UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
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IN RE:	Chapter 11 Cases
TRAJECTOR HOLDINGS, LLC, [1]	Case No. 3:26-bk-03286-JAB Lead Case
	Jointly Administered with
BENEFITS GROUP HOLDINGS, LLC,	Case No. 3:26-bk-03289-JAB
TRAJECTOR MEDICAL, LLC,	Case No. 3:26-bk-03291-JAB
INFINITE IP LLC,	Case No. 3:26-bk-03293-JAB
PERFECT PATH, LLC,	Case No. 3:26-bk-03295-JAB
TRAJECTOR ADMIN SERVICES, LLC,	Case No. 3:26-bk-03296-JAB
BENEFITS INSURANCE, LLC,	Case No. 3:26-bk-03297-JAB
MYLER INSURANCE SERVICES HOLDINGS, LLC,	Case No. 3:26-bk-03298-JAB
ANCHORSIX SERVICES, LLC,	Case No. 3:26-bk-03299-JAB
ATVANTAGE, LLC,	Case No. 3:26-bk-03300-JAB
TRAJECTOR MEDIA SERVICES, LLC,	Case No. 3:26-bk-03301-JAB
GLOBALTEK BPO LLC,	Case No. 3:26-bk-03302-JAB
MYLER DISABILITY HOLDINGS, LLC,	Case No. 3:26-bk-03304-JAB
MYLER DISABILITY, LLC,	Case No. 3:26-bk-03306-JAB
ADDUCO MEDIA, LLC,	Case No. 3:26-bk-03307-JAB
TRAJECTOR DISABILITY, LLC,	Case No. 3:26-bk-03308-JAB
CONTACT CENTER 1, LLC,	Case No. 3:26-bk-03309-JAB
BENEFITS KARMA, LLC,	Case No. 3:26-bk-03310-JAB
EXECUTIVE STAFFING SOLUTIONS, PLLC,	Case No. 3:26-bk-03311-JAB
AMPRY HOLDINGS, LLC,	Case No. 3:26-bk-03312-JAB
CONCIERGE STAFFING SERVICE MANAGEMENT, LLC,	Case No. 3:26-bk-03314-JAB
TRAJECTOR, INC.,	Case No. 3:26-bk-03315-JAB
Debtors.	
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[1] The Debtors' mailing address is 5950 NW 1st Place, Suite 200, Gainesville, FL 32607. The last four digits of each Debtor's federal tax identification number are: (i) Trajector Holdings, LLC (7528); (ii) Benefits Group Holdings, LLC (2029); (iii) Trajector Medical, LLC (5243); (iv) Infinite IP LLC (3723); (v) Perfect Path, LLC (3494); (vi) Trajector Admin Services, LLC (2231); (vii) Benefits Insurance, LLC (9835); (viii) Myler Insurance Services Holdings, LLC (3606); (ix) AnchorSix Services, LLC (5009); (x) Atvantage, LLC (7384); (xi) Trajector Media Services, LLC (7509); (xii) Globaltek BPO LLC (1684); (xiii) Myler Disability Holdings, LLC (9924); (xiv) Myler Disability, LLC (0845); (xv) Adduco Media, LLC (0257); (xvi) Trajector Disability, LLC (5136); (xvii) Contact Center 1, LLC (2329); (xviii) Benefits Karma, LLC (1850); (xix) Executive Staffing Solutions, PLLC (1841); (xx) Ampry Holdings, LLC (2323); (xxi) Concierge Staffing Service Management, LLC (2814); and (xxii) Trajector, Inc. (2128).

