

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MASSACHUSETTS - BOSTON

IN THE MATTER OF: . Case #14-40987
TELEXFREE, LLC, . Boston, Massachusetts
Debtor. . **October 23, 2019**
11:24 A.M.

TRANSCRIPT OF HEARING RE:

[#2226] SECOND OMNIBUS OBJECTION OR CHAPTER 11 TRUSTEE,
STEPHEN DARR TO DISPUTED PARTICIPANT CLAIMS (A. LIZOTTE);
[#2393] RESPONSE OF ROSA PENA ON BEHALF OF
TEODORA DE PENA (PRO SE);
[#2394] RESPONSE OF ROSA PENA (PRO SE);
[#2461] RESPONSE OF MILTON H. BARBAROSH ON BEHALF
OF CROFT INVESTMENTS LIMITED PARTNERSHIP (PRO SE);
[#2522] RESPONSE OF CLAIMANTS: SAIF MUHSEN, MARCIO A.
COSTA, PETER SAID RAHHAUOI, CARLOS DeALVARENGA,
RACHID SALEH, ISABEL MERCEDES TORRES, MOHAMED
BENDAHGANE, ALI HAMADI, MANAL HAMADI, CAROLINA
JIMENEZ, PANAGIOTIS IATROU, MARIA AVILA,
JOSEPH ZAGARELLA, JR., BRANDON ZAGARELLA, SHARON A. REED,
EARLEY BARBOSA, RAHIMA BOUGHALEM, KYI KYI SOE,
GEORGE BEERUBE, EDWARD J. DiLORENZO AND
HUBERT LUBIN (J. SHAPIRO);
[#2523] RESPONSE OF CRISTIANA SEABRA (PRO SE);
[#2524] RESPONSE OF EDWARD CELANI (PRO SE);
[#2527] RESPONSE OF LUIZ ROBERTO CALDAS CHRISTO (R. OSOL);
[#2533] RESPONSE OF JESUS MARIA OSES LARRANETA (PRO SE);
[#2227] THIRD OMNIBUS OBJECTION OF CHAPTER 11 TRUSTEE,
STEPHEN DARR TO DISPUTED PARTICIPANT CLAIMS (A. LIZOTTE);
[#2522] RESPONSE OF CLAIMANTS: SAIF MUHSEN, MARCIO A. COSTA,
PETER SAID RAHHAUOI, CARLOS DeALVARENGA, RACHID SALEH,
ISABEL MERCEDES TORRES, MOHAMED BENDAHGANE, ALI HAMADI,
MANAL HAMADI, CAROLINA JIMENEZ, PANAGIOTIS IATROU,

Electronic Sound Recording Operator: Yvonne Woodbury

Proceedings Recorded by FTR Gold Digital Recording
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**MARIA AVILA, JOSEPH ZAGARELLA, JR., BRANDON ZAGARELLA,
SHARON A. REED, EARLEY BARBOSA, RAHMIA BOUGHALEM,
KYI KYI SOE, GEORGE BERUBE, EDWARD J. DILORENZO AND
HUBERT LUBIN (J. SHAPIRO)
BEFORE THE HONORABLE MELVIN S. HOFFMAN, J.U.S.B.C**

APPEARANCES

For 30 Plaintiffs:

JORDAN L. SHAPIRO, ESQ.
Shapiro & Hender
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For the Trustee:

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Electronic Sound Recording Operator: Yvonne Woodbury

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1 (At 11:24 a.m.)

2 THE COURT: Good morning, everyone. Be seated,
3 please.

4 MR. LIZOTTE: Good morning, Your Honor.

5 THE CLERK: Calling case number 14-40987, Telexfree,
6 LLC.

7 Would you please identify yourself for the record
8 starting with the parties on the telephone? Mister --

9 MR. SHAPIRO: Attorney Jordan Shapiro for about 30
10 plaintiffs.

11 THE CLERK: Mr. Shikhman?

12 MS. SEABRA: Cristina Seabra.

13 THE CLERK: Thank you.

14 Mr. Shikhman?

15 MR. SHIKHMAN: Yes.

16 THE CLERK: Would you just identify yourself for the
17 record?

18 MR. SHIKHMAN: Igor Shikhman.

19 THE CLERK: Thank you.

20 THE COURT: Okay. Okay. You are?

21 MR. LIZOTTE: Your Honor, Andrew Lizotte on behalf of
22 the Chapter 11 Trustee of Telexfree, and these are the hearings
23 on the first, second and third omnibus objections.

