion to Continue Hearing on Preliminary Injunction and Extend Temporary Restraining Order, ECF No. <a href="#">32</a> . Signed by Judge Beth Bloom (BB) (Entered: 08/31/2018)
08/31/2018	<a href="#">35</a>	EMERGENCY MOTION with Certification of Emergency attached <i>for Entry of Order to Show Cause Why Bridge Bank Should Not Be Held in Contempt and for Sanctions for Violation of Court Orders, and Incorporated Memorandum of Law</i> by Jon A. Sale. Responses due by 9/14/2018 (Attachments: # <a href="#">1</a> Text of Proposed Order, # <a href="#">2</a> Certification) (Freedman, Gary) (Entered: 08/31/2018)
08/31/2018	<a href="#">36</a>	NOTICE of Attorney Appearance by Daniel Stuart Newman on behalf of Jon A. Sale (Newman, Daniel) (Entered: 08/31/2018)
08/31/2018	<a href="#">37</a>	RESPONSE in Opposition re <a href="#">35</a> EMERGENCY MOTION with Certification of Emergency attached <i>for Entry of Order to Show Cause Why Bridge Bank Should Not Be Held in Contempt and for Sanctions for Violation of Court Orders, and Incorporated Memorandum of Law</i> filed by Western Alliance Bank. Attorney Joel Lloyd Tabas added to party Western Alliance Bank(pty:ip). Replies due by 9/7/2018. (Tabas, Joel) (Entered: 08/31/2018)
08/31/2018	<a href="#">38</a>	Defendant's RESPONSE to <a href="#">13</a> Order on Motion for Miscellaneous Relief, <i>Sworn Accounting</i> by Carl Ruderman. (Marcus, Jeffrey) (Entered: 08/31/2018)
08/31/2018	<a href="#">39</a>	RESPONSE to Motion re <a href="#">32</a> MOTION to Continue <i>Hearing on Preliminary Injunction and Extend Temporary Restraining Order</i> filed by Securities & Exchange Commission. Replies due by 9/7/2018. (Attachments: # <a href="#">1</a> Exhibit 1, 2018.06.20 Subpoena to 1 Global Capital LLC, # <a href="#">2</a> Exhibit 2, Kansas City News Article)(Levenson, Robert) (Entered: 08/31/2018)
08/31/2018	<a href="#">40</a>	ORDER Continuing Hearing on Preliminary Injunction and Extending Temporary Restraining Order, Granting <a href="#">32</a> Motion to Continue. Preliminary Injunction Hearing is hereby re-set for 9/20/2018 09:00 AM in Miami Division before Judge Beth Bloom. Signed by Judge Beth Bloom on 8/31/2018. <i>See attached document for full details.</i> (mno) (Entered: 08/31/2018)
08/31/2018	<a href="#">41</a>	ORDER <a href="#">35</a> Granting Receiver's Emergency Motion for Entry of Order to Show Cause Why Bridge Bank Should Not Be Held in Contempt,,, Show Cause Hearing set for 9/7/2018 10:00 AM in Miami Division before Judge Beth Bloom. Signed by Judge Beth Bloom on 8/31/2018. <i>See attached document for full details.</i> (mno) (Entered: 08/31/2018)
09/04/2018	<a href="#">42</a>	WAIVER OF SERVICE Returned Executed by Securities & Exchange Commission. 1Global Capital LLC waiver sent on 8/24/2018, answer due 10/23/2018. (Martin, Christopher) (Entered: 09/04/2018)
09/04/2018	<a href="#">43</a>	WAIVER OF SERVICE Returned Executed by Securities & Exchange Commission. 1West Capital LLC waiver sent on 8/24/2018, answer due 10/23/2018. (Martin, Christopher) (Entered: 09/04/2018)

09/05/2018	<a href="#">44</a>	NOTICE of Attorney Appearance by James Nial Robinson, II on behalf of Western Alliance Bank. Attorney James Nial Robinson, II added to party Western Alliance Bank(pty:ip). (Robinson, James) (Entered: 09/05/2018)
09/05/2018	<a href="#">45</a>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Jay M. Ross. Filing Fee \$ 75.00 Receipt # 113C-10970516 by Western Alliance Bank. Responses due by 9/19/2018 (Robinson, James) (Entered: 09/05/2018)
09/05/2018	<a href="#">46</a>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Monique D. Jewett-Brewster. Filing Fee \$ 75.00 Receipt # 113C-10970522 by Western Alliance Bank. Responses due by 9/19/2018 (Robinson, James) (Entered: 09/05/2018)
09/05/2018	<a href="#">47</a>	NOTICE of Attorney Appearance by Mahalia Annah-Marie Cole on behalf of Western Alliance Bank. Attorney Mahalia Annah-Marie Cole added to party Western Alliance Bank(pty:ip). (Cole, Mahalia) (Entered: 09/05/2018)
09/06/2018	<a href="#">48</a>	RESPONSE in Opposition re <a href="#">35</a> EMERGENCY MOTION with Certification of Emergency attached for <i>Entry of Order to Show Cause Why Bridge Bank Should Not Be Held in Contempt and for Sanctions for Violation of Court Orders, and Incorporated Memorandum of Law FOR HEARING SCHEDULED ON SEPT 7 AT 10 AM</i> filed by Western Alliance Bank. Replies due by 9/13/2018. (Attachments: # <a href="#">1</a> Affidavit Declaration of Lori Edwards, # <a href="#">2</a> Affidavit Declaration of Monique D. Jewett-Brewster) (Robinson, James) (Entered: 09/06/2018)
09/06/2018	49	PAPERLESS ORDER granting <a href="#">45</a> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Jay M. Ross. Signed by Judge Beth Bloom (BB) (Entered: 09/06/2018)
09/06/2018	50	PAPERLESS ORDER granting <a href="#">46</a> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Monique D. Jewett-Brewster. Signed by Judge Beth Bloom (BB) (Entered: 09/06/2018)
09/06/2018	<a href="#">51</a>	NOTICE of Attorney Appearance by Paul J. Keenan, Jr on behalf of 1Global Capital LLC, 1West Capital LLC. Attorney Paul J. Keenan, Jr added to party 1Global Capital LLC(pty:dft), Attorney Paul J. Keenan, Jr added to party 1West Capital LLC(pty:dft). (Keenan, Paul) (Entered: 09/06/2018)
09/06/2018	<a href="#">52</a>	NOTICE by Jon A. Sale of <i>Declaration of Gary M. Freedman for Show Cause Hearing Scheduled for September 7, 2018</i> (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit) (Freedman, Gary) (Entered: 09/06/2018)
09/06/2018	<a href="#">53</a>	NOTICE by Jon A. Sale of <i>Filing Declaration of Jeanne Canigiani for Show Cause Hearing Scheduled for September 7, 2018</i> (Freedman, Gary) (Entered: 09/06/2018)
09/06/2018	<a href="#">54</a>	AGREED ORDER VACATING ORDER TO SHOW CAUSE re <a href="#">41</a> Order on Emergency Motion. ORDER CANCELLING HEARING scheduled for Friday, September 7, 2018 at 10:00 a.m. in Miami, Courtroom 10-2. Signed by Judge Beth Bloom on 9/6/18. <i>See attached document for full details.</i> (tas) (Entered: 09/06/2018)
09/07/2018	<a href="#">55</a>	MOTION to Employ Accounting Professionals Nunc Pro Tunc by Jon A. Sale. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Newman, Daniel) (Entered: 09/07/2018)
09/09/2018	56	PAPERLESS ORDER granting <a href="#">55</a> Motion to Employ Accounting Professionals Nunc Pro Tunc. The Receiver is permitted to retain the law firm of Kapila Mukamal to provide the Receiver with accounting, forensic review, business assessment, tax compliance and

