Docket #0075 Date Filed: 12/20/2016

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

In re:	Chapter 11
TELEXFREE LLC., et al.,[1]	Case No. 14-40987
Debtors.	Jointly Administered
STEPHEN B. DARR AS TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC.,	Adversary Proceeding No. 15-04055
Plaintiffs,	
v.	
RITA DOS SANTOS, INDIVIDUALLY AND AS PUTATIVE CLASS REPRESENTATIVE, AND MARIA MURDOCH, ANGELA BATISTA JIMINEZ, ELISANGELA OLIVEIRA AND DIOGO DE ARAUGO, AS PUTATIVE CLASS REPRESENTATIVES,	
Defendants.	

OPPOSITION BY PIEC TO TRUSTEE'S
CROSS-MOTION FOR SUMMARY JUDGMENT

The Plaintiffs' Interim Executive Committee (the "PIEC"), appointed by the United States District Court in this District as the representative of the victims of the Debtors' Ponzi scheme by orders entered in the multi-district litigation proceedings captioned *In re TelexFree Securities Litigation*, MDL No. 14-02566 (D. Mass, submits this opposition (the "Opposition")

[1] The debtors (the "Debtors") in these cases (collectively, the "Chapter 11 Cases") are TelexFree, LLC, TelexFree, Inc., and TelexFree Financial.

to the *Trustee's Cross-Motion for Summary Judgment* [Docket No. 47] (the "Cross-Motion for Summary Judgment"). As the Trustee has failed to demonstrate that he is entitled to judgment as a matter of law, the Cross-Motion for Summary Judgment should be denied.

In support of this Opposition, the PIEC relies on:

- the *PIEC's Motion for Summary Judgment* [Docket No. 39];
- the *Memorandum in Support of PIEC's Motion for Summary Judgment* [Docket No. 41];
- the *Local Bankruptcy Rule 7056-1 Statement of Undisputed Material Facts in Support of PIEC's Motion for Summary Judgment* [Docket No. 40];
- the *PIEC's Response to Memorandum of Law in Support of Trustee's Opposition to PIEC Motion for Summary Judgment and Trustee's Cross-Motion for Summary Judgment*, filed contemporaneously herewith; and
- the *Response to Trustee's Statement of Undisputed Material Facts in Support of His Cross-Motion for Summary Judgment*, filed contemporaneously herewith.

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WHEREFORE, the PIEC respectfully requests that the Cross-Motion for Summary Judgment be denied and that the Court grant the PIEC such other and further relief as it deems just and proper.

Dated: December 20, 2016

Boston, Massachusetts

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For the Plaintiffs' Interim Executive Committee

CERTIFICATE OF SERVICE

The undersigned certifies that on December 20, 2016, the foregoing document was filed electronically, and therefore was sent by email to those receiving CM/ECF notices from the Court's electronic filing system. I further certify that I have caused to be sent by first class mail a copy to the following parties on this 20th day of December, 2016.

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