24 So, Your Honor, just for housekeeping purposes, if
25 you have the exhibit that lists the respondents, it might be

1 easier for you if I can just tell you where the -- each person
2 who's participating today is on that list.

3 THE COURT: Okay.

4 MR. LIZOTTE: So Cristiana Seabra is listed as the
5 second person.

6 MS. SEABRA: Yes.

7 MR. LIZOTTE: Igor Shikhman is listed as the third
8 person.

9 THE COURT: Um-hum.

10 MR. LIZOTTE: Jordan Shapiro and Dulce Gonzalez are
11 on the phone on behalf of all the parties with a docket number
12 of 2522, which is about half of the parties, Your Honor.

13 THE COURT: 2-5 -- oh, yes, I see. Okay. Hold on.
14 Are they all -- are they all bunched together,
15 Mr. Lizotte?

16 MR. LIZOTTE: Yes, they are, Your Honor.

17 THE COURT: Okay. So they start with --

18 MR. LIZOTTE: Well, they show up -- I believe the
19 first one is the fifth one and the sixth one.

20 THE COURT: Oh, I see. Yes.

21 MR. LIZOTTE: And there's a little break and then I
22 think they go all the way down through the first section.

23 THE COURT: Got it. Um-hum.

24 MR. LIZOTTE: And in the courtroom, Your Honor, is
25 Mr. Edward Celani, who is second from the bottom.

1 THE COURT: I see that. Okay.

2 And what is the -- these -- the docket numbers that
3 you are referring to? Who assigns those numbers? What do they
4 represent?

5 MR. LIZOTTE: That is the actual docket number of the
6 Court, Your Honor. So if someone filed something with the
7 Court, it would be given a docket number, just like any other
8 pleading --

9 THE COURT: Um-hum.

10 MR. LIZOTTE: -- and those are the docket numbers
11 that appear on the court's docket.

12 THE COURT: So docket 2522 is a pleading that was
13 filed by Mr. Shapiro on behalf of all of these claimants?

14 MR. LIZOTTE: It's an omnibus response. Yes, Your
15 Honor.

16 THE COURT: Got it. Okay.

17 MR. SHAPIRO: Yes, Your Honor.

18 THE COURT: Okay. All right. So ahead, Mr. Lizotte.

19 MR. LIZOTTE: So with respect to Attorney Shapiro's
20 clients, we'd like to collectively continue those to a hearing
21 that we have scheduled for a couple of other unresolved
22 matters. I think it's somewhere around the 19th or the 21st of
23 November. We'll need some time to have a little back-and-forth
24 on those, Your Honor, and there's no point in trying to isolate
25 a couple of them, so that would be our proposed resolution for

1 today for those.

2 THE COURT: Mr. Shapiro, are there -- do you have
3 other clients that you're handling in connection with this or
4 is this group all of your clients in the --

5 MR. SHAPIRO: No, I have about 100 or so clients,
6 Your Honor, that are all Telexfree victims.

7 THE COURT: I see. Okay.

8 MR. SHAPIRO: But we've worked out most of them.
9 Attorney Lizotte and I have been able to amicably resolve.
10 There's a handful that are left and I am optimistic that we'll
11 resolved all those, too, Your Honor.

12 THE COURT: So you're okay with a continuance?

13 MR. SHAPIRO: Absolutely.

14 THE COURT: All right. So we'll continue the claim
15 objections to Mr. Shapiro's group to November 19th at
16 11:00 a.m.

17 MR. SHAPIRO: I have a jury trial beginning on that
18 day, Your Honor. It's a three-day trial. Could we have the
19 next week possibly? I know that's Thanksgiving week, but --

20 THE COURT: Hold on. Let's see what we have. I
21 don't think we have any other Telexfree dates yet set aside,
22 Mr. Lizotte. Do you see anything coming up?

23 MR. LIZOTTE: I don't believe so, Your Honor. We're
24 happy to have the Court schedule another date that's
25 convenient.

1 THE COURT: All right. So let's just put it at the
2 end of a motion session.

3 MR. SHAPIRO: Or even the afternoon of that 19th,
4 Your Honor. The trial is -- jury trials in Superior Court are
5 only 9:00 to 1:00, but again, whatever is convenient for the
6 Court.

