



- a. The “CFTC Act” is encoded in Title 7 U.S.C.. The statute sections “4b(a)(2)(A)-(C), 4k(2), 4m(l), 4o(l)(A)-(B), and 2(c)(2)(iii)(I)(cc)” do not exist as identified in 7 U.S.C.
- b. Referring to (§6b(a)(2)(A)-(C)”: Defendants know of no contract for sale of any commodity or swap by the Commodity Futures Trading Commission (“CFTC”) as identified in Paragraph 1 of the Complaint. Defendants are without sufficient knowledge as to the truth or falsity of the allegations in reference to the alleged statute and therefore deny said allegation.
- c. Referring to “§ 6(k(2) [sic]” and “7 U.S.C. § 6m(l)” make certain activities performed by a “commodity pool operator” illegal. The definition of “commodity pool operator” requires the party to be engaged in a business for the purpose of trading commodity interests. None of identified activities prohibited by 7 U.S.C. §6(k)(2), nor any of those defining a “commodity pool operator” are known by Defendants to have been practiced by the CFTC Defendants. Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by these statutes and therefore deny said allegation.
- d. Referring to “7 U.S.C. § 6o(l)(A)-(B)” has been transferred out of the United States Code and is therefore inapplicable and denied.
- e. Referring to “7 U.S.C. § 2(c)(2)(iii)(I)(cc)” does not exist and is therefore denied.
- f. Referring to “CFTC Regulations”, which are known and redundantly identified in Paragraph 2 as “17 C.F.R. § 4.20(b)-(c)” and “17 C.F.R. § 4.21. These regulations require that the CFCT Defendants be defined as

“commodity pool operators” AND that the CFTC has jurisdiction over them.

No factual evidence of either of these conditions has been identified.

Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by these Rules and, therefore, deny said allegation.

- g. Referring to another of the “CFTC Regulations” referenced as “17 C.F.R. § 5.2(b)(1)-(3)”: No contracts for sale of a commodity for future delivery or option is known to have been executed by the CFTC Defendants.

Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by this statute and, therefore, deny said allegation.

- h. Referring to “7 U.S.C. § 2(c)(2)(C)”: 7 U.S.C. § 2(c)(2)(A) defines the CFTC’s jurisdiction. Absent jurisdiction as defined under this section, the subsequent § 2(c)(2)(C) is inapplicable. As Defendants know of no operations of the CFTC Defendants that accord with the activities thereunder identified or affords CFTC authority under 7 U.S.C. § 2(c)(2)(A). Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by this statute and, therefore, deny said allegation.

- i. Referring to one of the “CFTC Regulations”, identified as 17 C.F.R. § 5.3(a)(2): If the CFTC Defendants are not proven “commodity pool operators”, as defined in § 5.1(d)(1) of this part [17], this allegation is inapplicable. Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by this statute and, therefore, deny said allegation.

- j. Referring to “Section 6c [sic] of the CFTC Act”, redundantly referred to as “7 U.S.C. § 6c [sic]”: Defendants know of no instance in which the CFTC

Defendants acted or participated in the activities specifically identified in 7 U.S.C. §6(c)(a)(1). Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by this statute and, therefore, deny said allegation.

- k. Referring to “7 U.S.C § 13a-1”, the Defendants know of no known registration(s) made or registration requirements that the CFTC Defendants failed to make in violation of this section. Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by this statute and, therefore, deny said allegation.
  - l. Referring to “7 U.S.C. § 2(c)(2)(C)”: Defendants know of no offering entered into in violation of the defining subsection (I)(aa) to this section. Defendants are without sufficient knowledge as to the truth or falsity of the allegations referenced by this statute and, therefore, deny said allegation.
- 3. Without knowledge, therefore denied.
  - 4. Being that there exists no known authority for the “reappointment” of a receiver either in 28 U.S.C., the Federal Rules of Civil Procedure, nor Local Rules for the Middle District Court of Florida, Defendants deny the allegations.
  - 5. Without knowledge, therefore denied.
  - 6. Defendants deny that this lawsuit can properly be considered “clawback” litigation or that Receiver has a claim under the Florida Uniform Fraudulent Transfer Act, Fla. Stat. § 726.101, *et seq.* (“FUFTA”). Otherwise without knowledge, therefore denied.
  - 7. Defendants deny that Receiver is entitled to recover the transfers allegedly made to Defendants. Otherwise without knowledge, therefore denied.

