

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

Case No.: 8:19-CV-886-T-VMC-33SPF

OASIS INTERNATIONAL GROUP,  
LIMITED, *et al.*,

Defendants,

and

MAINSTREAM FUND SERVICES, INC., *et al.*,

Relief Defendants.

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**RECEIVER’S MOTION TO APPROVE RETENTION  
OF SPECIAL FOREIGN COUNSEL TO FACILITATE TRANSFER  
OF CONTROL OF BELIZE-BASED RECEIVERSHIP ENTITY TO RECEIVER**

Burton W. Wiand, as receiver over the assets of the above-captioned defendants and relief defendants (the “**Receiver**” and the “**Receivership**”), moves the Court to approve his engagement of Glenn D. Godfrey & Company LLP (the “**Godfrey Firm**”), a law firm located in Belize. As explained below, the Receiver seeks assistance from the Godfrey Firm to effectuate the transfer of all ownership interests in Oasis Global FX, S.A. (which is organized in Belize) to the Receiver. This will ultimately allow the Receiver to repatriate Receivership assets from Belize back to the United States.

**BACKGROUND**

On April 15, 2019, the Court appointed Mr. Wiand as Receiver and directed him, in relevant part, to “[t]ake exclusive custody, control, and possession of the Receivership Estate,”

which includes “all the funds, properties, premises, accounts, income, now or hereafter due or owing to the Receivership Defendants, and other assets directly or indirectly owned, beneficially or otherwise, by the Receivership Defendants.” *See* Order Granting Plaintiff’s Motion for an Ex Parte Statutory Restraining Order, Appointment of a Temporary Receiver, and Other Equitable Relief (Doc. 7 at p. 14, ¶ 32 & p. 15, ¶ 30.b.) (the “**TRO**”).

The Court has since made the Receiver’s appointment permanent absent further order of the Court with respect to certain defendants. *See* Order Appointing Receiver and Staying Litigation (Doc. 44) (collectively with the TRO, the “**Receivership Orders**”). The Receivership Orders authorize the Receiver to retain professionals to assist him in carrying out his mandate, but they also require the Court to approve the pertinent engagements.

**Oasis Global FX Limited & Oasis Global FX, S.A.**

Defendants fraudulently solicited hundreds of members of the public to invest more than \$75 million through two commodity pools:

- Oasis Global FX, Limited (“**Global FX Limited**”), which is a New Zealand entity formed in approximately May 2012. It is owned by defendant Oasis International Group Ltd. Defendant DaCorta is the president and defendant Anile is the vice president of Global FX Limited. Defendants operated a foreign trading account in the name of Global FX Limited until approximately February 2017.
- Oasis Global FX, SA (“**Global FX SA**”), which is a Belizean entity, was formed in approximately August 2016. It is owned by defendant Anile. Global FX SA operated until the institution of this action.

Shortly after his appointment, the Receiver learned that Global FX Limited owned an account (x4622) at Choice Bank Limited (“**Choice Bank**”) in Belize, which contained approximately \$67,000. On June 29, 2018, however, regulators in Belize revoked Choice Bank’s license and appointed a liquidator. The Receiver also learned that Global FX SA has

an account at Heritage Bank Limited (“**Heritage Bank**”) in Belize, which contains \$500,000. The Receiver believes that money served as a deposit that allowed Global FX SA to operate as a broker-dealer in Belize. On May 7, 2019, the Belize International Financial Services Commission suspended Global FX SA’s trading licenses.

During his efforts to gain control over Global FX SA and repatriate the above assets from Belize, the Receiver learned that the Godfrey Firm (located in Belize City) had been involved in providing legal services to defendant Anile, Global FX Limited, and Global FX SA. The Receiver contacted attorney Glenn Godfrey of the Godfrey Firm to understand his firm’s representation of those entities and to have Anile execute documents to effectuate the transfer of Global FX SA to the Receiver.