		preparation, and other assistance in this matter, at the rates set forth in the Motion. Kapila Mukamal's services are effective as of August 28, 2018. Signed by Judge Beth Bloom (BB) (Entered: 09/09/2018)
09/10/2018	<a href="#">57</a>	Unopposed MOTION for Extension of Time to file a Joint Scheduling Report <i>as required by Local Rule 16.1 and the Court's Order dated August 29, 2018 [DE 30]</i> by Securities & Exchange Commission. Responses due by 9/24/2018 (Attachments: # <a href="#">1</a> Text of Proposed Order)(Levenson, Robert) (Entered: 09/10/2018)
09/11/2018	58	PAPERLESS ORDER granting <a href="#">57</a> Motion for Extension of Time. The parties shall have until October 2, 2018 to file a Joint Scheduling Report. Signed by Judge Beth Bloom (BB) (Entered: 09/11/2018)
09/12/2018	<a href="#">59</a>	WAIVER OF SERVICE Returned Executed by Securities & Exchange Commission. Carl Ruderman waiver sent on 8/24/2018, answer due 10/23/2018. (Martin, Christopher) (Entered: 09/12/2018)
09/13/2018	<a href="#">60</a>	NOTICE by Jon A. Sale of <i>Issuance of Subpoena Duces Tecum to JPMorgan Chase Bank N.A.</i> (Attachments: # <a href="#">1</a> Exhibit Subpoena) (Newman, Daniel) (Entered: 09/13/2018)
09/13/2018	<a href="#">61</a>	WAIVER OF SERVICE Returned Executed by Securities & Exchange Commission. BRR Block Inc. waiver sent on 8/24/2018, answer due 10/23/2018; Bright Smile Financing, LLC waiver sent on 8/24/2018, answer due 10/23/2018; DIGI South LLC waiver sent on 8/24/2018, answer due 10/23/2018; Ganador Enterprises, LLC waiver sent on 8/24/2018, answer due 10/23/2018; Media Pay LLC waiver sent on 8/24/2018, answer due 10/23/2018; Pay Now Direct LLC waiver sent on 8/24/2018, answer due 10/23/2018. (Martin, Christopher) (Entered: 09/13/2018)
09/14/2018	<a href="#">62</a>	MEMORANDUM in Opposition to <i>Preliminary Injunction</i> by Carl Ruderman. (Pineiro, Michael) (Entered: 09/14/2018)
09/17/2018	<a href="#">63</a>	Plaintiff's MOTION for Clerks Entry of Default as to Ruderman Family Trust by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Martin, Christopher) (Entered: 09/17/2018)
09/17/2018	<a href="#">64</a>	NOTICE by Securities & Exchange Commission of <i>Filing Exhibits and Witness Lists that the Commission Intends to Use at the September 20, 2018 Asset Freeze Hearing</i> (Attachments: # <a href="#">1</a> Exhibit 56.Investor Letter, # <a href="#">2</a> Exhibit 57.Investor Letter, # <a href="#">3</a> Exhibit 58. Private Annuity Agreement, # <a href="#">4</a> Exhibit 59. Jan. 16, 2018 Email from Ruderman to Samuels, # <a href="#">5</a> Exhibit 60. May 30, 2018 Email from Ruderman to Samuels, # <a href="#">6</a> Exhibit 61.Ruderman Deposition, # <a href="#">7</a> Exhibit 62-67. 1 Global Emails Re: Rudermans Foreign Accounts, # <a href="#">8</a> Exhibit 68-108. 1 Global Emails Re: Rudermans Operation Control, # <a href="#">9</a> Exhibit 109-127. 1 Global Emails Re: Rudermans Misappropriation, # <a href="#">10</a> Exhibit 128-131. 1 Global Emails Re: Troubled MCA Business, # <a href="#">11</a> Exhibit 132-140. 1 Global Emails Re: Rudermans Knowledge, # <a href="#">12</a> Exhibit 141-143. 1 Global Emails Re: Rudermans Involvement, # <a href="#">13</a> Exhibit 144-146. 1 Global Emails Re: Rudermans Involvement with, # <a href="#">14</a> Exhibit 147-150. 1 Global Emails Re: Rudermans Involvement with, # <a href="#">15</a> Exhibit 151-155. 1 Global Emails Re: Rudermans Involvement with, # <a href="#">16</a> Exhibit 156.July 27, 2018 Letter to James Cassel from 1 Global, # <a href="#">17</a> Exhibit 157.Rudermans Sworn Accounting, # <a href="#">18</a> Exhibit 158.1 Global Bankruptcy Schedule, # <a href="#">19</a> Exhibit 159.1 West Bankruptcy Schedule, # <a href="#">20</a> Exhibit 160.Composite Exhibits of 1 year Notes, # <a href="#">21</a> Exhibit 161.Momentum Agreement, # <a href="#">22</a> Exhibit 162.Composite Letters from Banks re: Amounts Frozen, # <a href="#">23</a> Exhibit 163.Another 1 Year Note, # <a href="#">24</a> Exhibit 164. Khosrow Sohraby Declaration, # <a href="#">25</a> Exhibit 165.Beverly Durant Declaration, # <a href="#">26</a> Exhibit 166.Denise Springer Declaration, # <a href="#">27</a> Exhibit 167.Yang Clark Declaration, # <a href="#">28</a> Exhibit 168.Email to Springer, # <a href="#">29</a> Exhibit 169.Springer Account Statement, # <a href="#">30</a> Exhibit 170.Springer Account Statement, # <a href="#">31</a> Exhibit 171.Email showing Ruderman has

		Multi-million Mortgage, # <a href="#">32</a> Exhibit 172.Composite of Rudermans Mortgage and HOA Being, # <a href="#">33</a> Exhibit 173.Rudermans Final SBA Package, # <a href="#">34</a> Exhibit 174.Miami-Dade County Property Appraisers Report) (Martin, Christopher) (Entered: 09/17/2018)
09/18/2018	<a href="#">65</a>	Certificate of Interested Parties/Corporate Disclosure Statement by 1Global Capital LLC, 1West Capital LLC (Dwyer, Jared) (Entered: 09/18/2018)
09/18/2018	<a href="#">66</a>	Certificate of Interested Parties/Corporate Disclosure Statement by Securities & Exchange Commission (Levenson, Robert) (Entered: 09/18/2018)
09/18/2018	<a href="#">67</a>	Clerks Entry of Default as to Ruderman Family Trust - Motions Terminated: <a href="#">63</a> Motion for Clerks Entry of Default. Signed by DEPUTY CLERK on 9/18/2018. (mc) (Entered: 09/18/2018)
09/18/2018	<a href="#">68</a>	Certificate of Interested Parties/Corporate Disclosure Statement by Jon A. Sale (Newman, Daniel) (Entered: 09/18/2018)
09/18/2018	<a href="#">69</a>	Certificate of Interested Parties by Carl Ruderman (Pineiro, Michael) (Entered: 09/18/2018)
09/19/2018	<a href="#">70</a>	Plaintiff's MOTION for Entry of an Order and Notice that Relief Defendant Ruderman Family Trust Has Not Showed Cause or Provided any Opposition to Continuation of the Asset Freeze against it and Filing of Proposed Order by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Martin, Christopher) (Entered: 09/19/2018)
09/19/2018	<a href="#">71</a>	Unopposed MOTION for an Asset Freeze and Other Relief against Relief Defendants Bright Smile Financing, LLC; BRR Block Inc.; Digi South, LLC; Ganador Enterprises, LLC; Media Pay LLC; and Pay Now Direct LLC by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit - Consent of Relief Defendants, Bright Smile Financing, LLC; BRR Block Inc.; Digi South, LLC; Ganador Enterprises, LLC; Media Pay LLC; and Pay Now Direct LLC, # <a href="#">2</a> Text of Proposed Order)(Martin, Christopher) (Entered: 09/19/2018)
09/19/2018	<a href="#">72</a>	Unopposed MOTION for an Asset Freeze Against Defendant Carl Ruderman by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit - Consent of Defendant Carl Ruderman to an Asset Freeze Order and Other Relief, # <a href="#">2</a> Text of Proposed Order) (Martin, Christopher) (Entered: 09/19/2018)
09/19/2018	<a href="#">73</a>	ORDER granting <a href="#">71</a> Unopposed Motion For Asset Freeze and Other Relief. Signed by Judge Beth Bloom on 9/19/2018. <i>See attached document for full details.</i> (ra) (Entered: 09/19/2018)
09/19/2018	<a href="#">74</a>	ORDER granting <a href="#">72</a> Motion for Asset Freeze and Other Relief against Defendant Carl Ruderman. Signed by Judge Beth Bloom on 9/19/2018. <i>See attached document for full details.</i> (ra) (Entered: 09/19/2018)
09/19/2018	<a href="#">75</a>	ORDER Continuing Asset Freeze and Other Relief Against Defendant Ruderman Family Trust D.E <a href="#">70</a> . Signed by Judge Beth Bloom on 9/19/2018. <i>See attached document for full details.</i> (ra) (Entered: 09/19/2018)
09/19/2018	76	<b>PAPERLESS NOTICE OF CANCELLATION OF HEARING:</b> Preliminary Injunction Hearing set for 9/20/2018 at 09:00 AM in Miami Division before Judge Beth Bloom. (ego) (Entered: 09/19/2018)
09/21/2018	<a href="#">77</a>	MOTION For Comfort Order Confirming Termination of Banking Agreements by Western Alliance Bank. (Attachments: # <a href="#">1</a> Affidavit Declaration of Lori Edwards, # <a href="#">2</a> Affidavit Declaration of Monique D. Jewett-Brewster)(Robinson, James) (Entered: 09/21/2018)



09/26/2018	<a href="#">78</a>	Plaintiff's MOTION for Default Judgment <i>against Relief Defendant Ruderman Family Trust</i> by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit 1 - Prejudgment Interest Report, # <a href="#">2</a> Text of Proposed Order - Judgment against Relief Defendant Ruderman Family Trust)(Martin, Christopher) (Entered: 09/26/2018)
09/26/2018	<a href="#">79</a>	Plaintiff's AMENDED COMPLAINT <i>FOR INJUNCTIVE AND OTHER RELIEF</i> against 1Global Capital LLC, 1West Capital LLC, BRR Block Inc., Bright Smile Financing, LLC, DIGI South LLC, Ganador Enterprises, LLC, Media Pay LLC, Pay Now Direct LLC, Carl Ruderman, Ruderman Family Trust, filed by Securities & Exchange Commission.(Martin, Christopher) (Entered: 09/26/2018)
09/28/2018	<a href="#">80</a>	JUDGMENT AGAINST RELIEF DEFENDANT RUDERMAN FAMILY TRUST; granting <a href="#">78</a> Motion for Default Judgment. Signed by Judge Beth Bloom on 9/27/2018. <i>See attached document for full details.</i> (ail) (Entered: 09/28/2018)
10/02/2018	<a href="#">81</a>	Joint SCHEDULING REPORT - <b>Rule 16.1</b> by Securities & Exchange Commission (Attachments: # <a href="#">1</a> Exhibit -Attachment A, Election to Jurisdiction by a U.S. Magistrate Judge for Final Disposition of Motions, # <a href="#">2</a> Text of Proposed Order - Scheduling Order) (Levenson, Robert) (Entered: 10/02/2018)
10/02/2018	<a href="#">82</a>	MOTION for Extension of Time to Respond re <a href="#">77</a> MOTION For Comfort Order Confirming Termination of Banking Agreements by Jon A. Sale. Responses due by 10/16/2018 (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Text of Proposed Order)(Newman, Daniel) (Entered: 10/02/2018)
10/02/2018	<a href="#">83</a>	RESPONSE in Opposition re <a href="#">82</a> MOTION for Extension of Time to Respond re <a href="#">77</a> MOTION For Comfort Order Confirming Termination of Banking Agreements filed by Western Alliance Bank. Replies due by 10/9/2018. (Robinson, James) (Entered: 10/02/2018)
10/03/2018	84	PAPERLESS ORDER granting <a href="#">82</a> Motion for Extension of Time to Respond to ECF No. <a href="#">77</a> , Motion for Comfort Order Confirming Termination of Banking Agreements, seven days after Bridge Bank produces all documents in response to the subpoena. Signed by Judge Beth Bloom (BB) (Entered: 10/03/2018)
10/03/2018	<a href="#">85</a>	ORDER SETTING TRIAL AND PRE-TRIAL SCHEDULE, REQUIRING MEDIATION, AND REFERRING CERTAIN MATTERS TO MAGISTRATE JUDGE : Amended Pleadings due by 12/1/2018., Discovery due by 7/2/2019., Expert Discovery due by 7/2/2019., Joinder of Parties due by 12/1/2018., Mediation Deadline 7/16/2019., In Limine Motions due by 10/14/2019., Dispositive Motions due by 7/24/2019., Motions due by 7/24/2019., Pretrial Stipulation due by 10/14/2019., Jury Trial set for 10/28/2019 at 9:00 AM in Miami Division before Judge Beth Bloom., Calendar Call set for 10/22/2019 at 1:45 PM in Miami Division before Judge Beth Bloom. Signed by Judge Beth Bloom on 10/2/2018. <i>See attached document for full details.</i> (ail)  <a href="#">Pattern Jury Instruction Builder - To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to <a href="https://pji.ca11.uscourts.gov">https://pji.ca11.uscourts.gov</a> or click here.</a> (Entered: 10/03/2018)
10/04/2018	<a href="#">86</a>	Unopposed MOTION for Entry of the Receiver's and Non-Parties' Agreed Upon Confidentiality Agreement as an Order of this Court by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit)(Newman, Daniel) (Entered: 10/04/2018)
10/08/2018	<a href="#">87</a>	NOTICE of Attorney Appearance by Susan Heath Sharp on behalf of Official Committee of Unsecured Creditors. Attorney Susan Heath Sharp added to party Official Committee of Unsecured Creditors(pty:cr). (Sharp, Susan) (Entered: 10/08/2018)
10/09/2018	<a href="#">88</a>	PAPERLESS ORDER granting <a href="#">86</a> Unopposed Motion for Agreed Upon Confidentiality

