Docket #0117 Date Filed: 6/7/2022

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re: TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Reorganized Debtors.	Chapter 11 Cases 14-40987-MSH 14-40988-MSH 14-40989-MSH Substantively Consolidated
STEPHEN B. DARR AS HE IS THE TRUSTEE OF THE CHAPTER 11 ESTATES OF EACH OF THE DEBTORS, Plaintiff, v. CARLOS WANZELER, et al., Defendants.	Adversary Proceeding No. 16-04032

UNCONTESTED MOTION BY PLAINTIFF FOR ENTRY OF JUDGMENT (CARLOS WANZELER)

The Plaintiff Stephen Darr, Liquidating Trustee ("Trustee") of TelexFree LLC, TelexFree Inc., and TelexFree Financial Inc. (collectively, "TelexFree" or the "Debtors") under the confirmed liquidating plan of reorganization, respectfully moves that the Court enter judgment by consent against the Defendant Carlos Wanzeler. In support of this Motion, the Plaintiff respectfully states as follows:

1. The Trustee commenced this adversary proceeding by filing a Complaint on April 1, 2016.

2. Defendant Carlos Wanzeler filed an Answer on June 1, 2016.

3. Carlos Wanzeler has expressed no objection to the entry of Judgment on Count II

of the Complaint in the amount of $3,785,192.00 upon the terms set forth on Exhibit A hereto. The Trustee consents to dismissal of the remaining counts solely as to Carlos Wanzeler.

WHEREFORE, the Plaintiff respectfully requests that the Court:

1. Enter judgment, substantially in the form attached hereto as Exhibit A, as a final judgment in this adversary proceeding on Count II against the Defendant Carlos Wanzeler;
2. Dismiss all counts of the Complaint other than Count II solely as to Carlos Wanzeler; and
3. Grant to the Plaintiff such other and further relief as this Court deems just and proper in the circumstances.

STEPHEN B. DARR,
LIQUIDATING TRUSTEE
By counsel,

/s/ Andrew G. Lizotte
Andrew G. Lizotte (BBO #559609)
MURPHY & KING, Professional Corporation
28 State Street, Suite 3101
Boston, MA 02109
Tel: (617) 423-0400
Fax: (617) 556-8985
alizotte@murphyking.com

Dated: June 7, 2022
810265

CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that on June 7, 2022, I caused a copy of the foregoing document to be served electronically through the Court's ECF System upon the registered participants as identified on the Notice of Electronic Filing.

/s/ Andrew G. Lizotte
Andrew G. Lizotte

Dated: June 7, 2022

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
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JUDGMENT

Upon consideration of the *Plaintiff's Uncontested Motion for Entry of Judgment against Defendant* (the "Motion"), and due cause appearing to me therefore, and due notice of the Motion having been provided, it is hereby ORDERED and ADJUDGED as follows:

1. The Motion is granted.

2. Final Judgment shall be and hereby is entered on this date in favor of Plaintiff Stephen Darr, the Liquidating Trustee of TelexFree, against the Defendant Carlos Wanzeler as follows:

(i) On Count II, in favor of the Trustee against Carlos Wanzeler avoiding the transfers made by TelexFree to Carlos Wanzeler within two years of the petition

date in the amount of $3,785,192.00 as fraudulent transfers, and preserving such transfers for the benefit of the Debtors' estates, pursuant to 11 U.S.C. §548, 550, and 551;

(ii) Judgment in favor of the Plaintiff Trustee against Defendant Carlos Wanzeler in the principal amount of $3,785,192.00 plus interest from the date hereunder at the federal judgment rate until the Judgment has been satisfied.

3. The Court shall retain jurisdiction to enter any further orders necessary for the enforcement of this Judgment.

Dated: _____, 2022

_____
Honorable Elizabeth D. Katz
United States Bankruptcy Judge