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DEBTORS' EMERGENCY MOTION IN LIMINE REGARDING PUTATIVE CLASS CLAIMANTS' MOTION FOR THE APPLICATION OF BANKRUPTCY RULE 7023 AND FOR LEAVE TO FILE CLASS PROOFS OF CLAIM

The above-captioned debtors and debtors-in-possession (collectively, the "Debtors"), move in limine (the "Motion") on an emergency basis to limit evidence the Court will consider at the October 15, 2026, evidentiary hearing [Doc. No. 287] (the "Scheduling Order"), regarding the issue of whether Fed. R. Bankr. P. 7023 ("Rule 7023") should apply to putative class claim Nos. 153-164 (collectively, the "Putative Class Claims"). In support of this Motion, Debtors state:

Preliminary Statement

The Court has set an evidentiary hearing for October 15, 2026, to consider, among other matters, the *Putative Class Claimants' Motion for the Application of Bankruptcy Rule 7023 and for Leave to File Class Proofs of Claim* [Doc. No. 234] (the "Rule 7023 Motion"). Debtors respectfully submit that the Court should not consider evidence in connection with the merits of the Putative Class Claims underlying the Rule 7023 Motion unless and until there is an objection to the Class Claims or an adversary proceeding is filed relating thereto. *See In re Charter Co.,* 876 F.2d 866, 874 (11th Cir. 1989) ("[A]bsent an adversary proceeding, the first opportunity a claimant has to move under Bankruptcy Rule 9014, to request application of Bankruptcy Rule 7023, occurs when an objection is made to a proof of claim."). The Debtors have not objected to the Putative Class Claims.

Debtors and Putative Class Claimants appear to be in agreement based on the filings relating to the Rule 7023 Motion that this Court should consider the three-factor test from *In re Musicland Holding Corp.*, 362 B.R. 644 (Bankr. S.D.N.Y. 2007) ("Musicland"). Those factors are: (1) whether the class was certified prepetition; (2) whether members of the putative class received adequate notice of the bar date; and (3) whether application of Rule 7023 would adversely

affect the administration of the estate. *See id.* at 654-55. The Court should limit evidence relating to the Rule 7023 Motion to the second and third *Musicland* factors (*i.e.*, (2) whether the members of the putative class received adequate notice of the claims bar date, and (3) whether application of Bankruptcy Rule 7023 would adversely affect the administration of the estate). Only a limited amount of evidence should be permitted on the first *Musicland* factor (whether a class was certified prepetition) because the Putative Class Claimants stipulate that there was no prepetition certification. As the Debtors raise in their response to the Rule 7023 Motion, the majority of cases hold that the absence of prepetition certifications in itself resolves the first *Musicland* factor adverse to the Putative Class Claimant. *See In re Vital Pharmaceuticals, Inc.*, No. 22-17842-PDR, 2026 WL 1529022, at *6 and n.27 (Bankr. S.D. Fla. May 29, 2026) ("Courts have consistently treated the absence of prepetition certification as the single most important factor in the *Musicland* analysis, and the majority have denied Rule 7023 application on this ground alone.") (collecting cases). There is no dispute that no class was certified prior to commencement of Debtors' Chapter 11 cases.

Moreover, the Court should not consider evidence relating to the purported merits of the Putative Class Claims. For the first time in the Putative Class Claimants' reply in support of the Rule 7023 they directly raise the merits of the Class Claims. *See, e.g.*, [Doc. No. 305 at 2] ("Every dollar Trajector Medical collected from a disabled veteran was a dollar federal law forbade it to take."). However, such a merits determination would not constitute relevant evidence with respect to the Rule 7023 Motion because: (1) there has been no objection to the Class Claims, (2) the Court must first make a threshold determination to apply Rule 7023 (which is the subject matter of the Rule 7023 Motion), and (3) the Court must determine whether the Rule's requirements have been satisfied. *See, e.g.*, *In re Vital Pharmaceuticals,* 2026 WL 1529022, at *4 ("Before a putative class

claim may proceed, the bankruptcy court must first determine, in its discretion, whether to apply Bankruptcy Rule 7023 to the contested matter. Only if it does so does the court proceed to analyze whether the proposed class satisfies the certification requirements of Federal Rule 23.") (footnote omitted).