		Agreement. Signed by Magistrate Judge Alicia O. Valle on 10/9/2018. <i>See attached document for full details.</i> (lmk) (Entered: 10/09/2018)
10/16/2018	<a href="#">89</a>	NOTICE by Official Committee of Unsecured Creditors re <a href="#">87</a> Notice of Attorney Appearance <i>Withdrawal of Notice of Appearance, Request to Receive Documents, and Request to be Added to Mailing Matrix</i> (Sharp, Susan) (Entered: 10/16/2018)
10/19/2018	<a href="#">90</a>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">79</a> Amended Complaint, by Carl Ruderman. (Rashbaum, Daniel) (Entered: 10/19/2018)
10/19/2018	91	PAPERLESS ORDER granting <a href="#">90</a> Motion for Extension of Time to File Response/Answer to Complaint by Carl Ruderman by 11/2/2018. Re: <a href="#">79</a> Amended Complaint, filed by Securities & Exchange Commission. Signed by Judge Beth Bloom (BB) (Entered: 10/19/2018)
10/22/2018	<a href="#">92</a>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">79</a> Amended Complaint, by 1Global Capital LLC, 1West Capital LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Dwyer, Jared) (Entered: 10/22/2018)
10/22/2018	93	PAPERLESS ORDER granting <a href="#">92</a> Motion for Extension of Time to File Response/Answer to Amended Complaint by 1Global Capital LLC and 1West Capital LLC by 11/2/2018. Re: <a href="#">79</a> Amended Complaint, filed by Securities & Exchange Commission. Signed by Judge Beth Bloom (BB) (Entered: 10/22/2018)
10/23/2018	<a href="#">94</a>	MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">79</a> Amended Complaint, by Jon A. Sale. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Newman, Daniel) (Entered: 10/23/2018)
10/23/2018	95	PAPERLESS ORDER granting <a href="#">94</a> Motion for Extension of Time to File Response/Answer to Complaint by Receiver by 11/2/2018. Re: <a href="#">79</a> Amended Complaint, filed by Securities & Exchange Commission. Signed by Judge Beth Bloom (BB) (Entered: 10/23/2018)
10/23/2018	<a href="#">96</a>	NOTICE of Mediator Selection. Added Harry R. Schafer. (Attachments: # <a href="#">1</a> Text of Proposed Order - Order Scheduling Mediation)(Levenson, Robert) (Entered: 10/23/2018)
10/25/2018	<a href="#">97</a>	ORDER Scheduling Mediation before Harry R. Schafer - Mediation Hearing set for 6/5/2019 at 10:00 AM. Mediation Deadline 6/10/2019. Signed by Judge Beth Bloom on 10/24/2018. <i>See attached document for full details.</i> (ail) (Entered: 10/25/2018)
10/25/2018	<a href="#">98</a>	MOTION to Expand over Ruderman Family Trust and Bright Smile Trust by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit)(Newman, Daniel) (Entered: 10/25/2018)
11/01/2018	<a href="#">99</a>	Second MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">79</a> Amended Complaint, by 1Global Capital LLC, 1West Capital LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Dwyer, Jared) (Entered: 11/01/2018)
11/01/2018	<a href="#">100</a>	Unopposed MOTION for Judgment <i>against Relief Defendants Bright Smile Financing, LLC; BRR Block Inc.; Digi South, LLC; Ganador Enterprises, LLC; Media Pay LLC; and Pay Now Direct, LLC and Notice of Filing Consent to Entry of Judgment</i> by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit A, Consent, # <a href="#">2</a> Text of Proposed Order B, Judgment)(Martin, Christopher) (Entered: 11/01/2018)
11/01/2018	101	PAPERLESS ORDER granting <a href="#">99</a> Motion for Extension of Time to File Response/Answer to Amended Complaint by 1West Capital LLC and 1Global LLC by 11/9/2018. Re: <a href="#">79</a> Amended Complaint, filed by Securities & Exchange Commission. Signed by Judge Beth Bloom (BB) (Entered: 11/01/2018)

11/02/2018	<a href="#">102</a>	ORDER GRANTING PLAINTIFFS UNOPPOSED MOTION FOR A JUDGMENT AGAINST RELIEF DEFENDANTS BRIGHT SMILE FINANCING, LLC; BRR BLOCK INC.; DIGI SOUTH, LLC; GANADOR ENTERPRISES, LLC; MEDIA PAY LLC; AND PAY NOW DIRECT LLC re <a href="#">100</a> Motion for Judgment. Signed by Judge Beth Bloom on 11/1/2018. <i>See attached document for full details.</i> (ail) (Entered: 11/02/2018)
11/02/2018	<a href="#">103</a>	MOTION TO DISMISS <a href="#">79</a> Amended Complaint, FOR FAILURE TO STATE A CLAIM by Carl Ruderman. Responses due by 11/16/2018 (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Pineiro, Michael) (Entered: 11/02/2018)
11/09/2018	<a href="#">104</a>	Third MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">79</a> Amended Complaint, by 1Global Capital LLC, 1West Capital LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Dwyer, Jared) (Entered: 11/09/2018)
11/09/2018	105	PAPERLESS ORDER granting <a href="#">104</a> Motion for Extension of Time to Respond to the Amended Complaint, ECF No. <a href="#">79</a> or otherwise resolve this matter by 11/19/2018. Signed by Judge Beth Bloom (BB) (Entered: 11/09/2018)
11/14/2018	<a href="#">106</a>	ORDER REQUIRING RESPONSE TO MOTION re <a href="#">98</a> MOTION to Expand over Ruderman Family Trust and Bright Smile Trust filed by Jon A. Sale, ( Responses due by 11/19/2018) Signed by Judge Beth Bloom on 11/13/2018. <i>See attached document for full details.</i> (cqs) (Entered: 11/14/2018)
11/14/2018	<a href="#">107</a>	Unopposed MOTION for Leave to File Excess Pages of <i>Plaintiff's Response to Defendant Carl Ruderman's Motion to Dismiss the Amended Complaint</i> by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Martin, Christopher) (Entered: 11/14/2018)
11/14/2018	108	PAPERLESS ORDER granting <a href="#">107</a> Motion for Leave to File Excess Pages. The Plaintiff may file up to a 25-page Response to Defendant Carl Ruderman's Motion to Dismiss the Commission's Amended Complaint. Signed by Judge Beth Bloom (BB) (Entered: 11/14/2018)
11/16/2018	<a href="#">109</a>	RESPONSE in Opposition re <a href="#">103</a> MOTION TO DISMISS <a href="#">79</a> Amended Complaint, FOR FAILURE TO STATE A CLAIM filed by Securities & Exchange Commission. Replies due by 11/23/2018. (Attachments: # <a href="#">1</a> Exhibit A. SEC v Chen, # <a href="#">2</a> Exhibit B. SEC v Team Resources)(Martin, Christopher) (Entered: 11/16/2018)
11/19/2018	<a href="#">110</a>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">79</a> Amended Complaint, by 1Global Capital LLC, 1West Capital LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Dwyer, Jared) (Entered: 11/19/2018)
11/19/2018	111	PAPERLESS ORDER granting <a href="#">110</a> Motion for Extension of Time to File Response. Defendant 1 GlobalCapital, LLC and Relief Defendant 1 West Capital, LLC shall file a Response to the Amended Complaint by November 29, 2018. Signed by Judge Beth Bloom (BB) (Entered: 11/19/2018)
11/19/2018	<a href="#">112</a>	NOTICE of Attorney Appearance by Jonathan Etra on behalf of Jon A. Sale. Attorney Jonathan Etra added to party Jon A. Sale(pty:rc). (Etra, Jonathan) (Entered: 11/19/2018)
11/20/2018	<a href="#">113</a>	Unopposed MOTION for Extension of Time to File Reply Memorandum in Support of Motion to Dismiss re <a href="#">109</a> Response in Opposition to Motion, ( Responses due by 12/4/2018), Unopposed MOTION for Leave to File Excess Pages by Carl Ruderman. (Attachments: # <a href="#">1</a> Proposed Order)(Pineiro, Michael) (Entered: 11/20/2018)
11/20/2018	114	PAPERLESS ORDER granting <a href="#">113</a> Motion for Extension of Time; granting <a href="#">113</a> Motion for Leave to File Excess Pages. Defendant Carl Ruderman shall file his Reply in support