7 THE COURT: How about Tuesday, 11:00 -- November 26th
8 at 11:15?

9 MR. SHAPIRO: That is perfect, Your Honor.

10 THE COURT: Mr. Lizotte, does that work for you?

11 MR. LIZOTTE: It's fine, Your Honor.

12 THE COURT: Okay. So the 26th at 11:15 for
13 Mr. Shapiro's clients.

14 Go ahead, Mr. Lizotte.

15 MR. LIZOTTE: Most of the remaining items, Your
16 Honor, I think are going to be resolved. But I suppose it
17 might be easier if we just do this in the order that they
18 appear on the exhibit.

19 THE COURT: Okay.

20 MR. LIZOTTE: Just to keep this simple.

21 So the first one is claim 3235 of Croft Partnership.
22 This entity filed three claims. They do have a claim 31156
23 that has been conditionally allowed in the amount of
24 \$12,425.80. We understand from speaking with the
25 representative of Croft that they filed three claims

1 effectively for the same amount. So by agreement, the claim
2 3235 and the fourth claim listed, which is 125565 -- actually,
3 that's about --

4 THE COURT: Yes, I see it.

5 MR. LIZOTTE: -- about seven items down.

6 THE COURT: Um-hum.

7 MR. LIZOTTE: Those two objections should be
8 sustained, Your Honor.

9 THE COURT: Okay.

10 MR. LIZOTTE: The next two pertain to the individuals
11 that are on the phone, Your Honor, with respect to Ms. Seabra.
12 She's asserted a claim in the amount of \$29,748.50. The
13 Trustee has proposed \$5,523. A bunch of receipts were attached
14 to the response, Your Honor. Several of them reference
15 something called "client," which appears to be counter-party,
16 which we have not been able to tie out to Telexfree based on
17 the information that's been attached to the response. The
18 Trustee does not see any basis at this time to modify the
19 amount.

20 However, if Your Honor thinks it makes sense, we'll
21 be happy to continue that to the 26th or the other claims date
22 to see if any other accommodation can be reached.

23 THE COURT: Well, otherwise, I think, don't we have
24 to schedule an evidentiary hearing?

25 MR. LIZOTTE: I think we would, Your Honor.

1 THE COURT: Ms. Seabra, what's the Trustee's current
2 number?

3 What did you say it was, Mr. Lizotte?

4 MR. LIZOTTE: It was \$5,523.

5 THE COURT: And that's based on the documentation
6 that you are satisfied with?

7 MR. LIZOTTE: Yes, Your Honor.

8 THE COURT: Ms. Seabra, where are you located?

9 MS. SEABRA: I am in Florida.

10 THE COURT: Where in Florida?

11 MS. SEABRA: Largo, Florida.

12 THE COURT: Largo. And you understand that if we
13 move ahead on this, you'll have to come to Boston and present
14 evidence at a trial that establishes your claim at \$29,748.50?

15 MS. SEABRA: Correct.

16 THE COURT: Okay.

17 MS. SEABRA: I -- the --

18 THE COURT: Go ahead.

19 MS. SEABRA: The -- okay. When I logged the
20 Telexfree account, we transfer credit between accounts and I
21 use it -- all the money that I had saved and I pay most of the
22 time cash. I transfer cash or give him the cash to the people
23 that I bought their account.

24 THE COURT: Um-hum.

25 MS. SEABRA: So I don't know how am I going to be

1 able to prove everything because, you know, it's very hard for
2 me. I know I'm a -- I'm using my daughter's saving account on
3 money -- all the money I had. So right now, they just want to
4 give me \$5,000 back and I don't think it's fair, so -- but
5 anyway, if I have to go and -- go to the court on the date, I
6 will.

7 THE COURT: You understand, Ms. Seabra, that the
8 Trustee isn't even offering to give you \$5,000. The Trustee is
9 offering that your claim will be \$5,523. Whatever your claim
10 is, whether it's 5500 or 29,000, that's not necessarily what
11 you're going to receive. Right? You understand how this
12 works? You get a percentage of what's available. It could be
13 zero, it could be everything, but it's not likely to be
14 everything. Right?

15 MS. SEABRA: Oh, my God.

16 THE COURT: So you're talking about whatever number
17 your claim is receiving some fraction. I take it the Trustee
18 at this point doesn't have any sense of what a likely dividend
19 is going to be to creditors.

