

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

COMMODITY FUTURES TRADING,
COMMISSION,

Plaintiff,

v.

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

OASIS INTERNATIONAL GROUP
LIMITED; OASIS MANAGEMENT, LLC;
SATELLITE HOLDINGS COMPANY;
MICHAEL J. DACORTA; JOSEPH S.
ANILE, II; RAYMOND P. MONTIE, III;
FRANCISCO "FRANK" L. DURAN; and
JOHN J. HAAS,

Defendants,

and

MAINSTREAM FUND SERVICES, INC;
BOWLING GREEN CAPITAL
MANAGEMENT, LLC; LAGOON
INVESTMENTS, INC; ROAR OF THE
LION FITNESS, LLC; 444 GULF OF
MEXICO DRIVE, LLC; 4064 FOUNDERS
CLUB DRIVE. LLC; 6922 LACANTERA
CIRCLE, LLC; 13318 LOST KEY PLACE,
LLC; and 4OAKS, LLC,

Relief Defendants.

UNOPPOSED MOTION FOR EXTENSION OF TIME
AND MEMORANDUM OF LAW

Raymond P. Montie, III, by and through undersigned counsel, pursuant to Rule
6(b) of the Federal Rules of Civil Procedure, moves this Court for an order to extend time

to file an answer, or otherwise plead in this action, until May 23, 2019. In support thereof, Mr. Montie states the following:

I. Statement of Facts

1. The Commodity Futures Trading Commission (hereinafter “CFTC”) filed a complaint on April 15, 2019. Doc. 1.

2. The CFTC also applied, *ex parte*, for a statutory restraining order, appointment of a temporary receiver, and other equitable relief (hereinafter “SRO”). Doc.

4. The Court entered the SRO on April 15, 2019, commanding Mr. Montie to provide certain information to the temporary receiver within five business days. Doc. 7.

3. The complaint and SRO were served upon Mr. Montie on April 18, 2019. Doc. 23. The time for filing an answer or other pleading has not yet expired.

4. Mr. Montie traveled from his home in Pennsylvania to Orlando, Florida, and retained the Law Offices of Horwitz & Citro, P.A., to represent him on April 24, 2019.

5. Since April 24, 2019, the undersigned have conferred with counsel for the CFTC, the temporary receiver, and others to preserve all information that is related to the allegations in the complaint, defenses to the allegations in the complaint, and information the temporary receiver requires.

6. To accomplish this, the undersigned retained an expert on April 24, 2019. On April 25, 2019, the expert advised the undersigned that it would not be possible to begin reviewing information until after May 7, 2019. Further, additional information is located out of state, must be collected, and provided to the undersign to review.

7. On April 30, 2019, and May 2, 2019, the undersigned provided certain information to the temporary receiver pursuant to the SRO, but additional information still needs to be produced.

8. This motion is not being made for the purpose of delay. The additional time is necessary to prepare an answer or other pleading, if more appropriate.

II. Memorandum of Law

Rule 12, Federal Rules of Civil Procedure, require Mr. Montie to file an answer or other pleading, if more appropriate, on or before May 9, 2019. Rule 6(b) permits this Court to extend the time to file an answer or other pleadings, if more appropriate, for good cause shown. The undersigned have been working diligently to respond to the plaintiff and the temporary receiver, but additional time is necessary to file an answer or other pleading, if appropriate. The undersigned believes good cause has been shown and requests this Court extend the date from May 9, 2019, to May 23, 2019.

III. 3.01(g) Certification

On May 6, 2019, Jo Mettenburg, Chief Trial Attorney for the CFTC, authorized the undersigned to represent to this Court that the CFTC does not oppose the relief requested herein.

IV. Conclusion

WHEREFORE, Mr. Montie requests this Court to extend time to file an answer or otherwise plead in this action until May 23, 2019.

Dated: May 6, 2019.

Respectfully submitted,

**LAW OFFICES OF
HORWITZ & CITRO, P.A.**

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 6, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record who have appeared in the case to date.

s/ Vincent A. Citro

VINCENT A. CITRO

Florida Bar Number: 0468657