		of his Motion to Dismiss by November 30, 2018. Mr. Ruderman may submit a Reply that is up to 15 pages in length. Signed by Judge Beth Bloom (BB) (Entered: 11/20/2018)
11/20/2018	<a href="#">115</a>	ORDER granting <a href="#">98</a> Motion to Expand Receivership Over the Ruderman Family Trust and Bright Smile Trust. Signed by Judge Beth Bloom on 11/20/2018. <i>See attached document for full details.</i> (ar2) (Entered: 11/21/2018)
11/27/2018	<a href="#">116</a>	Unopposed MOTION for Judgment <i>against Defendant 1 Global Capital LLC and Relief Defendant 1 West Capital LLC and Notice of Filing Consent to Judgment</i> by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit A, Consent of Defendant 1 Global Capital LLC and Relief Defendant 1 West Capital LLC to Judgment, # <a href="#">2</a> Text of Proposed Order - Exhibit B, Judgment against 1 Global Capital LLC and 1 West Capital LLC)(Martin, Christopher) (Entered: 11/27/2018)
11/28/2018	<a href="#">117</a>	JUDGMENT AGAINST DEFENDANT 1 GLOBAL CAPITAL LLC AND RELIEF DEFENDANT 1 WEST CAPITAL LLC; granting <a href="#">116</a> Motion for Judgment. Signed by Judge Beth Bloom on 11/27/2018. <i>See attached document for full details.</i> (ail) (Entered: 11/28/2018)
11/30/2018	<a href="#">118</a>	STATUS REPORT <i>The Receiver's First Status Report</i> by Jon A. Sale (Cavallo, Christopher) (Entered: 11/30/2018)
11/30/2018	<a href="#">119</a>	REPLY to Response to Motion re <a href="#">103</a> MOTION TO DISMISS <a href="#">79</a> Amended Complaint, FOR FAILURE TO STATE A CLAIM filed by Carl Ruderman. (Pineiro, Michael) (Entered: 11/30/2018)
12/12/2018	<a href="#">120</a>	MOTION for Approval of Settlement Agreement Related to Ganador Enterprises, LLC by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit A)(Cavallo, Christopher) (Entered: 12/12/2018)
12/13/2018	<a href="#">121</a>	MOTION The Receiver's First Application for Allowance and Payment of Fees and Expenses by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3) (Cavallo, Christopher) (Entered: 12/13/2018)
12/14/2018	<a href="#">122</a>	STATUS REPORT ORDER. Status Report due by 12/17/2018. If Bridge Bank has completed the production of documents then the Receiver shall file a response to the Motion, ECF No. <a href="#">77</a> , by December 21, 2018. Signed by Judge Beth Bloom on 12/14/2018. <i>See attached document for full details.</i> (amb) (Entered: 12/17/2018)
12/17/2018	<a href="#">123</a>	NOTICE by Jon A. Sale, Western Alliance Bank re <a href="#">122</a> Status Report Order, <i>Joint Status Report Concerning Bridge Bank Production</i> (Cavallo, Christopher) (Entered: 12/17/2018)
12/27/2018	<a href="#">124</a>	ORDER GRANTING RECEIVERS MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT RELATED TO GANADOR ENTERPRISES, LLC. ORDER granting <a href="#">120</a> Motion. Signed by Judge Beth Bloom on 12/27/2018. <i>See attached document for full details.</i> (amb) (Entered: 12/27/2018)
12/28/2018	<a href="#">125</a>	ORDER GRANTING RECEIVERS FIRST APPLICATION FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES.ORDER granting <a href="#">121</a> Motion The Receiver's First Application for Allowance and Payment of Fees and Expenses. Signed by Judge Beth Bloom on 12/28/2018. <i>See attached document for full details.</i> (amb) (Entered: 12/28/2018)
01/07/2019	<a href="#">126</a>	Notice of Supplemental Authority <i>In Support of Plaintiff's Response to Defendant Carl Ruderman's Motion to Dismiss</i> by Securities & Exchange Commission (Attachments: # <a href="#">1</a> Exhibit A. Hall Opinion) (Levenson, Robert) (Entered: 01/07/2019)
01/09/2019	<a href="#">127</a>	Unopposed MOTION for Modification of Asset Freeze re <a href="#">74</a> Order on Motion for

		Miscellaneous Relief by Carl Ruderman. (Attachments: # <a href="#">1</a> Agreed Proposed Order) (Pineiro, Michael) (Entered: 01/09/2019)
01/09/2019	<a href="#">128</a>	ORDER MODIFYING THE ASSET FREEZE. ORDER granting <a href="#">127</a> Motion modify the asset freeze. Signed by Judge Beth Bloom on 1/9/2019. <i>See attached document for full details.</i> (amb) (Entered: 01/09/2019)
01/16/2019	<a href="#">129</a>	ORDER...STATUS REPORT ORDER. Status Report due by 1/18/2019. Signed by Judge Beth Bloom on 1/15/2019. <i>See attached document for full details.</i> (amb) (Entered: 01/16/2019)
01/18/2019	<a href="#">130</a>	STATUS REPORT - <i>Joint Status Report Concerning Bridge Bank Production</i> by Jon A. Sale (Freedman, Gary) (Entered: 01/18/2019)
01/21/2019	<a href="#">131</a>	MOTION for Approval of Entry Into Lease Agreement for Bright Smile Financing, LLC by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Text of Proposed Order)(Cavallo, Christopher) (Entered: 01/21/2019)
01/21/2019	<a href="#">132</a>	MOTION to Approve Bright Smile Asset Sale and Purchase Agreement by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit A)(Cavallo, Christopher) (Entered: 01/21/2019)
01/22/2019	<a href="#">133</a>	NOTICE of Compliance <i>Completion of Document Production Pursuant to Receiver's Subpoena</i> by Western Alliance Bank re <a href="#">130</a> Status Report filed by Jon A. Sale, <a href="#">129</a> Status Report Order (Robinson, James) (Entered: 01/22/2019)
01/22/2019	134	PAPERLESS ORDER requiring the Defendants' expedited response by January 28, 2019, to Receiver's Motion for Approval of Entry into Lease Agreement for Bright Smile Financing, LLC, ECF No. <a href="#">131</a> . Signed by Judge Beth Bloom (BB) (Entered: 01/22/2019)
01/23/2019	<a href="#">135</a>	NOTICE of Compliance <i>Completion of Document Production Pursuant to Receiver's Subpoena (Amended)</i> by Western Alliance Bank re <a href="#">130</a> Status Report filed by Jon A. Sale, <a href="#">129</a> Status Report Order (Cole, Mahalia) (Entered: 01/23/2019)
01/23/2019	<a href="#">136</a>	RESPONSE to Motion re <a href="#">132</a> MOTION to Approve Bright Smile Asset Sale and Purchase Agreement <i>and Limited Objection Thereto</i> filed by 1Global Capital LLC, 1West Capital LLC. Replies due by 1/30/2019. (Dwyer, Jared) (Entered: 01/23/2019)
01/23/2019	<a href="#">137</a>	RESPONSE to <a href="#">131</a> MOTION for Approval of Entry Into Lease Agreement for Bright Smile Financing, LLC by 1Global Capital LLC, 1West Capital LLC. (Dwyer, Jared) (Entered: 01/23/2019)
01/28/2019	<a href="#">138</a>	NOTICE of Attorney Appearance by Charles M. Tatelbaum on behalf of Dale Ledbetter. Attorney Charles M. Tatelbaum added to party Dale Ledbetter(pty:ip). (Tatelbaum, Charles) (Entered: 01/28/2019)
01/28/2019	<a href="#">139</a>	MOTION for Protective Order by Dale Ledbetter. (Attachments: # <a href="#">1</a> Exhibit Resume of Dale Ledbetter)(Tatelbaum, Charles) (Entered: 01/28/2019)
01/29/2019	<a href="#">140</a>	ORDER granting <a href="#">131</a> Motion for Approval of Entry Into Lease Agreement for Bright Smile Financing, LLC. Signed by Judge Beth Bloom on 1/29/2019. <i>See attached document for full details.</i> (amb) (Entered: 01/29/2019)
01/29/2019	<a href="#">141</a>	RESPONSE in Opposition re <a href="#">77</a> MOTION For Comfort Order Confirming Termination of Banking Agreements filed by Jon A. Sale. Replies due by 2/5/2019. (Cavallo, Christopher) (Entered: 01/29/2019)
01/29/2019	<a href="#">142</a>	RESPONSE in Opposition re <a href="#">139</a> MOTION for Protective Order <i>and Cross Motion for Leave to Depose Mr. Ledbetter for One Additional Hour</i> filed by Carl Ruderman. Replies due by 2/5/2019. (Pineiro, Michael) (Entered: 01/29/2019)