20 MR. LIZOTTE: Nothing that we'd want to quantify --

21 THE COURT: Right, right.

22 MR. LIZOTTE: -- with specificity, Your Honor.

23 THE COURT: But you -- it is most common for
24 creditors to receive in Chapter 7 cases or cases like this
25 one -- this is a Chapter 11 but similar profile -- for

1 creditors don't receive 100 cents on the dollar, Ms. Seabra, so
2 you're playing with numbers that are going to be fractional.
3 So when you think about your time and what's involved in
4 pursuing this claim, you do need to think about what you're
5 likely to receive at the end of the day and that might be
6 something that you can discuss with the Trustee outside of
7 court. The Trustee might be able to give you some insight into
8 where things are going here.

9 But it's not likely that we're talking about
10 creditors getting 100 cents on the dollar on their claims here.
11 So what I think I'd like to do, if it's okay with you,
12 Ms. Seabra, is to continue this particular matter to the
13 November 26th date to give you and the Trustee one more
14 opportunity to talk about your situation and --

15 MS. SEABRA: Okay. But --

16 THE COURT: -- perhaps you can make a deal and if you
17 can't, then we will schedule a trial and you'll have to come up
18 here and prove your claim.

19 MS. SEABRA: Okay. But the problem with this, I'm
20 going to be out of the country. I'm going to be out of the
21 country from November 8th to December 2nd and I'm not going to
22 be able to, you know, make a phone call so is there other dates
23 that I can call for another hearing?

24 THE COURT: Sure. Let's see what we can come up with
25 here.

1 MS. DE PENA: Your Honor, De Pena. Your Honor, De
2 Pena.

3 THE COURT: Does it make any sense, Mr. Lizotte, to
4 put this one on at the end of the IRS hearing we have on --

5 MR. LIZOTTE: I'm not sure if I'd want to complicate
6 that, Your Honor.

7 THE COURT: Yeah.

8 MR. LIZOTTE: I mean, we're happy to have a date in
9 December, Your Honor.

10 THE COURT: So we'll just put it on a motion session
11 day then, Regina.

12 All right. December 10th at 11:15. All right,
13 Ms. Seabra?

14 MS. SEABRA: Okay. All right.

15 THE COURT: And you can call in for that hearing and
16 we'll see where things stand and we'll go from there.

17 MS. SEABRA: Okay. But is there another number or
18 call that I'm going to receive on that email or to be able to
19 participate?

20 THE COURT: Hold on. Let me find out how this works.
21 I don't even know. Will that be the -- it will be the same
22 call-in information, so don't wait for anything from us. You
23 just make a note in your calendar and call in the same way as
24 you did today.

25 MS. SEABRA: Okay.

1 THE COURT: Okay.

2 MS. SEABRA: Thank you very much.

3 THE COURT: Thank you very much.

4 MS. SEABRA: Okay. Thank you very much.

5 THE COURT: All right. Next, Mr. Lizotte.

6 MR. LIZOTTE: The next one, Your Honor, is claim
7 10912, Igor Shikhman. We have a similar situation here. The
8 response was filed with the Court. There's an attachment
9 referencing various monies deposited to e-Wallet, but there is
10 no connection to Telexfree accounts or Telexfree individuals.
11 The claim amount was filed for \$57,000. The proposed
12 conditional allowance by the Trustee was \$23,250 and we don't
13 have a resolution today, so I think this is a similar
14 situation.

15 THE COURT: Mr. Shikhman, anything you want to say on
16 this?

17 (Mr. Shikhman's telephone connection is garbled; cannot fully
18 transcribe.)

19 MR. SHIKHMAN: No, I thought that would resolve it.
20 I'm not (indiscernible) on disability. I lost roughly about 57
21 (phonetic) because accounts amounted to in my back office. I
22 have exact amount was direct, but just the checks, like I said,
23 was (indiscernible). It was 50,000.

24 THE COURT: Where are you --

25 MR. SHIKHMAN: -- of my money. It was in my right

1 standing. It's the money which in this it was all checks. I
2 send it to the court. It was 50,000. This is money, which I
3 lost.

4 THE COURT: Where are you located, Mr. Shikhman?

5 MR. SHIKHMAN: Staten Island, New York.

6 THE COURT: Staten Island?

7 MR. SHIKHMAN: Yes.

8 THE COURT: All right. So not as far away as
9 Florida.

10 Well, we can -- you heard my little presentation to
11 Ms. Seabra about working here with fractional dollars. Do you
12 want an opportunity to explore further with Mr. Lizotte or
13 shall we just schedule a trial for you to come up here and
14 prove your case?

