Docket #0615 Date Filed: 9/29/2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re: Telexfree, LLC Debtor(s).	Chapter 11 Case No. 14-40987-EDK
Stephen B. Darr Plaintiff(s), v. Paola Zollo Alecci Defendant(s).	Adversary Proceeding No. 16-04007-EDK

Proceeding Memorandum and Order

MATTER:

#594 Motion of Fabio Faria to Dismiss case
#602 Opposition filed by Plaintiff

Decision set forth more fully as follows:
DENIED. Even if the doctrines of claim-splitting or duplicative litigation would apply, the remedy would be for the Court to dismiss the later-filed, duplicative suit (Adversary Proceeding 16-4032), to defendant Fabio Faria, which has already been done. As to Faria's argument that the Trustee "opted Faria out" of the certified defendant class, Faria has cited to no legal precedent for such a ruling, and this Court has found none.

Dated: 09/29/2023

By the Court,

Elizabeth D. Katz
United States Bankruptcy Judge

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