Docket #0003 Date Filed: 8/21/2014

FORM 104 (08/07)

ADVERSARY PROCEEDING NUMBER
(Court Use Only)

DEFENDANTS (Names and Addresses)

TELEXFREE, INC 225 Cedar Hill Street, Suite 200, in Marlborough, Massachusetts 01752
TELEXFREE, LLC 225 Cedar Hill Street, Suite 200, in Marlborough, Massachusetts 01752
TELEXFREE FINANCIAL, INC 2321 NW 37th Avenue, Coconut Creek, Florida 33063

Paulo Eduardo Ferrari, 6 Exchange Street, Apt 3, Gloucester, MA
Rafaela G P Serrano, Arlington, MA

ATTORNEYS (Firm Name, Address, and Telephone No.)

Orestes G Brown, Metaxas Brown Pidgeon, LLP, 900 Cummings Center Suite 207T Beverly, MA 01915, obrown@metaxasbrown com

CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)

Plaintiffs seek compensation for economic loss sustained as a result of Defendants' conduct in carrying out an unlawful Ponzi pyramid scheme that included, inter alia, Defendants' fraudulent unregistered offer and sale of securities in the form of unregistered investment contracts constituting securities

	11-Recovery of money/property - §542 turnover of property
	12-Recovery of money/property - §547 preference
	13-Recovery of money/property - §548 fraudulent transfer
	14-Recovery of money/property - other
	21-Validity, priority or extent of lien or other interest in property
	31-Approval of sale of property of estate and of a co-owner - §363(h)
	41-Objection / revocation of discharge - §727(c),(d),(e)
	51-Revocation of confirmation
	66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims
3	62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud
	67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny
	(continued next column)
	61-Dischargeability - §523(a)(5), domestic support
	68-Dischargeability - §523(a)(6), willful and malicious injury
	63-Dischargeability - §523(a)(8), student loan
	64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support)
	65-Dischargeability - other
	71-Injunctive relief - imposition of stay
	72-Injunctive relief - other
	81-Subordination of claim or interest
	91-Declaratory judgment
	01-Determination of removed claim or cause
	SS-SIPA Case - 15 U S C §§78aaa *et seq*
2	02-Other (e g other actions that would have been brought in state court if unrelated to bankruptcy case)

☐ Check if this case involves a substantive issue of state law

☒ Check if this is asserted to be a class action under FRCP 23

Demand $ 1,000,000,000

☒

Other Relief Sought



BA CASE IN THIS ADVERSARY PROCEEDING ARISES

NAME OF DEBTOR		BANKRUPTCY CASE NO
Telexfree LLC		14-40987
DISTRICT IN WHICH CASE IS PENDING	DIVISIONAL OFFICE	NAME OF JUDGE
Massachusetts	Worcester	Melvin S Hoffman

RELATED ADVERSARY PROCEEDING (IF ANY)

PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO
Cellucci, et al & Martin, et al	Telexfree LLC, et al	4:14-ap-4044, 4:14-ap-4057
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISIONAL OFFICE	NAME OF JUDGE
Massachusetts	Worcester	Melvin S Hoffman

SIGNATURE OF A (OR PLAINTIFF)

DATE	PRINT NAME OF ATTORNEY (OR PLAINTIFF)
8/21/2014	Orestes G Brown

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and **Defendants.** Give the names of the plaintiffs and the defendants exactly as they appear on the complaint. Addresses should be listed for all Plaintiffs and Defendants.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.