15 MR. SHIKHMAN: I would like -- I don't know what
16 (indiscernible) broker (indiscernible) checks so the court can
17 be (indiscernible) I send it to you, to the court.

18 THE COURT: You have to --

19 MR. SHIKHMAN: So I (indiscernible) so
20 (indiscernible) send it, so even it comes to (indiscernible),
21 I don't know what we would change. If you want me to come, I
22 will.

23 THE COURT: It's --

24 MR. SHIKHMAN: But it's sent (indiscernible) money
25 which I lost.

1 THE COURT: It's not what I want, Mr. Shikhman. The
2 Trustee is telling me that the checks that you are using don't
3 all tie out to Telexfree. I have to make a decision based on
4 evidence, not on what people are telling me. That means you
5 have to come in here, you'll be put on the witness stand. You
6 should have an attorney. That would be very helpful to you,
7 but you don't have to have one.

8 MR. SHIKHMAN: My attorney, it was Robert
9 (indiscernible), but no, the case was taken (indiscernible), so
10 again I don't have money to get another attorney. I don't know
11 if it would be (indiscernible) to prevent me. The courts
12 (indiscernible) close to (indiscernible) and not produce
13 (indiscernible) call of the case.

14 THE COURT: Well --

15 MR. SHIKHMAN: So I don't know. Plus, my attorney
16 and (indiscernible), but I don't know if she would be willing
17 to represent me, then supposed to come to Boston, you know.

18 THE COURT: Well, I -- and I can't force Mr. Bundson
19 (phonetic) ordered to do anything. He's not -- he doesn't have
20 an appearance here on your behalf in this case, so that's
21 between you and him.

22 Why don't I do this? I'm going to continue this one
23 again to -- are you available to be on the telephone on
24 November 26th?

25 MR. SHIKHMAN: I will make myself available, but

1 (indiscernible) to be able to (indiscernible) today, because,
2 as I say, those are my rights that (indiscernible) on
3 disability and the payments current. Now I'm in the
4 (indiscernible) this again and (indiscernible) procedure. I
5 just (indiscernible) understand because attorney, she has
6 appeared and (indiscernible) representing folks representing
7 the company. So I give more and Mr. (Indiscernible) said it
8 was a scam. It was illegal business.

9 THE COURT: Right. No, a lot of people were
10 obviously defrauded by what Telexfree has done. You're not the
11 only one.

12 But you have to weigh against your insistence that
13 this is your life savings with factors, like how are you going
14 to prove that, coming to Boston to do it, not having an
15 attorney possibly, and no matter what your claim turns out to
16 be, you won't get 100-cent dollars on your claim anyway.

17 So that's what I want you to think about between now
18 and November 26th at 11:15 and see whether or not you are able
19 to work something out with the Trustee. And if not, we'll
20 schedule a trial after November 26th for you to come to Boston
21 and present your case here, okay?

22 MR. SHIKHMAN: But what about this 23,000? Can
23 Trustee take care of this amount? I just tried to figure out
24 because there's no explanation (indiscernible) this amount. I
25 mean, his attorney can (indiscernible) understand

1 (indiscernible) 23,250?

2 THE COURT: Can you -- will you be in -- Mr. Lizotte,
3 Mr. Shikhman is telling me that he doesn't understand how you
4 arrived -- how the Trustee arrived at 23,250.

5 MR. LIZOTTE: Yeah, I just -- Mr. Martin from hereon
6 said he will send Mr. Shikhman the detail of his ledger
7 activity.

8 THE COURT: All right. So between now and
9 November 26th, Mr. Shikhman, you and the Trustee and the
10 Trustee's professionals will work on your number and their
11 number, and they'll explain to you how they got to their
12 number, you'll explain to them how you got to your number and
13 we'll see whether or not the two sides can reach an agreement.
14 And if not, we'll have a trial after.