8. Defendants deny the allegations regarding jurisdiction with respect to Defendants. Otherwise without knowledge, therefore denied.

**JURISDICTION AND VENUE**

9. Defendants, having received no “false profits,” deny the accuracy of the portion of Exhibit A pertaining to Timothy Hunte and James Jackson. Defendants also deny that anything in Exhibit A accurately reflects any transfer to either Timothy Hunte or James Jackson and that any alleged transfers to either of them were “fraudulent.” Defendants are without knowledge regarding the accuracy of the remaining portions of Exhibit A, and whether the transfers reflected therein were “fraudulent.” Therefore, Defendants deny the allegations in this paragraph.
10. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
11. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
12. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
13. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in

this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

14. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
15. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
16. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
17. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
18. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
19. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in

this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

20. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
21. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
22. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
23. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
24. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
25. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in

this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

26. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
27. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
28. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
29. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
30. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.
31. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in



this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

32. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

33. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

34. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

35. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

36. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

37. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in

this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

38. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

39. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

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47. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

48. Admitted as to residency information provided respecting Timothy Hunte and James Jackson. Denied that Receiver is entitled to recover from Defendants the funds set forth in Exhibit A at 42-43.

49. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor

James Jackson, and therefore, to the extent a response is required, deny said allegations.

50. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

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83. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

84. Defendants lack sufficient knowledge as to the truth or falsity of the allegations in this paragraph of the Complaint, which is not directed to either Timothy Hunte nor James Jackson, and therefore, to the extent a response is required, deny said allegations.

85. In accord with Paragraph 2, above, the applicability of allegations in this paragraph 85 of the Complaint, being challenged, the Defendants are without sufficient

knowledge as to the truth or falsity of the allegations in paragraph 85 of the Complaint and therefore deny said allegations.

86. Defendants are without sufficient knowledge as to the truth or falsity of the allegations in said paragraph and therefore deny said allegations.

**OTHER PARTIES AND RELATED INDIVIDUALS AND ENTITIES**

87. Without knowledge, therefore denied.
88. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.
89. Denied.
90. Defendants deny participating in any commodity pools. Defendants deny that Exhibit A is factual or that any transfers reflected therein to Defendants were fraudulent. Otherwise without knowledge, therefore denied.
91. Defendants deny that Oasis Management is known to be a creditor of its “Insiders” under “pertinent fraudulent transfer law,” or that Oasis Management has been “cleansed” of DaCorta’s wrongdoing. Otherwise without knowledge, therefore denied.
92. Without knowledge, therefore denied.
93. Without knowledge, therefore denied.
94. Without knowledge, therefore denied.
95. Defendants merely admit that DaCorta was involved with Oasis International Group (“OIG”) in some manner. Otherwise without knowledge, therefore denied.
96. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.

- 97. Without knowledge, therefore denied.
- 98. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.
- 99. Defendants deny that Satellite Holdings is known to be a creditor of the “Insiders” under “pertinent fraudulent transfer law,” or that the entity has been “cleansed” of Insiders’ wrongdoing. Otherwise without knowledge, therefore denied.
- 100. Defendants deny that Exhibit A is factual. Otherwise without knowledge, therefore denied.

**FACTS COMMON TO ALL CAUSES OF ACTION**

- 101. Without knowledge, therefore denied.
- 102. Defendants deny that either Timothy Hunte or James Jackson received any form of “false profits.” Otherwise without knowledge, therefore denied.
- 103. Defendants deny that either Timothy Hunte or James Jackson received any “false profits” or that funds received from the Oasis entities are voidable under Florida’s Uniform Fraudulent Transfers Act (“FUFTA”). Defendants deny that either Timothy Hunte or James Jackson was unjustly enriched. Otherwise without knowledge, therefore denied.

**A. Insiders Operated The Oasis Entities As A Common Enterprise**

- 104. Without knowledge, therefore denied.
- 105. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.
- 106. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.

107. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.

108. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.

**B. The Insiders Operated The Oasis Entities As A Ponzi Scheme**

109. Without knowledge, therefore denied.

110. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.

111. Defendants deny participating in any commodity pools. Otherwise without knowledge, therefore denied.

112. Defendants deny participating in any commodity pools. Per sub-paragraph 5, Defendants deny that the described transactions “were inconsistent with OIG’s stated purpose”. Rather, such transactions were fully endorsed by OIG’s Agreement And Risk Disclosures, page 4, paragraph 3: Use of Funds, which, upon information and belief every Lender was required to sign or their loan was returned in full. Defendants further deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.

113. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.

114. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.

115. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.
116. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.
117. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.
118. Without knowledge, therefore denied.
119. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.
120. Without knowledge, therefore denied.
121. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.
122. Without knowledge, therefore denied.
123. Defendants deny the implication that Oasis “stated purpose” was to “conduct profitable forex trading”. Oasis’ Agreement And Risk Disclosures, page 4, paragraph 3 clearly indicate that the Company’s purpose was not thus limited. Otherwise without knowledge, therefore denied.
124. Without knowledge, therefore denied.
125. Without knowledge, therefore denied.

**C. Insider Anile's Guilty Plea and Insider DaCorta's Indictment**

126. Without knowledge, therefore denied.

127. Without knowledge, therefore denied.

**D. Transfers To The Defendants**

128. Defendants deny that any money returned to either Timothy Hunte or James Jackson was wrongful or improper. Otherwise without knowledge, therefore denied.

129. Defendants deny that either Timothy Hunte or James Jackson received false profits, fraudulent transfers, or any improper funds. Defendants deny that Exhibit A is either accurate or factual as applicable to Defendants. Otherwise without knowledge, therefore denied.

130. Defendants deny that either Timothy Hunte or James Jackson received false profits, fraudulent transfers, or any improper funds. Defendants deny that Exhibit A is either accurate or factual as applicable to Defendants. Otherwise without knowledge, therefore denied.

131. Defendants deny that Exhibit A is factual, or accurately represents Defendants' investments, transfers, or redemptions, or that any alleged transfer is "avoidable." Defendants further deny that the Receiver is entitled to recover any alleged transfers. Otherwise, without knowledge, therefore denied.

132. Defendants deny that either Timothy Hunte or James Jackson received false profits and further deny that it would be "inequitable" to let Defendants keep returned funds, whether principal or earnings. Otherwise, without knowledge, therefore

denied.

133. Insofar as principal balances, or portions thereof, were returned, Defendants deny that “all money transferred or paid to the Defendants were improperly diverted assets”. Otherwise, without knowledge, therefore denied.

### **COUNT I**

#### **Florida Statutes §726: Uniform Fraudulent Transfer Act False Profits**

134. Defendants re-assert answers, explanations, qualifications, and responses to Paragraphs 1 through 133, above.
135. Defendants deny that Exhibit A is factual, or accurately represents either Timothy Hunte’s or James Jackson’s investments, transfers, or redemptions, or that any alleged transfer to Defendants was improper. Defendants deny that the Receiver has “a right” to recover any alleged transfers from Defendants. Otherwise without knowledge, therefore denied.
136. Allegations of conduct are not evidence of conduct. Prima facie evidence, such as provided by Mr. Anile’s plea and subsequent conviction, may be rebutted by material evidence following discovery, which is thus far been unavailable to Defendants. Defendants deny that “Oasis Entities”, now under the control of the Receiver, have a claim against anyone or that the “Insiders”, being merely accused, have in fact embezzled, breached their fiduciary duty, defrauded, breached contract or otherwise committed violations of law. As such illegal activities have yet to be substantiated by material evidence known to Defendants or factually tried before a jury, Defendants deny any presumed “right to repayment” herein alleged. Beyond

this, Defendants are without knowledge, therefore denied.

137. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
138. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
139. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
140. Denied
141. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
142. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.

**COUNT II**  
**Unjust Enrichment**  
**False Profits**

143. Defendants re-assert answers, explanations, qualifications, and responses to Paragraphs 1 through 133, above.
144. Without knowledge, therefore denied.



145. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
146. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
147. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
148. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.
149. Denied with respect to Timothy Hunte and James Jackson. Without sufficient knowledge as to the truth or falsity of the allegations in said paragraph respecting other Defendants and therefore said allegations are denied.

### **AFFIRMATIVE DEFENSES**

#### **1. FIRST AFFIRMATIVE DEFENSE**

**No Subject-Matter Jurisdiction:** Statutes alleged in Paragraph 2 refer to activities or operations of the CFCT Defendants. As Paragraph 2 provides the foundation for this case, there is no subject-matter jurisdiction. Per Rules 801 (definitions) and 802 of the Federal Rules of Evidence, Plaintiff is a “declarant” promulgating “hearsay” allegations set forth as facts, which, having not been made

during testimony at trial or during a hearing in the precedent case, 8:19-cv-00886, are inadmissible. Discovery in the precedent case is stayed and has been since 04/30/19 (Dkt. 44) and 07/12/19 (Dkt. 179), respectively.

Further, though violations of Florida's Uniform Fraudulent Transfer Act (FUFTA) is cited as the sole authority outside the grant of the "Receivership Court" by which the instant Complaint is authorized (see ¶ 6), no case was first brought before a Florida state court to try the facts before filing in this federal court. Without statutory foundation, the Complaint states no cause of action.

Ancillary to and wholly dependent upon a similarly malformed Complaint filed by the CFTC in April of 2019, the instant case is based entirely on three rebuttable presumptions: (1) CFTC Defendants were running a Ponzi scheme; and (2) Oasis International Group was insolvent; and (3) "value" transfers are limited to the principal investment in the CFTC Defendant operations. Allegations derived from these presumptions are conclusions without foundation. Evidence may yet be shown that all three presumptions are false and that the CFCT Defendants acted in good faith with respect to OIG lenders through the operation of a solvent, diversified company, which was never solely dependent upon foreign exchange earnings nor required new loans to meet its financial obligations.

## 2. **SECOND AFFIRMATIVE DEFENSE**

**Lack of Personal Jurisdiction:** Absent sufficient process or, in the alternative, voluntary appearance by either Timothy Hunte or James Jackson, the Court lacks personal jurisdiction over Defendants. Defendants have not voluntarily appeared nor has Plaintiff provided sufficient process.

3. **THIRD AFFIRMATIVE DEFENSE**

**Insufficient Process:** Plaintiff was statutorily divested of his conditional authority to issue summons when he did not follow the requirements of 28 U.S.C. § 754. The statutory time limit began at the Receiver's permanent appointment on April 30, 2019 (Dkt. 44) as established in *SEC v. Am. Capital Invs., Inc.*, 98 F.3d 1133 (9th Cir. 1996). Summons issued to Defendants were insufficient process because Plaintiff failed to adhere to the 10 day filing requirements in Defendants' respective district court. There is no authority for the "reappointment" of a receiver except under two limited conditions. (See Exhibits A & B.)

4. **FOURTH AFFIRMATIVE DEFENSE**

**Failure to State a Claim upon which Relief can be Granted:** Claims against Defendants are generally asserted. Plaintiff failed to state the elements of his Claim as required under Florida's Uniform Transfer Act or its alternative, unjust enrichment, with citations to legal authority needed to provide well-pleaded allegations establishing each element. Florida Law Title XLI §726.110. §726 provides three different subsections identifying separate time limits upon which extinguishment of the cause of action may be affected. Plaintiff's claims fail to identify which parts of §726 of the cited Florida law pertain to Defendants and no fact exists in the record to substantiate claims against Defendants.

5. **FIFTH AFFIRMATIVE DEFENSE**

**Failure to Join a Party under Rule 19:** Plaintiff seeks to recover money from Defendants allegedly transferred by “Insiders’ not joined. Judgment against either Timothy Hunte or James Jackson may prejudice the proprietary interests of “Insiders” not joined, in violation of Rule 19, as judgment against either Timothy Hunte or James Jackson may produce the presumption of a crime not otherwise in evidence and thus subject CFTC Defendants to potential criminal prosecution.