Federal Rule of Evidence 401 provides that evidence is relevant if: "(a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action." Fed R. Evid. 401. Evidence as to the merits of the Class Claims meets neither requirement of Rule 401. The evidence going to the merits of the Putative Class Claims do not make it more or less probable that: (1) no class was certified prepetition (*Musicland* factor one), (2) the putative class claimants received adequate notice of the bar date (*Musicland* factor two), or (3) whether application of Bankruptcy Rule 7023 would adversely affect the administration of the estate (*Musicland* factor three). The Putative Class Claimants acknowledge that the *Musicland* factors apply to this Court's determination of whether to apply Rule 7023 – which is what the Court will consider at the evidentiary hearing on October 15, 2026.

More fundamentally, Putative Class Claimants have not even sought a merits determination of the Putative Class Claims in their Rule 7023 Motion. They *only* request leave to file class claims and that Rule 7023 be applied to those claims. *See* Rule 7023 Motion at 2 ("requesting application of Bankruptcy Rule 7023 in connection with the Class Claims . . . and approving the filing of the same."). Additionally, to date, Debtors have not filed an objection to the Class Claims. *See* 11 U.S.C. § 502(a). None of the *Musicland* factors contemplate a merits determination of the underlying Putative Class Claims.

Finally, of the 31 exhibits identified by Putative Class Claimants in their exhibit list, Debtors object to eleven (11) being admitted into evidence at the October 15, 2026 hearing:

- Exhibits 20-24: Pleadings from a lawsuit not involving either the Putative Class Claimants or the Debtors (*Ford, et al. v. Veterans Guardian Consulting, LLC*, U.S. District Court, Middle District of North Carolina, Case No. 1:23-cv-00756-CCE-LPA);
- Exhibit 25: Plaintiff's Motion for Leave to Amend in the lawsuit filed by *Warriors and Family Assistance Center, et. al v. Trajector Medical, LLC, et al*., U.S. District Court, Northern District of Florida, Case No. 1:23-cv-00290-AW-HTC;
- Exhibits 26 and 27: Information and Alerts and Complaints against Trajector Medical on the Better Business Bureau's website;
- Exhibit 28: Alleged complaints to the Florida AG regarding Trajector Medical;
- Exhibit 29: An SEC Registration Statement filed by Trajector, Inc.;
- Exhibits 30 and 31: Two letters from the Debtors' CEO to The Department of Veterans Affairs (the "VA"),

None of these documents has any relevance to whether this Court should or should not apply Rule 7023 to the Putative Class Claims. If anything, these documents relate to the purported merits of the Putative Class Claims and are irrelevant to the issues the Court is addressing at the evidentiary hearing on October 15, 2026. *See* Fed. R. Evid. 402 ("Irrelevant evidence is not admissible."). Moreover, the foregoing exhibits should not be admitted based on hearsay and lack of authentication. Debtors reserve the right to assert any other appropriate objections at the hearing.

Motion in Limine

"A motion in limine is a procedural device to obtain an early and preliminary ruling on the admissibility of evidence." *Burkhart v. R.J. Reynolds Tobacco Co.,* No. 3:09–cv–10727–WGY–HTS, 2014 WL 12617550, at *4 (M.D. Fla. Apr. 30, 2014). "Although the Federal Rules of Evidence do not explicitly authorize a motion in limine, the Supreme Court has held that trial judges are authorized to rule on motions in limine pursuant to their authority to manage trials." *Id.* (citing *Luce v. United States*, 469 U.S. 38, 41 n.4 (1984)).

A. Evidence in Support of the Rule 7023 Motion Should be Limited.

When a bankruptcy court decides whether to apply Bankruptcy Rule 7023, "the court exercises its discretion guided by the widely-cited factors articulated in *In re Musicland Holding Corp.*: (1) whether the class was certified prepetition; (2) whether members of the putative class received adequate notice of the bar date; and (3) whether application of Rule 7023 would adversely affect the administration of the estate." *See In re Vital Pharmaceuticals,* 2026 WL 1529022, at *6 (citing *In re Musicland Holding Corp.*, 362 B.R. 644 (Bankr. S.D.N.Y. 2007)).