15 MR. SHIKHMAN: Well --

16 THE COURT: Okay?

17 MR. SHIKHMAN: Yes, Your Honor. So Mr. Barbera
18 (phonetic) cannot call (phonetic) me on November 26th?

19 THE COURT: Yes, you call the same number on
20 November 26th and we'll take it from there. And Mr. Martin
21 is --

22 MR. SHIKHMAN: What time?

23 THE COURT: 11:15 a.m.

24 And does Mr. Martin know how to reach Mr. Shikhman?

25 MR. LIZOTTE: I'm sure.

1 THE COURT: Yes. So Mr. Martin will be reaching out
2 to you, Mr. Shikhman, to talk to you about this, okay?

3 MR. SHIKHMAN: Okay.

4 THE COURT: All right.

5 MR. SHIKHMAN: And I just want an answer, like
6 (indiscernible). I like people but there's very
7 (indiscernible). I know it's been (indiscernible), yes,
8 (indiscernible) Telexfree to purchase (indiscernible) buy a
9 house and (indiscernible) thousands of people and I just
10 (indiscernible) because (indiscernible) and he's still give
11 (indiscernible) 2016 until now he is still -- I mean, he's been
12 paying (indiscernible) million-dollar house from the money he
13 got from Telexfree and I just want to mention it because, I
14 mean, it doesn't make me feel good, but (indiscernible) taken
15 care and he's (indiscernible) that he did.

16 THE COURT: Who's "he"? Who are you talking about?

17 MR. SHIKHMAN: I am sorry?

18 THE COURT: Who are you talking about?

19 MR. SHIKHMAN: Bernard (phonetic) Shouyser. Bernard
20 Shouyser.

21 THE COURT: Schafer?

22 MR. SHIKHMAN: He was assigning thirty -- Bernard
23 Shouyser. It's S-H-O-U-Y-S-E-R.

24 THE COURT: Shouyser.

25 MR. SHIKHMAN: And I was shown to -- yes. He was

1 standing close (indiscernible) and scamming thousands of people
2 out of money and I think (indiscernible) 2016. And it's so
3 much for U.S. and I mean he's still working (indiscernible)
4 house and he's (indiscernible).

5 THE COURT: Do you know about this fellow,
6 Mr. Lizotte?

7 MR. LIZOTTE: We're familiar with his name, Your
8 Honor. Mr. Shouyfer (phonetic). I know that we have an
9 analysis of his account, so that is something that is being
10 looked at by the Trustee.

11 THE COURT: All right. The Trustee is going to look
12 into this, Mr. Shikhman.

13 MR. SHIKHMAN: Okay, Your Honor.

14 THE COURT: All right.

15 MR. SHIKHMAN: So what is the name of the attorney is
16 going to call me, Mr. Martin?

17 THE COURT: Martin. Yes. He's not an attorney,
18 he's -- but he will contact you. All right.

19 MR. SHIKHMAN: Now, this is conventional --
20 conventional manner, close (indiscernible) 2000, which is
21 (indiscernible), yeah?

22 THE COURT: That's correct. And he'll discuss with
23 you how they arrived at that number, okay?

24 MR. SHIKHMAN: Okay. Thank you, Your Honor.

25 THE COURT: You're welcome.

1 All right. Let's move on, Mr. Lizotte.

2 MR. SHIKHMAN: Okay.

3 MR. LIZOTTE: Okay, Your Honor. In the midst of that
4 call -- in the midst of that call, I think there was another
5 dial-in. I think I heard Teodora De Pena respond, which is --
6 happens to be the next claim.

7 THE COURT: Um-hum.

8 MR. LIZOTTE: I believe this is the last response on
9 the telephone, Your Honor. Ms. Pena is closely tied into Rosa
10 Pena, which is 34072, just two rows below it.

11 THE COURT: Um-hum.

12 MR. LIZOTTE: I think we're close to or at a
13 resolution with Rosa Pena. With respect to Teodora, there's
14 some information about somewhere around \$14,000 allegedly
15 having paid -- been paid to this Mr. Valerio, but we were only
16 able to track initially 2400 -- 2,407. We've been able to
17 adjust that up to \$3,832, but we understand that it's still not
18 satisfactory. So because those claim are closely related and
19 one may affect the other, Your Honor, I think those two should
20 be continued one more time before trial.

21 THE COURT: Is Teodora De Pena on the phone?

22 MS. DE PENA: Yes.

23 THE COURT: Okay. Ms. De Pena, the Trustee is
24 suggesting that we postpone further discussions of your claim
25 until November 26th while he continues to work through the

1 numbers. Is that okay with you?

2 MS. DE PENA: Yes.

3 THE COURT: All right. So -- and 11 -- November 26th
4 at 11:15 you will call back in here and we'll see where things
5 stand on your claim. Is that okay?

