

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
COMMODITY FUTURES TRADING
COMMISSION,
Plaintiff,

v.

Case No. 8:19-CV-886-T-33SPF

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

FUNDAMINISTRATION, 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.

**MOTION FOR LEAVE TO FILE OVERSIZED ANSWER AND TO FILE A
SUR-REPLY IN OPPOSITION TO RECEIVER'S MOTION FOR
CONTEMPT**

STEPHEN N. PREZIOSI, appellate attorney for Mr. Michael DaCorta, pursuant to Local Rule 3.01(b) and (d), respectfully requests that this Honorable Court permit me to file an oversized Answer (already filed) and Sur-Reply in support of my opposition to the receiver's motion for contempt in response to the Receiver's Reply (Doc. 840).

Summary

Mr. Preziosi requests leave to file an oversized answer to the Receiver's motion and a Sur-Reply. The answer, which was already filed with this Court was 35 pages, and the Sur-Reply will not exceed a total of five pages, to address facts and issues raised by the Receiver.

The oversized answer was necessary to include all arguments that addressed the arguments made by the Receiver. I was not aware that the Local Rules had a limit of twenty pages for answers to motions. In my answer, already filed with this Court, I needed additional space to address each of the arguments made by the Receiver in his motion, and the answer and explained why the Receiver was not entitled to privileged conversations. The additional 15 pages was necessary to address each legal issue and each of the Receiver's arguments.

The Sur-Reply is necessary to address representations now made by the Receiver for the first time in his Reply regarding the conversations had with the Receiver when I called him on the phone to discuss the documents I would be

supplying and representations made by the receiver regarding privileged communications.

Memorandum of Law

This Court has the authority to grant leave to file an over-sized answer under Local Rule 3.01(b) and Sur-Reply directed to a motion pursuant to Local Rule 3.01(c). I am seeking leave to file the Sur-Reply not to re-hash arguments already articulated in the Answer that I filed, but to address many of the factual arguments that the Receiver has raised for the first time in his Reply.

WHEREFORE, I respectfully request that this Court grant this Motion for Leave to file an oversized answer and a Sur-Reply pursuant to Local Rules.

Local Rule 3.01(g) Certification

The undersigned certifies that I contacted the attorneys for the movant and the CFTC by written correspondence, neither made any objection to the enlargement and the attorneys for Mr. Wiand object to the Sur-Reply.

Dated: September 6, 2024
New York, New York

Stephen N. Preziosi

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