Docket #0055 Date Filed: 9/6/2016

**UNITED STATES BANKRUPTCY COURT**
**DISTRICT OF MASSACHUSETTS**

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|---|---|
| In re:<br><br>TELEXFREE, LLC,<br>TELEXFREE, INC. and<br>TELEXFREE FINANCIAL, INC.,<br><br>Debtors. | Chapter 11 Cases<br><br>14-40987-MSH<br>14-40988-MSH<br>14-40989-MSH<br><br>Jointly Administered |
| STEPHEN B. DARR AS TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC.,<br><br>Plaintiffs,<br><br>v.<br><br>RITA DOS SANTOS, INDIVIDUALLY AND AS PUTATIVE CLASS REPRESENTATIVE, AND MARIA MURDOCH, ANGELA BATISTA JIMENEZ, ELISANGELA OLIVEIRA AND DIOGO DE ARAUGO, AS PUTATIVE CLASS REPRESENTATIVES,<br><br>Defendants. | Adversary Proceeding<br>No. 15-04055 |

**CERTIFICATE OF SERVICE**

I, Andrew G. Lizotte, hereby certify that on September 6, 2016, I caused to be served a copy of the Notice of Nonevidentiary Hearing regarding *Cross-Motion by Trustee for Summary*



*Judgment [docket #47]* by this Court's CM/ECF System to:

***William R. Baldiga, Esq.***
***Brown Rudnick LLP***
***One Financial Center***
***Boston, MA 02111.***

/s/ Andrew G. Lizotte

Andrew G. Lizotte (BBO #559609)
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DATED: September 6, 2016
714646

**UNITED STATES BANKRUPTCY COURT**
**DISTRICT OF MASSACHUSETTS**

| | | |
|---|---|---|
| In re | Telexfree LLC | Related Bankruptcy Case: 14−40987 |
| | | Chapter 11 |
| | Debtor | Judge Melvin S. Hoffman |
| | Stephen Darr, Chapter 11 Trustee | Adversary Proceeding: 15−04055 |
| | Plaintiff | |
| | vs. | |
| | Rita Dos Santos, Individually and as Putative Class Representative, et al | |
| | Defendant | |

## NOTICE OF NONEVIDENTIARY HEARING

**PLEASE TAKE NOTICE** that a **HEARING** will be held on **9/28/16 at 10:00 AM** before the Honorable Judge Melvin S. Hoffman, Courtroom 2, J.W. McCormack Post Office & Court House, 5 Post Office Square, 12th Floor, Boston, MA 02109−3945 to consider the following:

[47] Cross−Motion filed by Plaintiff Stephen Darr for Summary Judgment

**OBJECTION/RESPONSE DEADLINE: SEPTEMBER 23, 2016 4:30 PM**

If no deadline is set, the objection/response deadline shall be governed by the Federal Rules of Bankruptcy Procedure (FRBP) and the Massachusetts Local Bankruptcy Rules (MLBR). If no objection/response is timely filed, the Court, in its discretion, may cancel the hearing and rule on the motion without a hearing or further notice. See MLBR 9013−1(f).

**THE MOVING PARTY IS RESPONSIBLE FOR:**

1. Serving a copy of this notice upon all parties entitled to notice forthwith; and

2. Filing a certificate of service with respect to this notice seven (7) days after the date of issuance set forth below. If the hearing date is less than seven (7) days from the date of issuance, the certificate of service must be filed no later than the time of the hearing. **If the movant fails to timely file a certificate of service, the court may deny the motion without a hearing.**

**NOTICE TO ALL PARTIES SERVED:**

1. **Your rights may be affected.** You should read this notice, the above referenced pleading and any related documents carefully and discuss them with your attorney, if you have one. If you do not have an attorney, you may wish to consult one.

2. Any request for a continuance **MUST** be made by **WRITTEN MOTION** filed and served at least one (1) business day prior to the hearing date. See MLBR 5071−1.

3. The above hearing shall be nonevidentiary. If, in the course of the nonevidentiary hearing, the court determines the existence of a disputed and material issue of fact, the court will schedule an evidentiary hearing.

Date:9/6/16

By the Court,

Regina Brooks
Deputy Clerk
617−748−5337

**Emergency Closings:** To find out if the Court will be closed in case of stormy weather or other emergency, dial (617) 748−5314 or (866) 419−5695 (toll free) for a recorded message.