

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.

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**MOTION FOR CLERK’S ENTRY OF DEFAULT**

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure (“Fed. R. Civ. P.”) and Local Rule 1.07(b), Plaintiff Commodity Futures Trading Commission (“Plaintiff” or “CFTC”) hereby requests a clerk’s entry of default against the following parties:

| <b>Defendants</b>                                   | <b>Relief Defendants</b>   |
|---|--|
| Oasis Management, LLC<br>Francisco “Frank” L. Duran | Bowling Green Capital Management, LLC<br>Lagoon Investments, Inc.<br>Roar of the Lion Fitness, LLC<br>444 Gulf of Mexico Drive, LLC<br>4064 Founders Club Drive, LLC<br>6922 Lacantera Circle, LLC<br>13318 Lost Key Place, LLC<br>4Oaks LLC |

In support of this request, the CFTC states the following:

1. On April 15, 2019, the CFTC filed its Complaint for Injunctive Relief, Civil Monetary Penalties, Restitution, Disgorgement and Other Equitable Relief (the “Complaint”) alleging violations of the Commodity Exchange Act (the “Act”), 7 U.S.C. §§ 1 *et seq.* (2012), and the Commission Regulations promulgated thereunder, 17 C.F.R. §§ 1 *et seq.* (2018). Doc. #1 and Exhibit 1 to this pleading, Declaration of Jennifer J. Chapin in Support of Motion for Clerk’s Entry of Default (“Chapin Dec.”) at ¶ 3.

2. That same day, the CFTC moved separately for an emergency ex parte statutory restraining order, a preliminary injunction and other equitable relief. Doc. #4. This Court granted the CFTC’s motion. Doc. #7.

3. In its Complaint, the CFTC alleged that Defendants were engaged in a fraudulent scheme to solicit and misappropriate money from over 700 U.S. residents for pooled investments in retail foreign currency contracts (“forex”). The CFTC also alleged that between mid-April 2014 and mid-April 2019, Defendants fraudulently solicited hundreds of members of the public (“pool participants”) to invest approximately \$75 million in two commodity pools (the “Oasis Pools”) that purportedly would trade in forex. Rather than use pool participants’ funds for forex trading as promised, however, Defendants traded only a small portion of pool funds in forex—which trading incurred losses—and instead misappropriated the majority of pool participants’ funds and issued false account statements to pool participants to conceal their trading losses and misappropriation. Doc. #1 at ¶1.

4. The CFTC further alleged that Relief Defendants had no legitimate claim to pool funds or property purchased with pool funds and did not provide any services for the Oasis Pools or pool participants. Doc. #1 at ¶¶19-27.

5. On or about April 18, 2019, the CFTC effected personal service of the summons and Complaint on Defendant Francisco “Frank” L. Duran (“Duran”) and on Relief Defendants Lagoon Investments, Inc. (“Lagoon”), 444 Gulf of Mexico Drive, LLC (“444”), 4064 Founders Club Drive, LLC (“4064”), 6922 Lacantera Circle, LLC (“6922”), 13318 Lost Key Place, LLC (“13318”), and 4Oaks LLC (“4Oaks”). Doc. ##15, 16, 17, 18, 19, and 25.

6. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Duran’s and Relief Defendants Lagoon, 444, 4064, 6922, 13318 and 4Oaks’ answers or other responsive pleadings to the CFTC’s Complaint were due on or before May 9, 2019. Chapin Dec. at ¶ 5.

7. On or about April 25, 2019, the CFTC effected service of the summons and complaint on Relief Defendant Bowling Green Capital Management, LLC (“Bowling Green”). Doc. #30.

8. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Bowling Green’s answer or other responsive pleading to the CFTC’s Complaint was due on or before May 16, 2019.

9. On or about April 30, 2019, the CFTC effected service of the summons and complaint on Defendant Oasis Management, LLC (“Oasis Management”) and Relief Defendant Roar of the Lion Fitness, LLC (“Roar of the Lion”). Doc. ##52 and 53.

10. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Oasis Management’s and Roar of the Lion’s answers or other responsive pleadings to the CFTC’s Complaint were due on or before May 21, 2019

11. As of the date of this filing, Defendants Oasis Management and Duran, and Relief Defendants Bowling Green, Lagoon, Roar of the Lion, 444, 4064, 6922, 13318, and 4Oaks have failed to answer or otherwise defend as instructed by the Summons and as provided by the Federal Rules of Civil Procedure. *See* Civil Docket for Case #8:19-CV-00886-VMC-SPF and Chapin Dec. at ¶ 6.

12. Duran is an adult living in Florida. Chapin Dec. at ¶ 7.

13. Duran is not currently a member of any branch of the military service of the United States as defined in the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901-4043 (2012 and Supp. 2015). Chapin Dec. at ¶¶ 8-9.

14. Duran is not entitled to the protections of the SCRA. Chapin Dec. at ¶ 10.

WHEREFORE, the CFTC requests a clerk's entry of default against Defendants Oasis Management, LLC and Francisco "Frank" L. Duran, and Relief Defendants 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.

Dated: May 22, 2019

Respectfully submitted by,

**COMMODITY FUTURES TRADING  
COMMISSION**

By: /s/ Jennifer J. Chapin

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TRIAL COUNSEL

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Attorneys for Plaintiff

**COMMODITY FUTURES TRADING  
COMMISSION**

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 22, 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 May 22, 2019, I provided service of the foregoing via electronic mail to:

Gerard Marrone  
Law Office of Gerard Marrone P.C.  
66-85 73rd Place  
Second Floor  
Middle Village, NY 11379  
gmarronelaw@gmail.com  
**COUNSEL FOR DEFENDANT JOSEPH S. ANILE, II**

I hereby certify that on May 22, 2019, I provided service of the foregoing via UPS overnight delivery, to the following unrepresented party:

Francisco "Frank" L. Duran  
7312 Desert Ridge Glen  
Lakewood Ranch, FL 34202

With a copy by electronic mail to him at: fduran@oasisig.com