

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

CASE NO. 8:19-cv-886-T-33SPF

v.

OASIS INTERNATIONAL GROUP, LTD.;
OASIS MANAGEMENT, LLC;
SATELLITE HOLDINGS COMPANY;
MICHAEL J. DACORTA;
JOSEPH S. ANILE II;
RAYMOND P. MONTIE III;
FRANCISCO "FRANK" 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
4 OAKS, LLC;

Relief Defendants.

**INTERVENOR UNITED STATES' MOTION FOR
FURTHER EXTENSION OF STAY OF ALL CIVIL PROCEEDINGS**

The United States of America, by Maria Chapa Lopez, United States Attorney for the Middle District of Florida, through the undersigned Assistant United States Attorney, respectfully requests that the Court extend the existing stay of all civil proceedings in this case for an additional period of one-hundred eighty (180) days. The government has no objection to the Receiver continuing to gather assets and perform other functions tailored to gathering assets with which to compensate victims.

On June 26, 2019, the government filed the Intervenor United States' Motion for Temporary Stay of All Proceedings, Including Staying Entry of a Case Management and Scheduling Order, to Prevent Harm to Federal Criminal Investigation (Doc. 149). On July 12, 2019, this Court granted the United States' request for a stay of all civil proceedings (Doc. 179). On January 28, 2020, this Court granted the United States' amended motion to extend the stay (Doc. 228). On July 12, 2020, this Court granted the United States' motion for further extension of stay of all civil proceedings (Doc. 290). At present, the stay is scheduled to expire on January 25, 2021.

In support of this motion, the government hereby incorporates by reference its original motion for a stay (Doc. 149) and its motions to extend the stay (Doc. 215, Doc. 282). The government has continued to work diligently to complete its

investigation and resulting prosecutions since imposition of the stay. In particular, the government achieved a negotiated resolution of its criminal case against Joseph S. Anile II. *United States v. Joseph S. Anile II*, Case No. 8:19-cr-334-T-35CPT. Mr. Anile pleaded guilty on September 26, 2019 (*Anile Case at Doc. 12*). On November 18, 2020, he was sentenced to 120 months of imprisonment, followed by three years of supervised release, and he was ordered to pay \$53,270,336.08 in restitution. (*Anile Case at Doc. 58*). In addition, the government secured an indictment against Michael J. DaCorta. *United States v. Michael J. DaCorta*, Case No. 8:19-cr-605-T-02CPT. The prosecution of Mr. DaCorta is ongoing, with a status hearing scheduled before the Honorable District Judge William F. Jung on February 11, 2021 (*DaCorta case at Doc. 30*), and a trial date set for May 3, 2021 (*DaCorta case at Doc. 30*). Assuming COVID does not preclude the trial from taking place in May, the government is optimistic that the *DaCorta* case will proceed to trial on that timeline.

Notwithstanding this significant progress, the government has been unable to complete its criminal investigation due to the complexity of the fraud scheme, including the fact that important aspects of the fraud occurred overseas, and the enormous volume of evidence amassed to date. Resolution of the *DaCorta* case will facilitate the government's ability to complete its investigation. Accordingly, for the reasons previously articulated, the government requests that the Court

extend the existing stay for an additional period of one-hundred eighty (180) days to prevent inevitable harm to the government's ongoing criminal investigation by the proceedings in this case.

Respectfully submitted,

MARIA CHAPA LOPEZ
United States Attorney

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RULE 3.01(g) CERTIFICATION

Per Rule 3.01(g), Rules of the U.S. District Court for the Middle District of Florida, the government has discussed this request for a further 180-day extension of the existing stay with Alison Auxter and Jennifer J. Chapin, counsel for plaintiff Commodity Futures Trading Commission, as well as with Jared Perez, counsel for the Receiver appointed by the Court. They do not object to the requested extension of the stay, so long as such stay does not impede the Receiver's ability to gather assets and perform other functions tailored to gathering assets with which to compensate victims as has been the case under the terms of the original stay.

The government communicated with criminal defense counsel for Michael J. DaCorta, Assistant Federal Public Defender Adam Allen, about the requested extension of the stay. According to Mr. Allen, Mr. DaCorta has no objection to the government's request for a further extension of the stay.

The government communicated with Mark L. Horwitz, counsel for defendant Raymond Montie III, about the requested extension of the stay. Per Mr. Horwitz, defendant Montie has no objection to the government's request for a further extension of the stay.

The government communicated with defendant Francisco “Frank” Duran, about the requested extension of the stay. Mr. Duran has no objection to the government’s request for a further extension of the stay.

The government communicated with A. Brian Phillips, counsel for defendant John J. Haas, about the requested extension of the stay. Per Mr. Phillips, defendant Haas has no objection to the government’s request for a further extension of the stay.

The government communicated with Scott S. Allen, Jr., counsel for Mainstream Fund Services, Inc. (now Fundadministration), about the requested extension of the stay. Per Mr. Allen, defendant Mainstream Fund Services (Fundadministration) does not object to the government’s request.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2021, 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 counsel of record.

I hereby certify that on January 19, 2021, a true and correct copy of the foregoing document and the notice of electronic filing were sent by electronic mail to the following non-CM/ECF participants:

Adam Allen, Esquire
Criminal Defense Counsel for Michael J. DaCorta

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