6 MS. DE PENA: Okay.

7 THE COURT: All right. Thank you.

8 Go ahead, Mr. Lizotte.

9 MS. DE PENA: For you, okay.

10 MR. LIZOTTE: Okay. So --

11 MS. DE PENA: Okay.

12 MR. LIZOTTE: Skipping over all of the docket number
13 2522s --

14 THE COURT: Um-hum.

15 MR. LIZOTTE: -- that brings us down to the second
16 section, Your Honor, with --

17 THE COURT: Um-hum.

18 MR. LIZOTTE: -- Peter Chou. This individual has a
19 claim 1009, which has been conditionally allowed in the amount
20 of \$3,636. So we believe that each of these claims are
21 duplicative of that number and that this individual has not
22 responded further and does not appear, so we would that those
23 objections be sustained.

24 THE COURT: Um-hum.

25 MR. LIZOTTE: The next one is Michelle Meriola

1 (phonetic). This individual has a conditionally allowed claim,
2 number 4060, in the amount of \$2,969.90. We believe this is a
3 similar situation of a duplicate, which should be disallowed.

4 THE COURT: Um-hum.

5 MR. LIZOTTE: Macon Nogerra (phonetic), which is
6 claim 123251, this individual does not match up to any of the
7 net equity computations in our records and no account
8 information was provided. The individual has not responded
9 further and has not appeared. We request that be disallowed.

10 THE COURT: Okay.

11 MR. LIZOTTE: Eduardo Bermio (phonetic), which is
12 claim 131537, this individual has a conditionally allowed claim
13 number 91375, in the amount of \$28,137.30. So we believe this
14 is a duplicative claim that should be disallowed.

15 THE COURT: Okay.

16 MR. LIZOTTE: Claim 83399, Jeova De Susa (phonetic),
17 we believe that this individual is agreeing with our amount, as
18 best we can tell from the response. We have not heard further,
19 so we propose that it be conditionally allowed in the amount of
20 \$838.60.

21 THE COURT: Okay.

22 MR. LIZOTTE: Claim number 114911, Carmina Vatia
23 (phonetic). This claimant -- let's see, we have agreed to a
24 conditionally allowed amount of \$15,253.90. That was slightly
25 revised up by \$50 to \$15,303.80. We believe that the

1 individual is not further contesting and has not appeared. So
2 we request that as part of our proposed order we'll make that
3 slight upward revision to the conditionally allowed amount.

4 THE COURT: Okay.

5 MR. LIZOTTE: Claim number 120089, this individual,
6 we believe, is a net winner in a substantial amount, has not
7 provided any substantive documentation, so we would propose
8 that that claim be disallowed.

9 THE COURT: Okay.

10 MR. LIZOTTE: Claim number 25944, Carlos Jose Gaytrow
11 (phonetic), we believe this is a duplicate claim. There's a
12 claim number 131505, which has been conditionally allowed in
13 the amount of \$26,730.90, so we would request that this be
14 disallowed as duplicative.

15 The next one, Mr. Celani, who's in the courtroom,
16 this is claim 45274. This individual similarly has another
17 claim, number 126169, which has been conditionally allowed in
18 the amount of \$7,125. We believe that this claim is otherwise
19 duplicative and should be disallowed.

20 THE COURT: You all right with that, Mr. Celani?

21 MR. CELANI: (No audible response.)

22 THE COURT: Okay.

23 MR. LIZOTTE: And the last claim on this list, Your
24 Honor, number 124408, Jose Asazby (phonetic), we believe this
25 is a duplicate circumstance. This individual has another

1 claim, number 127485, which has been conditionally allowed in
2 the amount of \$2,211, and we ask that this be disallowed as
3 duplicative.

4 THE COURT: Okay.

5 MR. LIZOTTE: So I believe I have what I need to
6 prepare a proposed order and that's all I have for you, Your
7 Honor.

8 THE COURT: Okay. So I will look forward to
9 receiving such an order from you and we will take up the loose
10 ends in future hearings.

11 MR. LIZOTTE: Great.

12 THE COURT: All right. Anything else we need to talk
13 about?

14 MR. LIZOTTE: That's it. Thank you, Your Honor.

15 THE COURT: All right. Thank you.

16 ATTORNEYS: Thank you, Your Honor.

17 (End at 11:54 a.m.)

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1 I certify that the foregoing is a true and accurate
2 transcript from the digitally sound-recorded record of the
3 proceedings.

Ruth Ann Hager

2/12/2024

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Certified Transcriber
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