

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CASE NO. 8:21-cv-01317-MSS-ASS

BURTON W. WIAND, not individually
but solely in his capacity as Receiver
for OASIS INTERNATIONAL
GROUP, LIMITED, *et al.*,

Plaintiff,

v.

ATC BROKERS LTD., DAVID
MANOUKIAN, and SPOTEX LLC,

Defendants.

_____ /

**RECEIVER'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE CASE MANAGEMENT REPORT**

Plaintiff Burton W. Wiand, not individually but solely in his capacity as the Court-appointed receiver (the "Receiver") over Oasis International Group, Limited ("OIG"), Oasis Management, LLC ("OM"), Satellite Holdings Company ("Satellite Holdings"), and their affiliates and subsidiaries, hereby moves, on an unopposed basis, for an extension of time of thirty (30) days to file the Case Management Report ("CMR") and states:

1. On May 28, 2021, the Receiver filed this ancillary receivership lawsuit and sued Defendants ATC Brokers Ltd. (“ATC”), David Manoukian (“Manoukian”) and Spotex LLC (“Spotex”) (collectively, “Defendants”).¹

2. On June 2, 2021, the Clerk issued a Notice (DE 4) “of Local Rule 3.02(a)(2), which requires the parties in every civil proceeding, except those described in subsection (d), to file a case management report (CMR) . . . within forty days after any defendant appears in an action originating in this court”

3. Shortly thereafter on June 7, 2021, counsel for ATC/Manoukian appeared (see DE 5-7). On June 10, 2021, counsel for Spotex appeared (see DE 8-10). Given the appearances, the Receiver’s understanding is that the CMR is due Monday July 19, 2021.

¹ Regarding the underlying enforcement/receivership action, on April 15, 2019, the Commodity Futures Trading Commission (the “CFTC”) sued Michael J. DaCorta, Joseph S. Anile, II, Francisco (“Frank”) L. Duran, John J. Haas and Raymond P. Montie, III, as well as three (3) entities they controlled – OIG, OM and Satellite Holdings – in the action styled as *Commodity Futures Trading Commission v. Oasis International Group, Limited, et al.*, Case No. 8:19-cv-00886-VMC-SPF (Apr. 15, 2019 M.D. Fla.). In that action, the CFTC alleged that the individual defendants had operated OIG, OM, Satellite Holdings, and two Oasis pools (Oasis Global FX, Limited and Oasis Global FX, S.A.) as a Ponzi scheme, victimizing the Oasis entities and hundreds of their innocent investors, who are owed more than \$50 million.

4. ATC/Manoukian moved for an extension of 30 days through July 26, 2021, to respond to the Complaint, which the Court granted (DE 16-17). Likewise, Spotex obtained additional time to respond to the Complaint through August 6, 2021, via a signed waiver of the service of summons (DE 11-12).

5. The Receiver anticipates that Defendants ATC/Manoukian will file a motion to dismiss in late July and Spotex in early August. Given that Defendants have obtained additional time for their respective responses, the Receiver respectfully requests an extension of time of 30 days for the CMR, which would be through and including August 18, 2021. In addition, the parties will be in a better position to discuss and complete the CMR, including recommending proposed pre-trial and trial deadlines and other content in the CMR, once Defendants file their responses and the parties review them.

6. Moreover, an extension is necessary because of the undersigned's present schedule, obligations, and deadlines in several matters.

7. Counsel for Defendants have consented to the requested extension.

MEMORANDUM OF LAW

“Rule 6(b)(1) allows a court (‘for cause shown’ and ‘in its discretion’) to grant a ‘request’ for an extension of time.” *Lujan v. Nat’l Wildlife Fed’n*, 497 U.S. 871, 110 S. Ct. 3177, 3202 & n.5 (1990). Thus, under Rule 6(b), a District Court has “broad discretion to enlarge the time for any action.” *Jarrett v. Toxic Action Wash*, 103 F.3d 129 (6th Cir. 1996). Discretionary extensions “should

be liberally granted absent a showing of bad faith . . . or undue prejudice.” *Lizarazo v. Miami-Dade Corr. & Rehab. Dep’t*, 878 F.3d 1008, 1012 (11th Cir. 2017) (quoting *United States v. Miller Bros. Const. Co.*, 505 F.2d 1031, 1035 (10th Cir. 1974)). Based on the above, the Receiver has established good cause for an extension of time through and including August 18, 2021, for the CMR in this case. As such, the Receiver respectfully requests that the Court grant this Motion.

July 16, 2021

Respectfully submitted,
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RULE 3.01(g) CERTIFICATION

Pursuant to Local Rule 3.01(g), the Receiver hereby certifies that he has conferred with Defendants’ counsel, who do not oppose the requested relief.

/s/James D. Sallah
James D. Sallah, Esq.

CERTIFICATE OF SERVICE

I certify that on July 16, 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.

/s/James D. Sallah
James D. Sallah, Esq.