The first *Musicland* factor is straightforward: Was a class certified prepetition? *See id.* Putative Class Claimants acknowledge that there was no prepetition class certification. *See* Rule 7023 Motion, ¶ 18. Putative Class Claimants cite to limited cases where a court considering the first *Musicland* Factor looked at whether there was sufficient time for a class to be certified prior to the bankruptcy filing. *See, e.g., Schuman v. The Connaught Grp., Ltd.,* 491 B.R. 88, 98 (Bankr. S.D.N.Y. 2013). However, the vast majority, if not all, of the other cases, are to the contrary. There was no class certified prepetition and therefore evidence about whether there was sufficient time to certify the class is not relevant.

Given that the Putative Class Claimants concede that no class was certified prepetition (*Musicland* factor one), the evidence should be focused on *Musicland* factors two and three (*i.e.*, (2) whether the members of the putative class received adequate notice of the claims bar date, and (3) whether application of Bankruptcy Rule 7023 would adversely affect the administration of the estate).

B. <u>The Court Should Not Consider Evidence Going to the Purported Merits of the Putative Class Claims</u>.

In addition, the Court should not address the purported merits of the Putative Class Claims. A fair reading of Putative Class Claimants' Rule 7023 Motion and reply memorandum, *see, e.g.,* [Doc. No. 305 at 2-3], and a review of certain of the exhibits listed in their Exhibit List (i.e., Exhibits 20-31]) suggest they may seek to introduce evidence regarding the purported merits of the Putative Class Claims at the October 15, 2026 hearing despite the fact that, to date, Debtors have not objected to those claims. The Court should reject such an effort, if made.

As a threshold matter, evidence regarding the purported merits of the Putative Class Claims is not relevant because it would have no bearing on whether the Court should exercise its discretion in determining whether to apply Rule 7023 to those Claims.[2] Moreover, putting aside the threshold issues Debtors raised in their response to the Rule 7023 Motion, *see* [Doc. No. 254, ¶¶ 23-35], including a resolution of the enforceability of the arbitration provisions in the Phillips and Quijada client service agreements, certain issues must be resolved in Putative Class Claimants' favor before this Court could even consider the substance of the Putative Class Claims. Such issues are whether Rule 7023 applies to the Putative Class Claims and whether the requirements of Rule 7023 have

[2] *See F.D.I.C. v. Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A.,* No. 8:11–cv–2831–T–33MAP, 2013 WL 1830770, at *1 (M.D. Fla. May 1, 2013) ("Rule 401 provides the 'Test for Relevant Evidence' and explains that 'evidence is relevant' if 'it has any tendency to make a fact more or less probable than it would be without the evidence; and the fact is of consequence in determining the action.'" (quoting Fed. R. Evid. 401)).

been satisfied for class certification. *See In re Vital Pharmaceuticals,* 2026 WL 1529022, at *4. Moreover, none of the *Musicland* factors contemplate a merits determination of the underlying class claim as part of a court's analysis of Rule 7023.

Putative Class Claimants have only requested leave to file the Putative Class Claims and a determination that Rule 7023 applies to those Claims. Rule 7023 Motion at 2 ("requesting application of Bankruptcy Rule 7023 in connection with the Class Claims…and approving the filing of the same."). It would make no sense, procedurally, legally, or economically, for the Court to consider the merits of the Putative Class Claims at this time where no objection to those Claims is pending. The Court should reject any invitation to do so.

