Docket #0061 Date Filed: 9/26/2016

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re: TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Debtors.	Chapter 11 Cases 14-40987-MSH 14-40988-MSH 14-40989-MSH Jointly Administered
STEPHEN B. DARR AS TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Plaintiffs, v. 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, Defendants.	Adversary Proceeding No. 15-04055

JOINT MOTION TO CONTINUE HEARINGS ON CROSS-MOTIONS FOR SUMMARY JUDGMENT

Stephen B. Darr, the Chapter 11 Trustee ("Trustee") of TelexFree LLC, TelexFree Inc., and TelexFree Financial Inc., and the Defendants jointly move to continue generally the hearings presently scheduled for September 28, 2016 on: (i) the Motion by the Plaintiffs' Interim Executive Committee ("PIEC") for Summary Judgment (docket entry no. 39); and (ii) the Cross-Motion by Trustee for Summary Judgment (docket entry no. 47). As a basis for this motion, the

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parties state that settlement negotiations are ongoing which may obviate the need for the hearings. In further support of the motion, the parties state as follows:

1. On August 5, 2016, the Defendants filed a motion for summary judgment.

2. On September 2, 2016, the Trustee filed an opposition to the Defendants' motion for summary judgment as well as a cross-motion for summary judgment.

3. On September 14, 2016, the parties participated in a settlement conference. Further negotiations were held on September 20, 2016.

4. Settlement discussions are ongoing, including the possibility of mediation.

5. Based upon the foregoing, the parties believe that consideration of the cross-motions for summary judgment is premature, and that a general continuance is appropriate.

Wherefore, the parties request that the Court:

1. Enter an order continuing generally the hearings presently scheduled for September 28, 2016 on the PIEC motion for summary judgment and the cross-motion by Trustee for summary judgment, as well as the associated deadlines for the Defendants' response to the Trustee's cross-motion; and

2. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,
STEPHEN B. DARR, CHAPTER 11
TRUSTEE, by his counsel:

Dated: September 23, 2016

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For the Plaintiffs' Interim Executive Committee

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CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that on September 26, 2016, I caused to be served a copy of the *Joint Motion to Continue Hearings on Cross-Motions for Summary Judgement* by electronic mail and/or first class mail, postage prepaid to the following:

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DATED: September 26, 2016
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