The Godfrey Firm represented that it could assist the Receiver in transferring control of Global FX SA to him, which would ultimately allow the Receiver to repatriate the above funds to the United States. The Godfrey Firm is experienced in providing legal services to the financial services industry, as well as providing these services to international clients wishing to establish businesses in Belize. Additional information about the Godfrey Firm can be found at <http://www.godfreylaw.net/services.html>. Glenn Godfrey is a principal of the Godfrey Firm, and **Exhibit A** contains biographical information about Mr. Godfrey and several other members of his firm.

The Receiver seeks to use the services of the Godfrey Firm because its attorneys are familiar with local laws, regulations, and proceedings in Belize (which the Receiver is not), and the Receiver reasonably believes the Godfrey Firm can perform the necessary functions in a more economically efficient manner than the Receiver or his current counsel. There are also

logistical considerations the Receiver faces when interacting with foreign jurisdictions, which do not limit the Godfrey Firm. The Godfrey Firm requested a \$5,000 retainer and estimated that the representation would not exceed \$10,000. Given the work involved, the Receiver believes these fees are appropriate under the circumstances.

### **MEMORANDUM OF LAW**

The Court's power to supervise an equity receivership and to determine the appropriate actions to be taken in the administration of the receivership is extremely broad. *See, e.g., S.E.C. v. Elliott*, 953 F.2d 1560, 1566 (11th Cir. 1992); *S.E.C. v. Hardy*, 803 F.2d 1034, 1038 (9th Cir. 1986). The Court's wide discretion derives from the inherent powers of an equity court to fashion relief. *Elliott*, 953 F.2d at 1566; *S.E.C. v. Safety Finance Service, Inc.*, 674 F.2d 368, 372 (5th Cir. 1982).

The Receivership Orders authorize the Receiver to retain professionals to assist him in carrying out his mandate, but they require the Receiver to seek the Court's approval of the pertinent engagements. The Receiver thus seeks the Court's approval of his retention of the Godfrey Firm to provide the above-described services.

### **LOCAL RULE 3.01(G) CERTIFICATION**

Undersigned counsel for the Receiver has conferred with counsel for the CFTC and is authorized to represent to the Court that the CFTC does not oppose the relief requested in this motion. Defendant Anile (who is also associated with Bowling Green Capital Management LLC (Doc. 71), 4064 Founders Club Drive, LLC (Doc. 75), Lagoon Investments, Inc. (Doc. 72), and 4 Oaks LLC (Doc. 78)) and his counsel have cooperated with the Receiver to arrange the relief requested in this motion.

Undersigned counsel has also conferred with counsel for (1) defendants John Haas and Satellite Holdings Company; (2) relief defendant Mainstream Fund Services, Inc.; (3) defendant Raymond P. Montie, III; and (4) defendant Francisco “Frank” Duran and is authorized to represent to the Court that those defendants and relief defendants do not oppose the relief requested in this motion.

Defendant Oasis Management Group, LLC (Doc. 69) and defendant Oasis International Group Limited (Doc. 94) have defaulted and are under the Receiver’s control pursuant to this Court’s orders. Relief defendants Roar of the Loan Fitness, LLC (Doc. 73); 444 Gulf of Mexico Drive, LLC (Doc. 74); 6922 Lacertera Circle, LLC (Doc. 76); and 13318 Lost Key Place, LLC (Doc. 77) have also defaulted and are under the Receiver’s control pursuant to the Court’s orders.

The Court recently granted motions to withdraw by counsel for defendant DaCorta, and the Receiver has not been able to confer with DaCorta on a *pro se* basis.

Respectfully submitted,

**s/Jared J. Perez**

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*Attorneys for Burton W. Wiand, Receiver*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on June 21, 2019, I electronically filed a true and correct copy of the foregoing through the Court's CM/ECF system, which served counsel of record. I have also provided the following non-CM/ECF participants with a true and correct copy of the foregoing by electronic mail and US mail:

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**s/Jared J. Perez**  
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