

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 20-CIV-21964-CMA**

SECURITIES AND EXCHANGE  
COMMISSION,  
Plaintiff,

v.

TCA FUND MANAGEMENT GROUP CORP.,  
*et al.*,  
Defendants.

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**RECEIVER, JONATHAN E. PERLMAN’S, MOTION FOR APPROVAL OF PAYMENT  
OF PAYROLL PROCESSING FEES FOR CERTAIN SPVs**

COMES NOW, Jonathan E. Perlman, Esq., Court-Appointed Receiver (“Receiver”) of the Receivership Entities,<sup>1</sup> by and through undersigned counsel hereby files this Motion for Approval for Approval of Payment Processing Fees for Certain SPVs (“Motion”) and accordingly states as follows:

1. On May 11, 2020, the Securities and Exchange Commission (“SEC”) filed its Complaint for Injunctive Relief against TCA Fund Management Group, Corp., TCA Global Credit Fund GP, LTD., (“Receivership Defendants”), and TCA Global Credit Fund, LP, TCA Global Credit Fund, LTD., and TCA Global Credit Master Fund, LP (“Relief Defendants”) (collectively, “Defendants”). [ECF No. 1].

2. The Court appointed Jonathan E. Perlman, Esq., of the law firm Genovese Joblove & Battista, P.A. (“GJB”), as permanent Receiver over the Receivership Entities [ECF No. 5] (“Appointment Order”).

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<sup>1</sup> All terms not specifically defined herein have the meaning ascribed to them in the SEC’s Motion for Appointment of Receiver [ECF No. 3] and the Court’s Appointment Order [ECF No. 5], and the Court’s First Expansion Order [ECF No. 16].

3. Pursuant to the Appointment Order, the Receiver's duties include ["t]o take such action as necessary and appropriate for the perseverance of Receivership Property or to prevent the dissipation or concealment of Receivership Property." *Id.* at § II ¶¶ 5.G.

4. Prior to the Receiver's appointment, TCA Fund Management Group Corp. ("FMGC") entered into a contract with ADP, Inc. ("ADP") to provide payroll processing services to several SPVs, Master Fund-owned entities. Those SPVs include: Broward Collision, XCell, and Ouch. Prior to the Receivership, FMGC would advance these processing fees and costs and seek reimbursement from the SPVs directly.

5. As stated in the Second Quarterly Status Report, the Receiver halted this process and instead has required the SPVs to cover this portion of the costs directly. As a condition to releasing FMGC from the contract, ADP has asked that the Receiver pay the SPVs outstanding fees which are predominantly for services rendered during the Receivership.

6. Some of the SPVs, including XCell and Broward Collision, may be unable to reimburse the Receivership for their portion of the fees and costs due to ADP. Without this, however, ADP will cease processing the SPVs payroll which could cause the businesses to shut down and negatively impact any going business concern value they currently have.

7. Accordingly, the Receiver seeks approval to pay up to \$20,000 to ADP to cover the fees and costs for the payroll and processing services rendered to the SPVs. The Receiver will diligently make all efforts to recover the funds from the SPVs as may be possible or advisable.

WHEREFORE, Receiver, Jonathan E. Perlman, by and through his undersigned counsel respectfully requests that this Honorable Court grant the Motion and (1) approve a one-time payment of up to \$20,000 to ADP to cover the SPV payroll processing fees. A proposed order for the Court's consideration is attached as Exhibit A.

**S.D. Fla. L.R. 7.1(A)(3) CERTIFICATE OF CONFERENCE**

I, Irina Sadovnic, Esq., hereby certify that counsel for the Receiver conferred with counsel for the SEC on November 18, 2020, via email regarding the requested relief and they authorized the Receiver to represent that the SEC does not oppose the relief sought.

GENOVESE JOBLOVE & BATTISTA, P.A.  
*Attorneys for Jonathan E. Perlman, Receiver*  
100 Southeast 2nd Street, Suite 4400  
Miami, Florida 33131  
Telephone: (305) 349-2300  
Facsimile: (305) 349-2310

By: /s/ Irina R. Sadovnic  
Irina R. Sadovnic, Esq., FBN 124502  
[Isadovnic@gjb-law.com](mailto:Isadovnic@gjb-law.com)

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the foregoing was served via CM/ECF Notification and/or U.S. Mail to all parties and notification of such filing to all CM/ECF participants in this case on the 18th day of November, 2020.

By: /s/ Irina R. Sadovnic  
Irina R. Sadovnic, Esq.

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**[PROPOSED] ORDER GRANTING RECEIVER, JONATHAN E. PERLMAN'S,  
MOTION FOR APPROVAL OF PAYMENT OF PAYROLL PROCESSING FEES FOR  
CERTAIN SPVs**

THIS CAUSE, having come before the Court upon Jonathan E. Perlman, as Court-Appointed Receiver's ("Receiver") Motion for Approval for Approval of Payment Processing Fees for Certain SPVs ("Motion") [ECF No. \_\_]. The Court having considered the Motion and being duly advised in the premises, it is ORDERED AND ADJUDGED that:

The Motion is GRANTED. The Receiver is authorized to make a one-time payment of up to \$20,000 to ADP to cover the past due SPV payroll processing fees.

DONE AND ORDERED, in chambers at Miami, Florida, this \_\_ day of November, 2020.

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**CECILIA M. ALTONAGA**  
UNITED STATES DISTRICT JUDGE  
DISTRICT COURT FOR THE SOUTHERN  
DISTRICT OF FLORIDA