C. <u>The Court Should Not Admit Plaintiff Exhibits 20-31.</u>

Debtors object to the admissibility of Exhibits 20-31 identified by Putative Class Claimants in the exhibit list filed with the Court on various grounds. [Doc. No. 306]. First, they are irrelevant. Federal Rule of Evidence 401 mandates that (to be relevant): (1) the evidence must have a tendency to make a fact more or less probable; and (2) the fact is material/of consequence in determining the action (*i.e.*, related to the claims or defenses). Fed. R. Evid. 401. Federal Rule of Evidence 402 makes clear that irrelevant evidence is inadmissible. Fed. R. Evid. 402. None of these documents have any relevance to the applicability of Rule 7023 to the Putative Class Claims. By way of example, Exhibits 20 through 24 are various filings from a case in the Middle District of North Carolina involving: (1) different parties; (2) a different court; (3) different facts; and (4) (likely) different law (or at least law that is not binding upon the Court). These filings (from the Middle District of North Carolina) do not have a tendency to make a material/consequential fact more or less probable. Thus: (1) they (along with Exhibits 25 through 31) are irrelevant; and (2) the Court should exclude them.

Second, they are hearsay. Federal Rule of Evidence 801(c) provides that hearsay is a statement: (1) not made while testifying at the current trial or hearing; and (2) offered into evidence to prove the truth of the matter asserted. Fed. R. Evid. 801(c). By way of example, Exhibits 26 through 28 are: (1) information on Trajector Medical (from the Better Business Bureau's website); (b) consumer complaints regarding Trajector Medical (from the Better Business Bureau's website); and (c) consumer complaints concerning Trajector Medical (to Florida's Attorney General). Ostensibly, Putative Class Claimants want to utilize these documents to cast aspersions on Debtors/place negative information before the Court. Unfortunately for Putative Class Claimants, however: (1) these documents are classic hearsay (*i.e.*, documents that are offered for the truth of the matter asserted); and (2) the Court should exclude them (along with Exhibits 20 through 25 and 29 through 31) from evidence.

Third, they lack authentication. Federal Rule of Evidence 901(a) requires that (to authenticate or identify an item of evidence) the proponent of evidence must "produce evidence sufficient to support a finding that the item is what the proponent claims it is." Fed. R. Evid. 901(a). Putative Class Claimants bear the burden of authenticating Exhibits 20 through 31. Putative Class Claimants' provision of basic/non-certified copies of documents (be it: (1) court filings; (2) Better Business Bureau information; and/or (3) information from the Attorney General's Office) falls woefully short of meeting their burden. Therefore, the Court should exclude them from evidence.

Fourth, they risk causing undue prejudice/confusing the issues/wasting time. Federal Rule of Evidence 403 allows a court to exclude (otherwise relevant) evidence if its probative value is substantially outweighed by: (1) unfair prejudice; (2) confusing the issues; and/or (3) wasting time (among others). Fed. R. Evid. 403. Putative Class Claimants' Exhibits 20 through 31 implicate all

three (3) of these issues. By way of example (and as set forth in more detail above), Exhibits 20 through 24 are from a completely different case (in a different judicial district with different parties). Allowing Putative Class Claimants to introduce these exhibits into evidence would: (1) cause Debtors unfair prejudice; (2) confuse the (straightforward) issues; and (3) waste everyone's (most importantly, the Court's) time. Accordingly, the Court should exclude them (along with Exhibits 25 through 31) from evidence.

Conclusion

Based on the foregoing, the Court should limit the evidence Putative Class Claimants can admit in support of their Rule 7023 Motion to the second and third *Musicland* factors. Further, the Court should not consider the purported merits of the Putative Class Claims at the October 15, 2026 evidentiary hearing since, to date, no objection had been filed to the Putative Class Claims, and more fundamentally, the purported merits of those claims is not relevant to this Court's determination of whether to exercise its discretion and apply or not apply Rule 7023 to the Putative Class Claims. Moreover, the Court should exclude Exhibits 20 through 31 because they are: (1) irrelevant; (2) hearsay; (3) lack authentication; and (4) risk: (a) causing undue prejudice; (b) confusing the issues; and (c) wasting time. Therefore, the Court should grant the Motion.

WHEREFORE, Debtors request that the Court enter an Order: (1) granting the Motion; (2) limiting the evidence that Putative Class Claimants can admit at the October 15, 2026 hearing;

and (3) providing such further relief to which the Debtors may be entitled.

Dated: October 14, 2026

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