Docket #0599 Date Filed: 8/25/2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re: TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Reorganized Debtors.	Chapter 11 Cases 14-40987-EDK 14-40988-EDK 14-40989-EDK Substantively Consolidated
STEPHEN B. DARR, TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Plaintiff, v. FRANZ BALAN, A REPRESENTATIVE OF A CLASS OF DEFENDANT NET WINNERS, Defendants.	Adversary Proceeding No. 16-4006
STEPHEN B. DARR AS TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Plaintiff, v. MARCO PUZZARINI AND SANDRO PAULO FREITAS, REPRESENTATIVES OF A CLASS OF DEFENDANT NET WINNERS, Defendants.	Adversary Proceeding No. 16-4007

SUPPLEMENT TO ASSENTED TO MOTION BY LIQUIDATING TRUSTEE TO APPROVE SCHEDULING ORDER PERTAINING TO: (I) DAUBERT MOTION; (II) SUMMARY JUDGMENT MOTION; AND (III) MOTION TO DISMISS

Stephen Darr, the liquidating trustee under the confirmed liquidating plan of reorganization (the "Trustee") of TelexFree LLC, TelexFree, Inc., and TelexFree Financial, Inc. ("TelexFree" or the "Debtors"), respectfully submits this Supplement to the *Assented to Motion*

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by Liquidating Trustee to Approve Scheduling Order Pertaining to: (I) Daubert Motion; (II) Summary Judgment Motion; and (III) Motion to Dismiss (the "Scheduling Motion").

1. The Scheduling Motion was filed on July 27, 2023 [docket no. 446] in Adv. Proc. No. 16-4006.

2. The Court scheduled the Scheduling Motion for hearing on August 31, 2023.

3. The Scheduling Motion initially provided for the Trustee to respond to the defendants' pending Motions on or before September 1, 2023.

4. The parties have conferred and the Trustee requests, with the assent of the defendants, a minor modification to the Scheduling Motion as follows:

(i) Oppositions to the Motions shall be filed on or before September 11, 2023;

(ii) The Parties shall submit a joint pretrial memorandum with respect to the Daubert Motion and the Summary Judgment Motion on or before October 2, 2023;

(iii) The Parties request that the Court schedule a combined evidentiary hearing on the Daubert Motion and the Summary Judgment Motion at the convenience of the Court. The Parties estimate two to three days will be needed for the combined evidentiary hearing;

(iv) The Parties request that the Court separately schedule a non-evidentiary hearing on the Faria Dismissal Motion on or after September 13, 2023 at the convenience of the Court.

5. The schedule proposed herein will further the orderly determination of disputes among the parties.

Wherefore, the Trustee prays that the Court:

1. Enter a scheduling order consistent with the terms herein; and

2. Grant such other relief as is just and proper.

STEPHEN B. DARR AS TRUSTEE
OF THE CHAPTER 11 ESTATES OF
TELEXFREE, LLC, TELEXFREE, INC.
AND TELEXFREE FINANCIAL, INC.
By his counsel,

/s/ Andrew G. Lizotte

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Date: August 25, 2023

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CERTIFICATE OF SERVICE

I, Andrew G. Lizotte, hereby certify that on August 25, 2023, I caused a copy of the above *Supplement to the Assented to Motion by Liquidating Trustee to Approve Scheduling Order Pertaining to: (I) Daubert Motion; (II) Summary Judgment Motion; and (III) Motion to Dismiss* to be served electronically through the Court's ECF System upon the registered participants as identified on the Notice of Electronic Filing.

Respectfully submitted,

/s/ Andrew G. Lizotte
Andrew G. Lizotte

DATED: August 25, 2023