01/29/2019	<a href="#">143</a>	NOTICE by Carl Ruderman re <a href="#">142</a> Response in Opposition to Motion of Request for Expedited Ruling on Discovery Motions by Non-Party Dale Ledbetter and Defendant Ruderman (Pineiro, Michael) (Entered: 01/29/2019)
01/29/2019	<a href="#">144</a>	NOTICE of Attorney Appearance by Alejandro Oscar Soto on behalf of Securities & Exchange Commission. Attorney Alejandro Oscar Soto added to party Securities & Exchange Commission(pty:pla). (Soto, Alejandro) (Entered: 01/29/2019)
01/30/2019	<a href="#">145</a>	MOTION SEEKING RELIEF FROM ASSET FREEZE TO PERMIT THE MOVEMENT, STORAGE AND INSURING OF CERTAIN ITEMS OF ART re <a href="#">13</a> Order on Motion for Miscellaneous Relief, by 1Global Capital LLC, 1West Capital LLC. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order Granting Motion Seeking Relief from Asset Freeze)(Dwyer, Jared) (Entered: 01/30/2019)
01/30/2019	<a href="#">146</a>	ORDER granting <a href="#">145</a> Motion Seeking Relief from Asset Freeze to Permit the Movement, Storage, and Insuring of Certain Items of Art. Signed by Judge Beth Bloom on 1/30/2019. See attached document for full details. (ls) (Entered: 01/31/2019)
01/31/2019	<a href="#">147</a>	RESPONSE to Motion re <a href="#">139</a> MOTION for Protective Order by Non-Party Dale Ledbetter filed by Securities & Exchange Commission. Replies due by 2/7/2019. (Levenson, Robert) (Entered: 01/31/2019)
01/31/2019	<a href="#">148</a>	NOTICE OF SECS NON-OBJECTION by Jon A. Sale re <a href="#">132</a> MOTION to Approve Bright Smile Asset Sale and Purchase Agreement (Newman, Daniel) Text Modified on 2/1/2019 (ail). (Entered: 01/31/2019)
01/31/2019	<a href="#">149</a>	RESPONSE to Motion re <a href="#">132</a> MOTION to Approve Bright Smile Asset Sale and Purchase Agreement filed by 1Global Capital LLC, 1West Capital LLC. Replies due by 2/7/2019. (Dwyer, Jared) (Entered: 01/31/2019)
02/04/2019	<a href="#">150</a>	RESPONSE in Support re <a href="#">139</a> MOTION for Protective Order -Reply in Support of Motion for Protective Order filed by Dale Ledbetter. (Tatelbaum, Charles) (Entered: 02/04/2019)
02/04/2019	<a href="#">151</a>	RESPONSE in Opposition re <a href="#">132</a> MOTION to Approve Bright Smile Asset Sale and Purchase Agreement filed by Western Alliance Bank. Replies due by 2/11/2019. (Robinson, James) (Entered: 02/04/2019)
02/05/2019	152	PAPERLESS ORDER GRANTING <a href="#">139</a> Non-Party Dale Ledbetter's Motion for Protective Order. Defendant Carl Ruderman has exhausted his opportunity to depose Mr. Ledbetter under Federal Rule of Civil Procedure 30(d). Accordingly, Defendant's counsel may not question Mr. Ledbetter any further at the deposition scheduled for February 8, 2019. Plaintiff may depose Mr. Ledbetter as agreed by Plaintiff and Mr. Ledbetter. Signed by Magistrate Judge Alicia O. Valle on 2/5/2019. (lmk) (Entered: 02/05/2019)
02/05/2019	<a href="#">153</a>	REPLY to Response to Motion re <a href="#">77</a> MOTION For Comfort Order Confirming Termination of Banking Agreements filed by Western Alliance Bank. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Robinson, James) (Entered: 02/05/2019)
02/06/2019	<a href="#">154</a>	REPLY to <a href="#">151</a> Response in Opposition to Motion Receiver's Reply to Bridge Bank's Objection to Receiver's Motion to Approve Bright Smile Asset Sale and Purchase Agreement by Jon A. Sale. (Cavallo, Christopher) (Entered: 02/06/2019)
02/08/2019	<a href="#">155</a>	ORDER ON MOTION TO DISMISS. ORDER denying <a href="#">103</a> Motion to Dismiss for Failure to State a Claim. Signed by Judge Beth Bloom on 2/7/2019. See attached document for full details. (amb) (Entered: 02/08/2019)
02/08/2019	<a href="#">156</a>	MOTION for Leave to File Sur-Reply to Reply in Support of Western Alliance Bank's Motion for Comfort Order Confirming termination of banking Agreements and

		<i>Memorandum of Law In Support</i> by Jon A. Sale. (Freedman, Gary) (Entered: 02/08/2019)
02/09/2019	157	PAPERLESS ORDER granting <a href="#">156</a> Motion for Leave to File Sur-Reply by February 11, 2019. Signed by Judge Beth Bloom (BB) (Entered: 02/09/2019)
02/11/2019	<a href="#">158</a>	Sur-Reply to <a href="#">153</a> Reply to Response to Motion by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Cavallo, Christopher) (Entered: 02/11/2019)
02/12/2019	<a href="#">159</a>	MOTION for Leave to File <i>to File Sur-Reply</i> by Western Alliance Bank. (Robinson, James) (Entered: 02/12/2019)
02/15/2019	<a href="#">160</a>	ORDER Re: <a href="#">77</a> Motion for Comfort Order Confirming Termination of Banking Agreements and <a href="#">132</a> Motion to Approve Bright Smile Asset Sale and Purchase Agreement. Signed by Judge Beth Bloom on 2/15/2019. <i>See attached document for full details.</i> (ar2) (Entered: 02/15/2019)
02/19/2019	<a href="#">161</a>	NOTICE by Jon A. Sale re <a href="#">160</a> Order, <i>The Receiver's Notice of Filing First Amendment to Asset Purchase and Sale Agreement</i> (Attachments: # <a href="#">1</a> Exhibit A (First Amendment to Asset Purchase and Sale Agreement)) (Cavallo, Christopher) (Entered: 02/19/2019)
02/19/2019	<a href="#">162</a>	OMNIBUS ORDER granting in part and denying in part <a href="#">77</a> Motion for Comfort Order; granting <a href="#">132</a> Motion to Approve Bright Smile Asset Sale and Purchase Agreement. Signed by Judge Beth Bloom on 2/19/2019. <i>See attached document for full details.</i> (ra) (Entered: 02/20/2019)
02/20/2019	163	PAPERLESS ORDER denying as moot <a href="#">159</a> Motion for Leave to File. See ECF No. <a href="#">162</a> . Signed by Judge Beth Bloom (BB) (Entered: 02/20/2019)
02/22/2019	<a href="#">164</a>	Unopposed MOTION for Extension of Time to Answer the Amended Complaint by Carl Ruderman. Responses due by 3/8/2019 (Pineiro, Michael) (Entered: 02/22/2019)
02/22/2019	165	PAPERLESS ORDER granting <a href="#">164</a> Motion for Extension of Time to Answer the Amended Complaint by March 1, 2019. Signed by Judge Beth Bloom (BB) (Entered: 02/22/2019)
02/25/2019		Set/Reset Answer Due Deadline: Carl Ruderman response due 3/1/2019. SEE DE 165 ORDER (ail) (Entered: 02/25/2019)
02/25/2019	<a href="#">166</a>	NOTICE by Jon A. Sale <i>of Closing on Asset Purchase and Sale Agreement</i> (Attachments: # <a href="#">1</a> Exhibit A) (Freedman, Gary) (Entered: 02/25/2019)
03/01/2019	<a href="#">167</a>	ANSWER and Affirmative Defenses to Amended Complaint with Jury Demand by Carl Ruderman. (Pineiro, Michael) (Entered: 03/01/2019)
03/07/2019	<a href="#">168</a>	NOTICE by Jon A. Sale <i>Receiver's Notice of Entering Into Second Amendment to Asset Purchase and Sale Agreement and Modification of Payment Schedule Under Asset Purchase and Sale Agreement</i> (Attachments: # <a href="#">1</a> Exhibit A) (Cavallo, Christopher) (Entered: 03/07/2019)
03/07/2019	<a href="#">169</a>	Defendant's MOTION SEEKING RELIEF FROM ASSET FREEZE TO PERMIT THE MOVEMENT AND TRANSFER OF CERTAIN ASSETS re <a href="#">13</a> Order on Motion for Miscellaneous Relief, by 1Global Capital LLC, 1West Capital LLC. (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Text of Proposed Order)(Dwyer, Jared) (Entered: 03/07/2019)
03/07/2019	<a href="#">170</a>	NOTICE by 1Global Capital LLC, 1West Capital LLC re <a href="#">169</a> Defendant's MOTION SEEKING RELIEF FROM ASSET FREEZE TO PERMIT THE MOVEMENT AND TRANSFER OF CERTAIN ASSETS re <a href="#">13</a> Order on Motion for Miscellaneous Relief, <i>of Filing Amended Attachment A to Motion Seeking Relief from Asset Freeze to Permit the Movement and Transfer of Certain Assets</i> (Attachments: # <a href="#">1</a> Exhibit A) (Dwyer, Jared) (Entered: 03/07/2019)

