Docket #0663 Date Filed: 7/25/2024

**UNITED STATES BANKRUPTCY COURT**
**DISTRICT OF MASSACHUSETTS**

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

**JOINT MOTION BY TRUSTEE AND DEFENDANT CLASSES TO FURTHER EXTEND TIME TO FILE POST-TRIAL BRIEFS, PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW, IN ORDER TO ACCOMMODATE SETTLEMENT**

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Stephen B. Darr, the Liquidating Trustee ("Trustee") under the confirmed plan of reorganization of TelexFree LLC, TelexFree Inc., and TelexFree Financial Inc. (collectively, "TelexFree" or the "Debtor"), and Class Representatives Frantz Balan, Marco Puzzarini, and Sandro Paulo Freitas (the "Class Representatives"), on behalf of classes of alleged "net winner" Defendants in *Darr v. Argueta*, Adv. Pro. 16–4006 (the "Domestic Case") and *Darr v. Alecci*, Adv. Pro. 16–4007 (the "International Case"), respectfully request that the deadline for them to file post-trial briefs, proposed findings of fact and conclusions of law, and to otherwise brief matters requested by this Court, be extended an additional 14 days until **August 8, 2024**. In support thereof, the Trustee and the Class Representatives state as follows:

1. Since the recent trial in this matter the Trustee and the Class Representatives have engaged in extensive settlement negotiations, exchanged multiple settlement proposals, and engaged in in-person meetings in an effort to reach settlement of the issues before the Court.

2. The parties have now agreed to the material terms of a settlement and are seeking to memorialize the details in a final document that can be executed by both sides, and submitted to the Court for approval, along with a joint motion. Both sides wish to continue to pursue these efforts over the next two weeks, without further expending party or judicial resources, if possible.

3. This Court recently extended the deadline for the parties to file post-trial briefs and proposed findings of fact and conclusions of law to **July 25, 2024**.

4. The parties now seek an additional 14-day extension of time so that they may continue to work on the proposed settlement, without having to file post-trial briefs, proposed findings of fact and conclusions of law.

WHEREFORE, the Trustee and the Class Representatives request that they be granted an additional 14 days, until **August 8, 2014**, to file post-trial briefs, proposed findings of fact and conclusions of law, and to otherwise brief matters requested by this Court.

Respectfully submitted,

FRANTZ BALAN,
CLASS REPRESENTATIVE FOR
DOMESTIC CLASS ACTION,

MARCO PUZZARINI AND SANDRO PAULO FREITAS,
CLASS REPRESENTATIVES
FOR INTERNATIONAL CLASS ACTION,

By their counsel,

Dated: July 25, 2024

/s/Michael J. Duran
Michael J. Duran (BBO # 569234)
Ilyas J. Rona (BBO #642964)
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STEPHEN B. DARR, LIQUIDATING TRUSTEE,
By his counsel:

Dated: July 25, 2024

/s/ *Andrew G. Lizotte*
Charles R. Bennett, Jr. (BBO #037380)

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**CERTIFICATE OF SERVICE**

I, Michael J. Duran, hereby certify that I have caused a copy of the foregoing Motion to be served on counsel for the Trustee and all registered electronic filers appearing in this case via the Court's CM/ECF system.

Dated: July 25, 2024

/s/ Michael J. Duran
Michael J. Duran, Esq.