

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

Case No. 8:19-cv-00886-VMC-SPF

OASIS INTERNATIONAL GROUP,
LIMITED, ET AL.,

Defendants,

and

MAINSTREAM FUND SERVICES,
INC., ET AL.,

Relief Defendants.

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF ORDER
GRANTING PLAINTIFF’S MOTION FOR AN EX PARTE STATUTORY
RESTRAINING ORDER, APPOINTMENT OF A TEMPORARY RECEIVER,
AND OTHER EQUITABLE RELIEF
AS TO DEFENDANTS SATELLITE HOLDINGS COMPANY,
RAYMOND P. MONTIE, III, AND JOHN J. HAAS
AND RELIEF DEFENDANT MAINSTREAM FUND SERVICES, INC.**

Plaintiff Commodity Futures Trading Commission (“Plaintiff” or “CFTC”) moves this Court for an order extending its April 15, 2019 Order Granting Plaintiff’s Motion for an Ex Parte Statutory Restraining Order, Appointment of a Temporary Receiver, and Other Equitable Relief (the “SRO,” Doc. #7) as to Defendants Satellite Holdings Company,

Raymond P. Montie, III, and John J. Haas, and Relief Defendant Mainstream Fund Services, Inc. The SRO expires today, April 29, 2019. Doc. #7 at ¶49.

1. On April 26, 2019, Defendants Satellite Holdings Company, Raymond P. Montie, III, and John J. Haas jointly moved the Court for a continuance of the preliminary injunction hearing set for April 29, 2019. Doc. #33. In their motion, they specifically requested that the Court “leave the current [SRO] in place until the continued hearing date.” Doc. #33 at ¶9.

2. On the same day, the Court granted their request, but did not set a new hearing date. Doc. #34.

3. Today, the CFTC moved this Court (Doc. #35) for entry of a Consent Order of Preliminary Injunction and Other Equitable Relief and an Order Appointing Receiver and Staying Litigation for the following Defendants and Relief Defendants (collectively, the “Consenting Parties”):

Consenting Defendants	Consenting Relief Defendants
Oasis International Group, Limited	Roar of the Lion Fitness, LLC
Oasis Management, LLC	444 Gulf of Mexico Drive, LLC
Michael J. DaCorta	6922 Lacantera Circle, LLC
Joseph S. Anile, II	13318 Lost Key Place, LLC
Francisco “Frank” Duran	Bowling Green Capital Management LLC
	Lagoon Investments, Inc.
	4064 Founders Club Drive, LLC

Consenting Defendants	Consenting Relief Defendants
	4Oaks LLC

4. Shortly thereafter, Relief Defendant Mainstream Fund Services, Inc. (“Mainstream”) moved separately for a continuance of the April 29, 2019 preliminary injunction hearing. Doc. #37. Mainstream did not object to entry of the proposed Order Appointing Receiver and Staying Litigation. Doc. #37 at ¶9.

5. The Court granted Mainstream’s request for a continuance. Doc. #38.

6. The Court subsequently canceled the hearing scheduled for April 29, 2019 at 1:00 p.m. Doc. #39.

7. The Court then set for hearing on May 30, 2019 at 1:00 p.m. the CFTC’s Motion for a Preliminary Injunction as to Defendants Satellite Holdings Company, Raymond P. Montie, III, and John J. Haas and Relief Defendant Mainstream. Doc. #40.

8. At this time, the Consenting Parties are bound by the Proposed Consent Order of Preliminary Injunction and Other Equitable Relief. Doc. #35-1, Doc. #35-3, #35-4 and #35-5. The Consenting Parties and Relief Defendant Mainstream are similarly bound by the Proposed Order Appointing Receiver and Staying Litigation. Doc. #35-2, #35-3, #35-4 and #35-5, and Doc. #37 at ¶9.

9. Upon today’s expiration of the SRO, the non-consenting Defendants Satellite Holdings Company, Raymond P. Montie, III, and John J. Haas and Relief Defendant Mainstream will no longer be bound by the terms of the SRO.

10. As stated above, the non-consenting Defendants Satellite Holdings Company, Raymond P. Montie, III, and John J. Haas have advised the Court in their motion for continuance that they consent to leaving the SRO in place until the hearing on the CFTC's Motion for a Preliminary Injunction. Doc. #33 at ¶9.

11. Mainstream did not reference an extension of the SRO in its motion for continuance, so counsel for the CFTC conferred with Mainstream's counsel regarding this issue and Mainstream has consented to leaving the SRO (including the modifications made to the SRO on April 23, 2019 at Doc. #14) in place until the hearing on May 30, 2019.

12. Before filing this motion, CFTC counsel conferred with counsel for Satellite Holdings Company and John J. Haas, counsel for Raymond P. Montie, III, and counsel for Mainstream regarding the relief requested in the instant motion. Counsel advised that they will not oppose the CFTC's request for this relief.

WHEREFORE, the CFTC moves this Court for an order extending the SRO until May 30, 2019 as to Defendants Satellite Holdings Company, Raymond P. Montie, III, and John J. Haas, and Relief Defendant Mainstream Fund Services, Inc.

Dated: April 29, 2019

Respectfully submitted by,

**COMMODITY FUTURES TRADING
COMMISSION**

By: /s/ Jennifer J. Chapin

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LOCAL RULE 3.01(G) CERTIFICATE

Pursuant to Local Rule 3.01(g) of the Middle District of Florida, on April 29, 2019, counsel for the CFTC (Jo Mettenburg and Jennifer Chapin) conferred with counsel for Satellite Holdings Company and John J. Haas (A. Brian Phillips), counsel for Raymond P. Montie, III (Mark Horwitz), and counsel for Mainstream Fund Services, Inc. (Christopher Walker, Dennis Vacco, and Scott Allen) regarding the relief requested in the instant motion. Counsel does not oppose the same.

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2019, I filed a copy of the foregoing with the Clerk of the Court via the CM/ECF system, which served all parties of record who are equipped to receive service of documents via the CM/ECF system.

I hereby certify that on April 29, 2019, I provided service of the foregoing via electronic mail to:

Gerard Marrone
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**COUNSEL FOR DEFENDANT JOSEPH ANILE
COUNSEL FOR RELIEF DEFENDANTS BOWLING GREEN CAPITAL
MANAGEMENT, LLC; 4064 FOUNDERS CLUB DRIVE, LLC; LAGOON
INVESTMENTS, INC.; AND 4OAKS LLC**

I hereby certify that on April 29, 2019, I provided service of the foregoing via electronic mail to the following unrepresented parties:

Michael J. DaCorta (mdacorta@oasisig.com)
Francisco "Frank" L. Duran (fduran@oasisig.com)