6. **SIXTH AFFIRMATIVE DEFENSE**

**Fraud:** (1) Plaintiff presented no facts in support of the allegations in the Complaint. (2) Plaintiff’s fiduciary duty toward Defendants required his awareness that many of the allegations are untrue. Indeed, Plaintiff represents that his “forensic accountants” provided the necessary expertise to establish principle allegations (¶ 113). (3) These and other representations, inferences, and references embedded in the allegations give clear evidence of Plaintiff’s intent to deceive Defendants into believing the presumption that OIG was insolvent and operated a Ponzi scheme by which either Timothy Hunte or James Jackson, or both, was defrauded and through which Defendants are alleged to have received “fraudulent transfers”. For maximum effect, the word “Ponzi” is referenced by name 14 times in the Complaint. (¶¶ 5, 7, 102, 106, “B”, 109, 111, 112, 126, and 127). The Receiver induced reliance by Defendants as to the veracity of the allegations, resulting in emotional, physical, and financial injuries to Defendants.

7. **SEVENTH AFFIRMATIVE DEFENSE**

**Contributory Negligence:** The accident and damages alleged in the Complaint resulted from the actions and negligence of the Plaintiff, his experts, and his employees. The Plaintiff was, and remains, guilty of negligence and conduct which proximately contributed to and continues to contribute to the damages alleged in the Complaint. Generally, Defendants had no control over the accidents and damages which are a result of the negligence and/or actions of third parties.

8. **EIGHTH AFFIRMATIVE DEFENSE**

**Estoppel by Laches:** Plaintiff's misrepresentations and neglect have prejudiced the Defendants by alleging as fact what is merely untested hearsay. Plaintiff has omitted facts necessary to support the allegations, resulting in detrimentally serious emotional and financial stresses upon Defendants.

9. **NINTH AFFIRMATIVE DEFENSE**

**Misrepresentation:** Plaintiff's misrepresentation to Defendants induced reliance on the correctness of statements pertaining to OIG and alleged violation of statutes and misrepresentation that Receiver is in good faith acting for Defendants' benefit. It is reasonable that Defendants relied on the misrepresentation of Receiver and the CFTC, which has resulted in pecuniary loss to the Defendants.

10. **TENTH AFFIRMATIVE DEFENSE**

**Lack of Ripeness:** Courts are expected not to enter a controversy before it has solidified or before other available remedies have been exhausted. In disputes where a state court remedy is available, a controversy is not ripe for federal court review until all state court remedies have been exhausted. FUFTA violations are alleged, but no remedy was sought in a Florida state court. Allegations are based on hearsay as defined by Rule 801 of the Federal Rules of Evidence and are therefore inadmissible and no foundation upon which the instant case may be tried.

11. **ELEVENTH AFFIRMATIVE DEFENSE**

**Good Faith:** To the extent that either Timothy Hunte or James Jackson received any alleged voidable transfers under Fla. Stat. § 726.101, *et seq.*, Defendants took such transfer in good faith and for reasonably equivalent value or is a subsequent transferee or obligee. Any alleged transfers from the Oasis Entities to Defendants were in return for reasonably equivalent value, including without limitation, Defendants' initial investments.

To the extent that either Timothy Hunte or James Jackson received any alleged voidable transfers under Florida Statutes Section 726.101, any judgment is limited to the value of the transferred assets or amounts necessary to satisfy the individuals claims, whichever is less.

To the extent the Defendants received any alleged voidable transfers under Florida Statutes Section 726.10 I, *et seq.*, Defendants are entitled to the remedies and offset/s for any value given as to the exchange for the alleged transfers.

12. **TWELFTH AFFIRMATIVE DEFENSE**

**Equitable Estoppel:** The Receiver, standing in the place of the Oasis Entities, is equitably estopped from recovery based upon the actions, inactions, and representations of Anile, DaCorta and the officers, employees, and agents of Oasis Entities done or made with respect to the Defendants. The Receiver, standing in the place of the Oasis Entities, is estopped from asserting inconsistent positions, including, but not limited to, allegations that any transfers to Defendants were false profits and not the return of prior investments or that any such prior investments did not convert to shares of the Oasis Entities.

