Docket #0633 Date Filed: 10/10/2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

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

CERTIFICATE OF SERVICE OF NOTICE OF HEARING

I, Michael J. Duran, hereby certify that on October 4, 2023, the attached *Notice of Nonevidentiary Hearing* was served electronically by operation of this Court's ECF System upon the registered participants as identified on the Notice of Electronic Filing.

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Respectfully Submitted,

Dated: October 10, 2023

/s/Michael J. Duran

Michael J. Duran, Esq. (BBO #569234)
Ilyas J. Rona, Esq. (BBO# 642964)
MILLIGAN RONA DURAN & KING LLC
28 State Street, Suite 802
Boston, Massachusetts 02109
(617) 395-9570
ijr@mrkdlaw.com
mjd@mrdklaw.com
Attorneys for Defendants

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re:	Darr v. Alecci et al , Debtor	Chapter: 0 Case No: 16−04007 Judge Elizabeth D. Katz

NOTICE OF NONEVIDENTIARY HEARING

PLEASE TAKE NOTICE that a **HEARING** will be held on **10/11/23 at 10:00 AM** before the Honorable Judge Elizabeth D. Katz, Courtroom 3, Harold Donohue, Federal Building and Courthouse, 595 Main Street, Worcester, MA 01608 to consider the following:

> [619] Motion of Domestic and International Class Representatives to Strike the affidavits of Jean Louis Sorondo and Stephen B. Darr pursuant to FRCP 37(c)(1) and preclude their testimony, or alternatively, to Reschedule the Daubert hearing, Amend the deadline for expert disclosure, and Increase the budget of Class Defendants' for legal fees and expert costs

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. If this is a hearing under section 362, it will be a consolidated preliminary and final nonevidentiary hearing unless at the conclusion thereof the court schedules an evidentiary hearing.

Date: 10/4/23

By the Court,

Stephen Reynolds
Deputy Clerk
413−785−6909