03/08/2019	<a href="#">171</a>	ORDER GRANTING UNOPPOSED MOTION SEEKING RELIEF FROM ASSET FREEZE TO PERMIT THE MOVEMENT AND TRANSFER OF CERTAIN ASSETS. ORDER granting <a href="#">169</a> Motion. 1 Global Capital, LLC and 1 West Capital, LLC may transfer the property listed in Attachment A to the Notice of Filing Amended Attachment A to the Motion, ECF No. [170-1], to Carl Ruderman. Upon transferring the aforementioned property, Carl Ruderman and/or his representative must sign a receipt evidencing acceptance of the property. The property received by Carl Ruderman shall remain subject to the asset freeze, and Carl Ruderman may not dispose of it or alter it in any way without a further order of the Court. Signed by Judge Beth Bloom on 3/8/2019. <i>See attached document for full details.</i> (amb) (Entered: 03/08/2019)
03/12/2019	<a href="#">172</a>	STATUS REPORT <i>Receiver's Second Status Report</i> by Jon A. Sale (Cavallo, Christopher) (Entered: 03/12/2019)
03/21/2019	<a href="#">173</a>	Unopposed MOTION for Protective Order by Carl Ruderman. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Marcus, Jeffrey) (Entered: 03/21/2019)
03/22/2019	<a href="#">174</a>	ORDER granting <a href="#">173</a> Defendant's Unopposed Motion for Protective Order. Signed by Magistrate Judge Alicia O. Valle on 3/22/2019. <i>See attached document for full details.</i> (lmk) (Entered: 03/22/2019)
04/05/2019	<a href="#">175</a>	MOTION The Receiver's Second Application for Allowance and Payment of Fees and Expenses by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Cavallo, Christopher) (Entered: 04/05/2019)
04/05/2019	<a href="#">176</a>	AMENDED ANSWER and Affirmative Defenses to Complaint with Jury Demand by Carl Ruderman. (Pineiro, Michael) (Entered: 04/05/2019)
04/15/2019	<a href="#">177</a>	Plaintiff's MOTION to Strike <i>Defendant Carl Ruderman's First through Third Affirmative Defenses</i> , by Securities & Exchange Commission. Responses due by 4/29/2019 (Attachments: # <a href="#">1</a> Exhibit A - SEC v Brooks, DE 94-SEC's Motion to Strike Defendant Jeffrey Brooks' Affirmative Defenses, # <a href="#">2</a> Exhibit B- SEC v Brooks, DE 111-Order Granting DE 94, SEC's Motion to Strike Defendant Jeffrey Brooks' Affirmative Defenses, # <a href="#">3</a> Exhibit C - SEC v Brooks, DE 112-Transcript of Motion Hearing held on October 5, 2017, # <a href="#">4</a> Exhibit D- Defendant Carl Ruderman's Responses and Objections to Plaintiff's First Set of Interrogatories, # <a href="#">5</a> Text of Proposed Order)(Martin, Christopher) (Entered: 04/15/2019)
04/23/2019	<a href="#">178</a>	ORDER GRANTING RECEIVERS SECOND APPLICATION FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES. ORDER granting <a href="#">175</a> Motion for Allowance and Payment of Fees and Expenses. The Court approves the total award sought in the Second Application of \$624,175.10, and given the 30% hold backs agreed to by the Receiver, authorizing the payment of: (a) \$366,479.75 in legal fees and \$2,614.30 in costs, totaling \$369,094.05 to NMBC, for work performed and costs incurred by the Receiver and his counsel; and (b) \$68,331.83 in professional fees and \$401.40 in costs, totaling \$68,733.23 to Kapila, the Receivers accountants. The Receiver may make all payments described in this Order from the bank accounts he maintains for the Receivership Entities. Signed by Judge Beth Bloom on 4/22/2019. <i>See attached document for full details.</i> (amb) (Entered: 04/23/2019)
04/26/2019	<a href="#">179</a>	MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">177</a> Plaintiff's MOTION to Strike <i>Defendant Carl Ruderman's First through Third Affirmative Defenses</i> , by Carl Ruderman. (Pineiro, Michael) (Entered: 04/26/2019)
04/29/2019	180	PAPERLESS ORDER granting <a href="#">179</a> Motion for Extension of Time to File Response to Motion by 5/6/2019. Re: <a href="#">177</a> Plaintiff's MOTION to Strike <i>Defendant Carl Ruderman's</i>



		<i>First through Third Affirmative Defenses</i> , filed by Securities & Exchange Commission. Signed by Judge Beth Bloom (BB) (Entered: 04/29/2019)
04/29/2019	<a href="#">181</a>	MOTION for Attorney Fees / <i>Western Alliance Bank's Verified Motion to Offset Cash Collateral to Recover Its Attorney's Fees and Costs and Incorporated Memorandum of Law</i> by Western Alliance Bank. Responses due by 5/13/2019 (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I)(Robinson, James) (Entered: 04/29/2019)
04/30/2019	<a href="#">182</a>	Unopposed MOTION for Partial Relief from Order and Local Rule Regarding Attendance at Mediation ( <i>DE 85</i> ), filed by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Levenson, Robert) (Entered: 04/30/2019)
04/30/2019	<a href="#">183</a>	ORDER granting <a href="#">182</a> Motion for Partial Relief from Order and Local Rule Regarding Attendance at Mediation. Plaintiff shall be permitted to attend mediation through its trial counsel of record in this matter and the Regional Director or Associate Regional Director of the Commissions Miami Regional Office, who will have the full authority to negotiate a settlement to recommend to the Commission for approval. Signed by Judge Beth Bloom on 4/30/2019. <i>See attached document for full details.</i> (amb) (Entered: 05/01/2019)
05/06/2019	<a href="#">184</a>	RESPONSE in Opposition re <a href="#">177</a> Plaintiff's MOTION to Strike <i>Defendant Carl Ruderman's First through Third Affirmative Defenses</i> , filed by Carl Ruderman. Replies due by 5/13/2019. (Pineiro, Michael) (Entered: 05/06/2019)
05/09/2019	<a href="#">185</a>	RESPONSE in Support re <a href="#">177</a> Plaintiff's MOTION to Strike <i>Defendant Carl Ruderman's First through Third Affirmative Defenses</i> , filed by Securities & Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit A. Hearing Transcript)(Levenson, Robert) (Entered: 05/09/2019)
05/13/2019	<a href="#">186</a>	RESPONSE in Opposition re <a href="#">181</a> MOTION for Attorney Fees / <i>Western Alliance Bank's Verified Motion to Offset Cash Collateral to Recover Its Attorney's Fees and Costs and Incorporated Memorandum of Law</i> filed by Jon A. Sale. Replies due by 5/20/2019. (Attachments: # <a href="#">1</a> Exhibit A - Declaration of Gary Freedman, # <a href="#">2</a> Exhibit B - Declaration of Soneet Kapila, # <a href="#">3</a> Exhibit C)(Cavallo, Christopher) (Entered: 05/13/2019)
05/15/2019	<a href="#">187</a>	RESPONSE in Opposition re <a href="#">181</a> MOTION for Attorney Fees / <i>Western Alliance Bank's Verified Motion to Offset Cash Collateral to Recover Its Attorney's Fees and Costs and Incorporated Memorandum of Law and to Join in the Receiver's Opposition to the Motion (D.E. 186)</i> filed by Securities & Exchange Commission. Replies due by 5/22/2019. (Levenson, Robert) (Entered: 05/15/2019)
05/20/2019	<a href="#">188</a>	REPLY to <a href="#">186</a> Response in Opposition to Motion, <a href="#">181</a> MOTION for Attorney Fees / <i>Western Alliance Bank's Verified Motion to Offset Cash Collateral to Recover Its Attorney's Fees and Costs and Incorporated Memorandum of Law</i> by Western Alliance Bank. (Attachments: # <a href="#">1</a> Exhibit Supplemental Declaration of Lori Edwards)(Robinson, James) (Entered: 05/20/2019)
05/23/2019	<a href="#">189</a>	ORDER ON MOTION TO STRIKE. ORDER granting in part and denying in part <a href="#">177</a> Motion to Strike. Rudermans First Affirmative Defense is STRICKEN. Rudermans Second Affirmative Defense is STRICKEN to the extent that Ruderman contends that the SECs claims are barred because the MOIs at issue are not securities because they fall squarely within the list of non-securities enumerated in <i>Reves v. Ernst &amp; Young</i> , 494 U.S. 56, 63 (1990). Rudermans Third Affirmative Defense is STRICKEN as to Counts I and X based upon Rudermans withdrawal. See ECF No. <a href="#">184</a> . Signed by Judge Beth Bloom on 5/23/2019. <i>See attached document for full details.</i> (amb) (Entered: 05/23/2019)
05/29/2019	<a href="#">190</a>	Unopposed MOTION For Leave To Permit Underwriters' Counsel to Appear Telephonically At Mediation by Carl Ruderman. (Marcus, Jeffrey) (Entered: 05/29/2019)