13. **THIRTEENTH AFFIRMATIVE DEFENSE**

**Offset:** If the funds received by Defendants are adjudged to constitute a voidable transfer, then Defendants are entitled to an offset of the amounts paid to the entity or entities connected to CFTC Defendants and any judgment must be limited to the value of the amount transferred or the amount necessary to satisfy the creditor's claim, whichever is less.

**WHEREFORE,** having fully answered the Complaint herein and raised affirmative defenses thereto, Defendants request the instant action be dismissed and that Timothy Hunte and James Jackson be awarded costs, expenses and reasonable attorneys' fees.

**RESERVATION OF RIGHT TO SUPPLEMENT**

**DEFENSES AND RAISE CLAIMS**

Defendants reserve the right to supplement this Answer with additional defenses learned in the course of discovery or further investigation.

**JURY TRIAL DEMANDED**



11/30/2020

Date: \_\_\_\_\_

Timothy Hunte, Defendant  
2155 Rainlilly Drive  
Center Valley, Pennsylvania 18034  
Email: [timhunte@yahoo.com](mailto:timhunte@yahoo.com)  
Phone: (646) 469-3513



11/30/2020

Date: \_\_\_\_\_

James Jackson, Defendant  
2155 Rainlilly Drive  
Center Valley, Pennsylvania 18034  
Email: c/o [timhunte@yahoo.com](mailto:timhunte@yahoo.com)  
Phone: (646) 469-3513



## **EXHIBIT A**

### **TITLE 28 U.S.C.**

#### **STATUTES PERTAINING TO REAPPOINTMENT**

There are no statutes for reappointment of any office other than judge.

**“Reappoint”** – no occurrences

**“Reappointing”** (1 occurrence)

1. §153: re reappointing incumbent bankruptcy judges

**“Reappointed”** (11 occurrences)

2. §158: re reappointed bankruptcy judges
3. §178: re reappointed judges in the Court of Federal Claims (2 occurrences)
4. §373: re territorial judges not reappointed
5. §377: re retirement upon a judge’s failure to be reappointed
6. §377: re bankruptcy or magistrate judge not reappointed
7. §631: re limitations upon reappointment of magistrate judge
8. §631: re exception to reappointment of over-age 70 judge
9. §631: re substitution of words related to service of judges within a Federal Agency
10. §632: re qualification of magistrates to exercise jurisdiction under 28 U.S.C. §636(c)
11. §632: re special reappointment of magistrate judge

**“Reappointment”** (17 occurrences)

12. §135: re reappointment of judges in Puerto Rico.
13. §152: re reappointment of bankruptcy judge after vacancies.
14. §153: re reappointment to fill vacancies for judge in a court of appeals (2 occurrences of word).
15. §178: re reappointment as judge of the Court of Federal Claims.
16. §373: re judge failure of reappointment (2 occurrences).
17. §375: re Puerto Rican judge failure of reappointment.
18. §376: re territorial judge failure of reappointment.
19. §377: re failure of judicial reappointment (2 occurrences).
20. §377: re willingness of judge to accept reappointment
21. §631: re appointment or reappointment of territorial judges by a concurrence of the majority of all judges.
22. §631: re reappointment of magistrate judge under a Federal agency by the concurrence of a majority of judges.
23. §632: word occurs in section re reappointment of magistrate judges (2 occurrences).
24. §636: re: reappointment of magistrate judge under § 631.

**EXHIBIT B**

**FEDERAL RULES OF CIVIL PROCEDURE**

There are NO occurrences of the word “**Reappoint**” or any derivative thereof in the Federal Rules of Civil Procedure.

**LOCAL RULES FOR THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA**

There are NO occurrences of the word “**Reappoint**” or any derivative thereof in the Local Rules for the United States District Court for the Middle District of Florida.

**CERTIFICATE OF SERVICE**

I certify that I filed an electronic copy of the foregoing document with the Clerk of the Federal District Court of Middle Florida, Tampa Division:



\_\_\_\_\_  
Timothy Hunte

Date: 11/30/2020