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FAX

To:	U.S. Bankruptcy Court
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Fax:	(413) 785-6917 **Tel #:**
From:	Paul Kelly, Esq.
Sender:	Donna DeCoste
Subject:	**Telexfree LLC, et al.** 14-40987-MSH 14-40988-MSH 14-40989-MSH Adversary Proceeding No. 16-04032
Date:	June 16, 2022
Client/Matter #:	300766.303403
Pages:	3 (including fax sheet)
Original:	_____ Will Follow X Will Not Follow

MESSAGE: Please see attached. Thank you.

4826-0331-1549, v. 1

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:	Chapter 11 Cases
TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Reorganized Debtors.	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

MOTION TO WITHDRAW AS COUNSEL TO DEFENDANT JAMES MERRILL

Undersigned Counsel, Paul Kelly of Jackson Lewis, P.C. hereby moves to withdraw as counsel to Defendant James Merrill in this proceeding. In support of this motion, counsel states as follows:

1. Counsel filed an Answer to the Complaint in this action back in 2016 on behalf of several named defendants. Counsel included Defendant James Merrill in the Answer, largely as a courtesy to Mr. Merrill who was actively preparing for a complex criminal trial before U.S. District Judge Timothy Hillman and did not have an opportunity to secure separate counsel to represent him.

2. Since that time, a significant conflict of interest has arisen in that Undersigned Counsel has represented Mr. Merrill's Co-Defendant and former business partner, Carlos

Wanzeler since the outset of the legal proceedings, dating back to 2014, and continues to represent Mr. Wanzeler to the present day. While Mr. Merrill and Mr. Wanzeler were at one point friends, business associates and close confidants, over the course of the multiple legal proceedings involving TelexFree, including the above-referenced criminal prosecution and also ongoing legal proceedings in Brazil, a serious rift in the relationship has developed which is now best described as adversarial.

3. Counsel is advised that Mr. Merrill intends to represent himself in this proceeding moving forward, and does not wish to be represented by Mr. Wanzeler's attorney, namely the Undersigned Counsel.

WHEREFORE, Counsel respectfully requests that this motion be allowed.

Respectfully submitted,

Paul V. Kelly

Paul V. Kelly, BBO #267010
JACKSON LEWIS P.C.

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