)

)

)

UNITED STATES BANKRUPTCY COURT DISTRICT OF MASSACHUSETTS

In Re:

TELEXFREE, LLC, TELEXFREE, INC., TELEXFREE FINANCIAL, INC.,

Reorganized Debtors.

Chapter 11

Case No. 14-40987-FJB Case No. 14-40988-FJB Case No. 14-40989-FJB

Substantively Consolidated

RESPONSE BY LIQUIDATING TRUSTEE TO PARTICIPANT LETTER FILED ON MAY 22, 2024 [DOCKET NO. 3813]

Stephen B. Darr, the duly appointed Liquidating Trustee (the "Liquidating Trustee") of the reorganized bankruptcy estates of TelexFree, LLC, TelexFree, Inc., and TelexFree Financial, Inc. (collectively, the "<u>Reorganized Debtors</u>" or "<u>TelexFree</u>") respectfully files this response to the letter received by the Court on May 22, 2024 from Ovidio Cano Frias ("<u>Frias</u>") regarding the status of his claim and distributions thereon. The Liquidating Trustee reports the following:

1. Frias has an allowed claim [number 15799-000] in the amount of \$102,953.40.

The distribution on this claim has been delayed because of concerns respecting proper

identification and potential fraud.

2. The proof of claim was filed on June 26, 2016 using an electronic mail address for information and payment of luismatos0127@gmail.com ("Email Address 1").

3. The claims allowance process required Participants with allowed claims to then access an internet portal (**payment.telexfreeclaims.com**) to confirm their identity and to select a payment method. The portal was accessed for Claim 15799 on April 12, 2019 using an electronic mail address of <u>luismatosbm.1@gmail.com</u> ("<u>Email Address 2</u>").



1

Case 14-40987 Doc 3814 Filed 06/03/24 Entered 06/03/24 15:29:50 Desc Main Document Page 2 of 3

4. On September 28, 2022, the claimant contacted the Trustee's claims agent, BMC Group, asserting that his former agent had control of Email Address 2 and that his claim should be processed using the electronic mail address <u>redesbillyrd@gmail.com</u> ("<u>Email Address 3</u>").

5. BMC was recently contacted by a purported law firm on behalf of the claimant requesting payment using Email Address 3. The correspondence included a government photo identification card that does not appear to match a government photo identification card earlier provided to the Trustee with respect to this claim.

6. The Trustee intends to send follow up communications to Email Address 2 and 3, along with purported counsel, in an effort to resolve the issues in question and will submit a supplement to this response within thirty (30) days.

Respectfully Submitted,

STEPHEN B. DARR, LIQUIDATING TRUSTEE OF TELEXFREE INC., TELEXFREE LLC, AND TELEXFREE FINANCIAL, INC., By his attorneys,

<u>/s/ Andrew G. Lizotte</u> Andrew G. Lizotte (BBO #559609) Murphy & King, Professional Corporation 28 State Street Boston, Massachusetts 02109 Telephone: (617) 423-0400 Email: alizotte@murphyking.com

Dated: June 3, 2024 832890

Case 14-40987 Doc 3814 Filed 06/03/24 Entered 06/03/24 15:29:50 Desc Main Document Page 3 of 3

CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that on June 3, 2024June 3, 2024, I caused a copy of the *Response by Liquidating Trustee to Participant Letter Filed on May 22, 2024 [Docket No. 3813]* to be served electronically through the Court's ECF System upon the registered participants as identified on the Notice of Electronic Filing, and the following by electronic mail:

luismatosbm.1@gmail.com redesbillyrd@gmail.com gutierrezabogadosno.1@yahoo.com

/s/ Andrew G. Lizotte

Andrew G. Lizotte

Dated: June 3, 2024