05/29/2019	<a href="#">191</a>	PAPERLESS ORDER granting <a href="#">190</a> Motion for Leave To Permit Underwriters' Counsel to Appear Telephonically at Mediation. Signed by Judge Beth Bloom (BB) (Entered: 05/29/2019)
05/29/2019	<a href="#">192</a>	MOTION for Comfort Order Authorizing Retention of Portion of Cash Collateral Pending Ruling by Western Alliance Bank. (Cole, Mahalia) (Entered: 05/29/2019)
05/31/2019	<a href="#">193</a>	Notice of Adoption by 1Global Capital LLC, 1West Capital LLC Related document: <a href="#">186</a> Response in Opposition to Motion, filed by Jon A. Sale, <a href="#">187</a> Response in Opposition to Motion, filed by Securities & Exchange Commission. Attorney Paul Joseph Battista added to party 1Global Capital LLC(pty:dft), Attorney Paul Joseph Battista added to party 1West Capital LLC(pty:dft). (Battista, Paul) (Entered: 05/31/2019)
06/04/2019	<a href="#">194</a>	Plaintiff's MOTION for Summary Judgment <i>Against Defendant Carl Ruderman For Violating Count 1 of the Amended Complaint and on his Second Affirmative Defense</i> , by Securities & Exchange Commission. Responses due by 6/18/2019 (Attachments: # <a href="#">1</a> Exhibit - Exhibit A - Statement of Material Facts)(Levenson, Robert) (Entered: 06/04/2019)
06/05/2019	<a href="#">195</a>	PAPERLESS ORDER Requiring Mediation. THIS CAUSE is before the Court upon Western Alliance Bank's ("WAB") Verified Motion to Offset Cash Collateral to Recover its Attorneys' Fees and Costs, ECF No. <a href="#">181</a> ("WAB's Motion"). The Court recognizes the depletion of funds, allegedly needed to pay defrauded investors, that would result from briefing on the Receiver's forthcoming Motion for an Award of Attorneys' Fees and Costs ("Receiver's Motion," and together with WAB's Motion, "Motions"), see ECF No. <a href="#">186</a> at 20, and potentially from a protracted evidentiary hearing on the Motions. As such, in an effort to resolve the issues, WAB and the Receiver are Ordered to attend mediation on the Motions. WAB and the Receiver shall select a mediator pursuant to Local Rule 16.2, shall schedule a time, date, and place for mediation, and shall jointly file a notice, and proposed order scheduling mediation via CM/ECF in the form specified on the Court's website, <a href="http://www.flsd.uscourts.gov">http://www.flsd.uscourts.gov</a> . Counsel for WAB and the Receiver shall familiarize themselves with and adhere to all provisions of Local Rule 16.2. Within three (3) days of mediation, the WAB and the Receiver are required to file a mediation report with the Court. Pursuant to the procedures outlined in the CM/ECF Administrative Procedures, the proposed order is also to be emailed to <a href="mailto:bloom@flsd.uscourts.gov">bloom@flsd.uscourts.gov</a> in Word format. Signed by Judge Beth Bloom (BB) (Entered: 06/05/2019)
06/05/2019	<a href="#">196</a>	NOTICE by Securities & Exchange Commission of <i>Filing Exhibits to the Commission's Statement of Material Facts (Exhibit A to Motion for Summary Judgment) (DE 194)</i> (Attachments: # <a href="#">1</a> Exhibit 1, 1 Global Capital Corporate Filing, # <a href="#">2</a> Exhibit 2, Plaintiffs Amended Complaint, # <a href="#">3</a> Exhibit 3, Rudermans Amended Answer and Affirmative Defenses to Amended Complaint, # <a href="#">4</a> Exhibit 4, Bright Smile Corporate Filing, # <a href="#">5</a> Exhibit 5, Samuels Declaration with exhibits, # <a href="#">6</a> Exhibit 6, Ganador Corporate Filing, # <a href="#">7</a> Exhibit 7, BRR Block Corporate Filing, # <a href="#">8</a> Exhibit 8, Digi South Corporate Filing, # <a href="#">9</a> Exhibit 9, Media Pay Corporate Filing, # <a href="#">10</a> Exhibit 10, Pay Now Direct Corporate Filing, # <a href="#">11</a> Exhibit 11, Plaintiffs Expert Report with Declaration, # <a href="#">12</a> Exhibit 12, 1 Global Capital Marketing Materials, # <a href="#">13</a> Exhibit 13, 1 Global Capital Website with Declaration, # <a href="#">14</a> Exhibit 14, Memorandum of Indebtedness, # <a href="#">15</a> Exhibit 15, Wieniewitz Deposition Transcripts (two volumes) with Exhibits, # <a href="#">16</a> Exhibit 16, Walker Deposition Transcript with Exhibits, # <a href="#">17</a> Exhibit 17, Dantin Deposition Transcript with Exhibits, # <a href="#">18</a> Exhibit 18, 1 Global Capital Sales Brochure, # <a href="#">19</a> Exhibit 19, Latson Testimony Transcript with Exhibits, # <a href="#">20</a> Exhibit 20, Syndication Partner Agreements, # <a href="#">21</a> Exhibit 21, Rimi Declaration with Exhibits, # <a href="#">22</a> Exhibit 22, Buraczewski Declaration with Exhibits, # <a href="#">23</a> Exhibit 23, McDuffie Declaration with Exhibits, # <a href="#">24</a> Exhibit 24, Stec Declaration with Exhibits, # <a href="#">25</a> Exhibit 25, List of Sales Agents, # <a href="#">26</a> Exhibit 26, Kornfeld CRD, # <a href="#">27</a> Exhibit 27, Ruderman Deposition Transcript with Exhibits, # <a href="#">28</a>

		Exhibit 28, Pellegrino Affiliate Agreement, # <a href="#">29</a> Exhibit 29, Integrated Wealth Management Affiliate Agreement, # <a href="#">30</a> Exhibit 30, Pellegrino Testimony Transcript with Exhibits, # <a href="#">31</a> Exhibit 31, One-Year Notes, # <a href="#">32</a> Exhibit 32 Part 1 of 2, Riewerts Testimony Transcript with Exhibits, # <a href="#">33</a> Exhibit 32 Part 2 of 2, Riewerts Testimony Transcript with Exhibits, # <a href="#">34</a> Exhibit 34, Ruderman email dated December 24, 2016, # <a href="#">35</a> Exhibit 35, Sohun Declaration, # <a href="#">36</a> Exhibit 36, Sohun Deposition Transcript with Exhibits, # <a href="#">37</a> Exhibit 37, SEC Certification of No Registration, # <a href="#">38</a> Exhibit 38, Bright Smile Trust, # <a href="#">39</a> Exhibit 39, Ruderman's Responses to Plaintiff's First Set of Interrogatories, # <a href="#">40</a> Exhibit 40, Ruderman's Responses to Plaintiff's First Request for Admissions, # <a href="#">41</a> Exhibit 41, Ruderman email dated December 24, 2016, # <a href="#">42</a> Exhibit 43, Pay Now Direct Checks) (Levenson, Robert) (Entered: 06/05/2019)
06/06/2019	<a href="#">197</a>	NOTICE by Securities & Exchange Commission re <a href="#">196</a> Notice (Other),,,,,,,,,, - <i>Notice of Filing Exhibits 33 and 42</i> (Attachments: # <a href="#">1</a> Exhibit 33, Samuels Deposition Transcripts (two volumes) with Exhibits, # <a href="#">2</a> Exhibit 42, Ledbetter Deposition Transcripts (two volumes) with exhibits) (Levenson, Robert) (Entered: 06/06/2019)
06/06/2019	<a href="#">198</a>	MOTION for Attorney Fees <i>Receiver's Verified Motion for Attorney's Fees and Costs Incurred in Connection with Bridge Bank Disputes</i> by Jon A. Sale. Responses due by 6/20/2019 (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Cavallo, Christopher) (Entered: 06/06/2019)
06/07/2019	<a href="#">199</a>	RESPONSE in Opposition re <a href="#">198</a> MOTION for Attorney Fees <i>Receiver's Verified Motion for Attorney's Fees and Costs Incurred in Connection with Bridge Bank Disputes</i> filed by Western Alliance Bank. Replies due by 6/14/2019. (Attachments: # <a href="#">1</a> Exhibit A)(Cole, Mahalia) (Entered: 06/07/2019)
06/10/2019	<a href="#">200</a>	REPORT REGARDING Mediation by Securities & Exchange Commission (Levenson, Robert) (Entered: 06/10/2019)
06/12/2019	<a href="#">201</a>	RESPONSE in Opposition re <a href="#">192</a> MOTION for Comfort Order Authorizing Retention of Portion of Cash Collateral Pending Ruling filed by Jon A. Sale. Replies due by 6/19/2019. (Cavallo, Christopher) (Entered: 06/12/2019)
06/14/2019	<a href="#">202</a>	REPLY to Response to Motion re <a href="#">198</a> MOTION for Attorney Fees <i>Receiver's Verified Motion for Attorney's Fees and Costs Incurred in Connection with Bridge Bank Disputes</i> filed by Jon A. Sale. (Cavallo, Christopher) (Entered: 06/14/2019)
06/14/2019	<a href="#">203</a>	Unopposed MOTION to Stay <i>Case for 90 Days to Allow the SEC Commissioners to Consider a Proposed Settlement with Defendant Carl Ruderman</i> by Securities & Exchange Commission. Responses due by 6/28/2019 (Attachments: # <a href="#">1</a> Text of Proposed Order)(Levenson, Robert) (Entered: 06/14/2019)
06/17/2019	<a href="#">204</a>	ORDER granting <a href="#">203</a> Motion to Stay. Signed by Judge Beth Bloom on 6/15/2019. <i>See attached document for full details.</i> (ail) (Entered: 06/17/2019)
06/18/2019	<a href="#">205</a>	ORDER TO SHOW CAUSE. Show Cause Response due by 6/24/2019. Signed by Judge Beth Bloom on 6/18/2019. <i>See attached document for full details.</i> (amb) (Entered: 06/18/2019)
06/19/2019	<a href="#">206</a>	REPLY to <a href="#">201</a> Response in Opposition to Motion, <a href="#">192</a> MOTION for Comfort Order Authorizing Retention of Portion of Cash Collateral Pending Ruling by Western Alliance Bank. (Cole, Mahalia) (Entered: 06/19/2019)
06/21/2019	<a href="#">207</a>	NOTICE of Mediator Selection and Hearing. Added Jon A. Sale. Mediation Hearing set for 8/23/2019 at 10:00 a.m.. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Cavallo, Christopher) (Entered: 06/21/2019)
06/24/2019	<a href="#">208</a>	ORDER SCHEDULING MEDIATION before Harry R. Schafer. Mediation Deadline

