Docket #0048 Date Filed: 10/19/2016

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 DARR AS HE IS THE TRUSTEE OF THE CHAPTER 11 ESTATES OF EACH OF THE DEBTORS, Plaintiff, v. LEILA TATIANA XAVIER, CHRIS ARAUJO, JORGE LOPES, ENERSTINA XAVIER, ATANAZIA XAVIER, VLADMIR XAVIER, NERIA XAVIER, JAILSON RAMOS, FRANCISCA XAVIER-DEPINA, SILVIO MIRANDA, AND IVANILDA NASCIMENTO, Defendant(s).	Adversary Proceeding No. 16-04030-MSH

AFFIDAVIT OF MICHAEL K. O'NEIL PURSUANT TO SERVICEMEMBERS CIVIL RELIEF ACT IN SUPPORT OF TRUSTEE'S MOTION FOR ENTRY OF DEFAULT AGAINST DEFENDANTS

I, Michael K. O'Neil, being duly sworn, depose and state that:

1. I am an attorney with the law firm of Murphy & King, Professional Corporation which is counsel to Stephen Darr, as he is the Chapter 11 Trustee (the "Trustee") of TelexFree, LLC, TelexFree, Inc., and TelexFree Financial, Inc. (the "Debtors"). I am making this affidavit based upon my personal knowledge.

2. On April 1, 2016, the Trustee commenced this action by filing the Complaint [docket no. 1]. The Trustee also filed, simultaneously with the Complaint, a motion seeking ex parte relief regarding the form and manner of providing notice of the Complaint (the "Notice Motion").

3. By order dated April 18, 2016, the Court allowed the Notice Motion.

4. I caused copies of the summons and complaint to be served upon each of the following defendants (i) pursuant to Federal Rule of Bankruptcy Procedure 7004 or (ii) by Court authorization to serve by electronic mail pursuant to the order granting the Notice Motion:

NAME	DATE OF SERVICE	ECF NUMBER OF CERTIFICATE OF SERVICE	ANSWER DUE DATE
Leila Tatiana Xavier	4/27/2016	13	5/26/2016
Chris Araujo	4/27/2016	14	5/26/2016
Jorge Lopes	4/27/2016	15	5/26/2016
Enerstina Xavier	6/27/2016	34	7/25/2016
Atanazia Xavier	4/27/2016	17	5/26/2016
Vladmir Xavier	4/27/2016	18	5/26/2016
Neria Xavier	4/27/2016	19	5/26/2016
Jailson Ramos	4/27/2016	20	5/26/2016
Francisca Xavier-Depina	6/27/2016	35	7/25/2016
Silvio Miranda	6/27/2016	36	7/25/2016
Ivanilda Nascimento	6/27/2016	37	7/25/2016

5. The deadline for each of the above defendants to file an answer to the Complaint has expired, and no responsive pleading has been filed.

6. The Defendants are not infants or incompetent persons and, upon information and belief, are not currently in the military service within the meaning of the *Servicemembers Civil Relief Act of 1940*, 50 U.S.C. App. § 520(1).

Signed under the pains and penalties of perjury this 19th day of October, 2016.

/s/ Michael K. O'Neil
Michael K. O'Neil

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