

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

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**COMMODITY FUTURES TRADING  
COMMISSION,**

**Plaintiff;**

**v.**

**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.**

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**Case No.  
8:19-cv-886-VMC-SPF**

**TIME-SENSITIVE JOINT MOTION OF PLAINTIFF COMMODITY FUTURES TRADING COMMISSION AND DEFENDANT MICHAEL J. DaCORTA FOR LEAVE TO FILE CROSS-MOTIONS FOR SUMMARY JUDGMENT EXCEEDING TWENTY-FIVE PAGES**

Pursuant to Local Rule 3.01(a), Plaintiff Commodity Futures Trading Commission (“CFTC”) and Defendant Michael J. DaCorta (“DaCorta”) jointly move for leave to file cross-motions for summary judgment exceeding twenty-five pages. The CFTC and DaCorta each seek to timely file a motion for summary judgment in this case, not to exceed forty-five (45) pages each. In support, the parties aver:

1. The Case Management and Scheduling Order in this case sets a July 17, 2023 deadline for a party to file a motion for summary judgment in this case (Dkt. 657), and the parties accordingly ask the Court to rule on this motion at its earliest convenience.
2. The CFTC and DaCorta each seek to timely file a motion for summary judgment in this case, not to exceed forty-five (45) pages each.
3. The CFTC’s Amended Complaint (Dkt. 110) is fifty-seven (57) pages long and asserts five claims against DaCorta. The claims asserted against DaCorta allege numerous misrepresentations, omissions, and failures by DaCorta; Oasis International Group, Limited; and Oasis Management, LLC. The CFTC alleges each misrepresentation, omission, and failure constitutes a separate and distinct violation.

4. The factual record in this case is complex. The record includes voluminous financial records, documents, and testimony from a thirteen-day criminal jury trial at which DaCorta was found guilty of conspiracy. *United States v. DaCorta*, No. 8:19-CR-00605-WFJ-CPT (M.D. Fla.).

5. The CFTC anticipates that the undisputed fact section of its motion alone will be approximately twenty (20) pages and include facts established by both issue preclusion (*i.e.*, collateral estoppel) and by other parts of the summary judgment record.

6. The CFTC's claims in this case are also complex and involve both alleged statutory and regulatory violations both by DaCorta directly and as a control person of multiple entities.

7. Defendant DaCorta also anticipates the undisputed fact section of his Motion will be extensive and will also reach close to twenty (20) pages which will include reference to previous trial testimony, affidavits and exhibits and other parts of the summary judgment record. Due to the complex alleged statutory and regulatory violations alleged in the Plaintiff's First Amended Complaint (Dkt. 110), Defendant DaCorta needs to address each of the Five Counts alleged within the First Amended Complaint individually. This analysis will, as a result, require a more detailed analysis and argument than usual, thus requiring additional pages of submission to this Honorable Court.

8. The parties seek to present a fulsome discussion of complex fact and law to avoid the burden of expense of trial and promote the just, speedy, and inexpensive determination of this matter. Fed. R. Civ. P. 1.

WHEREFORE, the CFTC and DaCorta jointly move the Court to enter an order granting the CFTC and DaCorta each leave to file motions for summary judgment not to exceed forty-five (45) pages, inclusive of all parts.

Dated: July 12, 2023

Respectfully submitted,

**COMMODITY FUTURES TRADING  
COMMISSION**

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**DEFENDANT MICHAEL DACORTA**

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 12, 2023, I electronically filed a true and correct 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 July 12, 2023, I provided service of the foregoing via electronic mail to the following unrepresented parties:

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**PRO SE DEFENDANT**

/s/ J. Alison Auxter  
J. Alison Auxter