		8/28/2019. Mediation Hearing set for 8/23/2019 10:00 AM at 2 S. Biscayne Blvd., Suite 2100, Miami, Florida 33131. Signed by Judge Beth Bloom on 6/21/2019. <i>See attached document for full details.</i> (amb) (Entered: 06/24/2019)
07/01/2019	<a href="#">209</a>	Unopposed MOTION to Modify Asset Freeze Order by Carl Ruderman. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Pineiro, Michael) (Entered: 07/01/2019)
07/03/2019	<a href="#">210</a>	ORDER MODIFYING THE ASSET FREEZE; granting <a href="#">209</a> Unopposed MOTION to Modify Asset Freeze Order. Signed by Judge Beth Bloom on 7/2/2019. <i>See attached document for full details.</i> (ail) (Entered: 07/03/2019)
07/08/2019	<a href="#">211</a>	ORDER denying <a href="#">192</a> Motion for Comfort Order Authorizing Retention of Portion of Cash Collateral Pending Ruling by Western Alliance Bank. Signed by Judge Beth Bloom on 7/8/2019. <i>See attached document for full details.</i> (amb) (Entered: 07/08/2019)
07/09/2019	<a href="#">212</a>	NOTICE of Compliance by Western Alliance Bank re <a href="#">211</a> Order on Motion for Miscellaneous Relief (Cole, Mahalia) (Entered: 07/09/2019)
07/16/2019	<a href="#">213</a>	STATUS REPORT <i>The Receiver's Third Status Report</i> by Jon A. Sale (Cavallo, Christopher) (Entered: 07/16/2019)
07/22/2019	<a href="#">214</a>	MOTION The Receiver's Third Application for Allowance and Payment of Fees and Expenses by Jon A. Sale. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Cavallo, Christopher) (Entered: 07/22/2019)
07/31/2019	<a href="#">215</a>	MOTION to Compel <i>Production of Documents From Jumbleberry and for Sanctions</i> by Jon A. Sale. Responses due by 8/14/2019 (Freedman, Gary) (Entered: 07/31/2019)
08/01/2019	216	PAPERLESS ORDER. This matter is before the Court upon <a href="#">215</a> Receiver's Motion to Compel Production of Documents from Jumbleberry and for Sanctions (the "Motion"). Discovery matters before Judge Valle are handled on an expedited briefing schedule and with a shortened page limitation. Therefore, a response to the Motion is due by <b>August 7, 2019</b> . No reply is necessary. The parties are also on notice that the Court enforces Federal Rule of Civil Procedure 37(a)(5). Judge Valle's discovery procedures are located at <a href="http://www.flsd.uscourts.gov/content/judge-alicia-o-valle">http://www.flsd.uscourts.gov/content/judge-alicia-o-valle</a> . The Receiver is <b>ORDERED</b> to serve a copy of this Order on non-party Jumbleberry. Plaintiff shall file a Notice of Compliance with the Court, which shall include evidence of service of this Order on non-party Jumbleberry. Signed by Magistrate Judge Alicia O. Valle on 8/1/2019. (sr00) (Entered: 08/01/2019)
08/01/2019	<a href="#">217</a>	NOTICE of Compliance by Jon A. Sale re 216 Notice of Court Practice/to Appear/Other,,, (Freedman, Gary) (Entered: 08/01/2019)
08/06/2019	<a href="#">218</a>	ORDER GRANTING RECEIVERS THIRD APPLICATION FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES. ORDER granting <a href="#">214</a> Motion The Receivers Third Application for Allowance and Payment of Fees and Expenses. The Court approves the total award sought in the Third Application of \$215,128.66, and given the 30% hold back agreed to by the Receiver, authorizes the payment of: (a) \$145,067.30 in legal fees and \$1,022.58 in costs, totaling \$146,089.88 to NMBC, for work performed and costs incurred by the Receiver and his counsel, \$28,350.00 of which will be paid directly to Sale & Weintraub, P.A.; and (b) \$4,634.70 in professional fees and \$246.08 in costs, totaling \$4,880.78 to Kapila, the Receivers accountants. The Receiver may make all payments described in this Order from the bank accounts he maintains for the Receivership Entities. Signed by Judge Beth Bloom on 8/6/2019. <i>See attached document for full details.</i> (amb) (Entered: 08/07/2019)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
08/07/2019 15:20:40			
<b>PACER Login:</b>	sayhross:3692243:4298903	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	0:18-cv-61991-BB
<b>Billable Pages:</b>	21	<b>Cost:</b>	2.10

# EXHIBIT E

**Freeland, Stephen R.**

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**From:** Wright, Damon W.D.  
**Sent:** Friday, August 02, 2019 9:33 AM  
**To:** Gary Freedman; Lisa Negron  
**Cc:** Daura Ospina; Dan Newman; Chris Cavallo; Freeland, Stephen R.; Colaizzi, Roger A.  
**Subject:** RE: Activity in Case 0:18-cv-61991-BB Securities & Exchange Commission v. 1 Global Capital LLC et al Notice of Court Practice/to Appear/Other

I apologize for not promptly replying to your email last Friday. I've had several work and life matters that have had me spread thin. Because I may be unavailable, please copy my partners Steve Freeland or Roger Colaizzi if we have further communication. On another note, we were very surprised that you never shared with us that the case had been stayed. We also always preserved our right to serve objections and made no promise to waive and produce all documents you requested.

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Damon W.D. Wright  
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**From:** Gary Freedman <[Gary.Freedman@nelsonmullins.com](mailto:Gary.Freedman@nelsonmullins.com)>  
**Date:** Friday, Aug 02, 2019, 8:13 AM  
**To:** Wright, Damon W.D. <[DWright@Venable.com](mailto:DWright@Venable.com)>, Lisa Negron <[Lisa.Negron@nelsonmullins.com](mailto:Lisa.Negron@nelsonmullins.com)>  
**Cc:** Daura Ospina <[Daura.Ospina@nelsonmullins.com](mailto:Daura.Ospina@nelsonmullins.com)>, Dan Newman <[dan.newman@nelsonmullins.com](mailto:dan.newman@nelsonmullins.com)>, Chris Cavallo <[chris.cavallo@nelsonmullins.com](mailto:chris.cavallo@nelsonmullins.com)>, Freeland, Stephen R. <[SRFreeland@Venable.com](mailto:SRFreeland@Venable.com)>  
**Subject:** RE: Activity in Case 0:18-cv-61991-BB Securities & Exchange Commission v. 1 Global Capital LLC et al Notice of Court Practice/to Appear/Other

Damon,

It is beyond my comprehension as to why you would not have emailed us Jumbleberry's objections in response to my July 26, 2019 email sent at 12:16 a.m., and attached again for your ease of reference; or at least mention that it had been mailed to us. Or why you have not produced the documents you agreed to produce when we spoke on July 23. But as you have expressed no desire to try to work this out, we will leave it to the court to sort through.

Best,  
Gary



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GARY M. FREEDMAN PARTNER

[gary.freedman@nelsonmullins.com](mailto:gary.freedman@nelsonmullins.com)

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*\*In Florida, known as Nelson Mullins Broad and Cassel*

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**From:** Wright, Damon W.D. <[DWright@Venable.com](mailto:DWright@Venable.com)>

**Sent:** Thursday, August 1, 2019 6:47 PM

**To:** Gary Freedman <[Gary.Freedman@nelsonmullins.com](mailto:Gary.Freedman@nelsonmullins.com)>; Lisa Negron <[Lisa.Negron@nelsonmullins.com](mailto:Lisa.Negron@nelsonmullins.com)>

**Cc:** Daura Ospina <[Daura.Ospina@nelsonmullins.com](mailto:Daura.Ospina@nelsonmullins.com)>; Dan Newman <[dan.newman@nelsonmullins.com](mailto:dan.newman@nelsonmullins.com)>; Chris Cavallo <[chris.cavallo@nelsonmullins.com](mailto:chris.cavallo@nelsonmullins.com)>; Freeland, Stephen R. <[SRFreeland@Venable.com](mailto:SRFreeland@Venable.com)>

**Subject:** RE: Activity in Case 0:18-cv-61991-BB Securities & Exchange Commission v. 1 Global Capital LLC et al Notice of Court Practice/to Appear/Other

We just reviewed the motion to compel and see the assertion that Jumbleberry failed to serve and thus waived any objections to the subpoena. This is not accurate. As confirmed by the attached, Jumbleberry's objections were timely served by U.S. Mail upon Mr. Cavallo on July 26. We'll inform the Court in our opposition.

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**Damon W.D. Wright**

VENABLE LLP

600 Massachusetts Ave., NW

Washington, DC 20001

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[dwdwright@venable.com](mailto:dwdwright@venable.com)

[www.venable.com/damon-wd-wright](http://www.venable.com/damon-wd-wright)

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**From:** Gary Freedman [<mailto:Gary.Freedman@nelsonmullins.com>]

**Sent:** Thursday, August 01, 2019 6:29 PM

**To:** Lisa Negron <[Lisa.Negron@nelsonmullins.com](mailto:Lisa.Negron@nelsonmullins.com)>; Wright, Damon W.D. <[DWright@Venable.com](mailto:DWright@Venable.com)>

**Cc:** Daura Ospina <[Daura.Ospina@nelsonmullins.com](mailto:Daura.Ospina@nelsonmullins.com)>; Dan Newman <[dan.newman@nelsonmullins.com](mailto:dan.newman@nelsonmullins.com)>; Chris Cavallo <[chris.cavallo@nelsonmullins.com](mailto:chris.cavallo@nelsonmullins.com)>

**Subject:** RE: Activity in Case 0:18-cv-61991-BB Securities & Exchange Commission v. 1 Global Capital LLC et al Notice of Court Practice/to Appear/Other

Damon,

I am still willing to chat about this.

Gary



---

GARY M. FREEDMAN PARTNER

[gary.freedman@nelsonmullins.com](mailto:gary.freedman@nelsonmullins.com)



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*\*In Florida, known as Nelson Mullins Broad and Cassel*

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**From:** Lisa Negron

**Sent:** Thursday, August 1, 2019 5:59 PM

**To:** [dwdwright@venable.com](mailto:dwdwright@venable.com)

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**Subject:** FW: Activity in Case 0:18-cv-61991-BB Securities & Exchange Commission v. 1 Global Capital LLC et al Notice of Court Practice/to Appear/Other

Mr. Wright,

Pursuant to the Court's instructions listed below, contained herein is a copy of the Paperless order on Receiver's Motion to Compel Production of Documents from Jumbleberry and for Sanctions.



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U.S. District Court

Southern District of Florida

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**Case Name:** Securities & Exchange Commission v. 1 Global Capital LLC et al

**Case Number:** [0:18-cv-61991-BB](#)

**Filer:**

**Document Number:** 216(No document attached)

**Docket Text:**

**PAPERLESS ORDER.** This matter is before the Court upon [215] Receiver's Motion to Compel Production of Documents from Jumbleberry and for Sanctions (the "Motion"). Discovery matters before Judge Valle are handled on an expedited briefing schedule and with a shortened page limitation. Therefore, a response to the Motion is due by August 7, 2019. No reply is necessary. The parties are also on notice that the Court enforces Federal Rule of Civil Procedure 37(a)(5). Judge Valle's discovery procedures are located at <http://www.flstd.uscourts.gov/content/judge-alicia-o-valle>. The Receiver is ORDERED to serve a copy of this Order on non-party Jumbleberry. Plaintiff shall file a Notice of Compliance with the Court, which shall include evidence of service of this Order on non-party Jumbleberry. Signed by Magistrate Judge Alicia O. Valle on 8/1/2019. (sr00)

**0:18-cv-61991-BB Notice has been electronically mailed to:**

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