

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 TIME
TO RESPOND TO DEFENDANT RAYMOND P. MONTIE, III’S
MOTION TO DISMISS**

Plaintiff Commodity Futures Trading Commission (“CFTC”) hereby moves this Court for a three-week extension of time—until June 26, 2019—to respond to Defendant Raymond P. Montie, III’s (“Montie”) Motion to Dismiss (Doc. #58, “Motion to Dismiss”) the Complaint for Injunctive Relief, Civil Monetary Penalties, Restitution, Disgorgement and Other Equitable Relief (Doc. #1, “Complaint”). The CFTC also requests until June 26 to file its First Amended Complaint.

In support of this request for relief, the CFTC states as follows:

1. Montie filed his Motion to Dismiss the Complaint on May 22, 2019.

2. Pursuant to Local Rule 3.01(b), the CFTC's response in opposition to Montie's Motion to Dismiss is due on June 5, 2019.

3. Pursuant to Fed. R. Civ. P. 15(a)(1)(B), the CFTC may amend its Complaint as a matter of course through June 12, 2019, which is 21 days after service of Montie's Motion to Dismiss.

4. In response to Montie's Motion to Dismiss, the CFTC intends to file both a response in opposition and its First Amended Complaint.

5. Section 6c of the Commodity Exchange Act ("CEA"), 7 U.S.C. § 13a-1 (2012), authorizes the CFTC to bring actions in federal court for violations of the CEA and the Regulations.

6. The CFTC prosecutes actions through the Division of Enforcement, which must receive authorization of all enforcement actions, including the filing of amended complaints.

7. Therefore, the basis for this request for relief is that the undersigned counsel for the CFTC needs additional time to prepare and then receive authorization to file its First Amended Complaint.

8. Pursuant to Local Rule 3.01(g), counsel for the CFTC conferred with counsel for Montie regarding the relief requested in the instant motion. Montie's 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 deadline for it to respond to Montie's Motion to Dismiss and to file its First Amended Complaint up to and including June 26, 2019.

Dated: May 30, 2019

Respectfully submitted,

**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 May 30, 2019, counsel for the CFTC (Jo Mettenburg, Jennifer Chapin, and Alison Auxter) conferred by telephone with counsel for Raymond P. Montie, III (Mark Horwitz and Vincent Citro) regarding the relief requested in the instant motion. Counsel does not oppose the same.

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 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 30, 2019, I provided service of the foregoing via electronic mail to:

Gerard Marrone
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66-85 73rd Place
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Middle Village, NY 11379
gmarronelaw@gmail.com
COUNSEL FOR DEFENDANT JOSEPH S. ANILE, II

I hereby certify that on May 30, 2019, I provided service of the foregoing via electronic mail to the following unrepresented party:

Francisco "Frank" L. Duran
fduran@oasisig.com