Docket #0036 Date Filed: 1/28/2019

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. UNITED STATES OF AMERICA, DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, Defendant.	Adversary Proceeding No. 18-4091

CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that on January 28, 2019, I caused to be served a copy of the **Notice of Nonevidentiary Hearing** relating to (1) *Motion filed by Plaintiff Chapter 11 Trustee for Partial Summary Judgment (doc. no #12), and (2) Cross-Motion filed by Defendant Internal Revenue Service for Partial Summary Judgment (doc. no. #21)* via this Court's CM/ECF System and by first class mail, postage prepaid to the attached service list as indicated.

/s/ Andrew G. Lizotte
Andrew G. Lizotte (BBO #559609)
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DATED: January 28, 2019
753432



BY CM/ECF:

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BY FIRST CLASS MAIL:

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Boston, MA 02110

Internal Revenue Service
1111 Constitution Ave., NW
Washington, DC 02110

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re Telexfree, LLC Debtor	Related Bankruptcy Case: 14−40987 Chapter 11 Judge Melvin S. Hoffman
Stephen Darr, Chapter 11 Trustee Plaintiff vs. Internal Revenue Service Defendant	Adversary Proceeding: 18−04091

NOTICE OF NONEVIDENTIARY HEARING

PLEASE TAKE NOTICE that a **HEARING** will be held on **2/6/19 at 11:00 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:

[12] Motion filed by Plaintiff Chapter 11 Trustee Stephen Darr for Partial Summary Judgment

[21] Cross−Motion filed by Defendant/Counter−Claimant Internal Revenue Service for Partial Summary Judgment

OBJECTION/RESPONSE DEADLINE:

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 within two (2) business days; 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 fewer 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:1/28/19

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.