

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

APPEAL CASE NO.: 12-14345-CC

JONATHAN E. PERLMAN, ESQ.,  
as Court-appointed Receiver of  
Creative Capital Consortium, LLC,  
et al.,

Appellant,

v.

WELLS FARGO BANK, N.A.,

Appellee.

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**APPELLANT'S SECOND UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE BRIEF**

**CERTIFICATE OF INTERESTED PERSONS  
AND CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and 11<sup>th</sup> Circuit Local Rule 26.1-1, Appellant, Jonathan E. Perlman, Esq., a shareholder of the law firm Genovese, Joblove & Battista, P.A., hereby certifies that the law firm has no single owner of 10% or more of the equity. The Appellant also certifies that the following persons have an interest in the outcome of this appeal:

A Creative Capital Concept\$, LLC - Receivership Entity

Blum, W. Barry - Lead Counsel for Appellant

Cimo, David - Counsel for Appellant

Contreras-Martinez, Carmen - Counsel for Appellant

Creative Capital Consortium, LLC - Receivership Entity

Fox Rothschild, LLP - Counsel for Appellee

G\$Trade Financial, Inc. - Receivership Entity

Genovese Joblove & Battista, P.A. - Counsel for Appellant

Hallak, Elliot Aaron - Counsel for Appellee

Hopkins, James M. - United States Magistrate Judge

Hurley, Daniel T.K. - The Honorable District Court Judge

Josephs Jack, P.A. - Counsel for Appellant, predecessor to The Josephs Law Firm

Josephs, Michael R. - Counsel for Appellant

Lemoie, David - Counsel for Appellant

Perlman, Jonathan E., Court-appointed Receiver - Appellant

Reverse Auto Loan, LLC - Receivership Entity

Rubin, Amy S. - Counsel for Appellee

The Dream Makers Capital Investments, LLC - Receivership Entity

The Josephs Law Firm - Counsel for Appellant

United Investment Club, LLC - Receivership Entity

Unity Entertainment Group, Inc. - Receivership Entity

Wealth Builders Circle, LLC - Receivership Entity

Wells Fargo & Company

Wells Fargo Bank, N.A.

**APPELLANT’S SECOND UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE BRIEF**

Appellant, Jonathan E. Perlman, Esq., as Court-Appointed Receiver, by and through undersigned counsel, and pursuant to Local Rules 31-1 and 31-2 hereby respectfully moves the Court to grant Appellant an extension of time in which to file the Appellant’s Initial Brief in this Court, and for good cause would respectfully show:

1. The Request for Extension of time to file Appellant Brief is being made due a postponement, resulting from Hurricane Sandy, of the ongoing prospective global settlement negotiations of the instant appeal and the appeal in the related action companion case styled: *Nerline Horace-Manasse v. Wells Fargo Bank, N.A.*, as successor-in-interest to Wachovia Bank, Case No. 12-13401 in the Eleventh Circuit Court of Appeal (the “Horace-Manasse Appeal”).

2. The parties to the instant appeal and the Horace-Manasse Appeal had previously scheduled a joint settlement conference for November 5, 2012.

3. Due to the impacts of Hurricane Sandy, however, W. Barry Blum, Esq., lead counsel for Appellant, was required to travel out of this Circuit to address a pressing matter related to his elderly parents affected by Hurricane Sandy.

4. The parties have rescheduled their joint settlement conference for December 20, 2012, which is the earliest mutually available date for the parties to jointly hold a settlement conference.

5. In light of the prospective settlement negotiations (previously scheduled for November 5, 2012), this Court had previously granted the Appellant an extension of time until November 16, 2012 to file his Initial Brief in this case.

6. Due to the postponement of the parties' settlement conference resulting from the impact of Hurricane Sandy and in order to afford the parties sufficient time to conduct their global settlement discussions, Appellant requests a similar extension until after the settlement conference to file his Initial Brief.

7. Therefore Appellant requests an extension of time to file his Initial Brief in the instant appeal, through and including January 7, 2013.

8. The extension is requested so that justice may be done in this cause, and not for delay. Further, the extension of time will not prejudice the time within which Appellee may file a reply brief, nor will it prejudice or extend the date of submission of this case.

9. Counsel for the Receiver has conferred with counsel for Appellee, who has indicated that the Appellee has no objection to the relief requested herein.

WHEREFORE, the Receiver/Appellant requests that the time for filing and serving the Initial Brief in the above cause be extended through and including January 7, 2013.

Dated this 9th day of November, 2012.

Respectfully submitted,

By: /s/ Carmen Contreras-Martinez  
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-and-

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*Attorneys for Appellant, Jonathan E.  
Perlman, Esq., court-appointed Receiver*

**CERTIFICATE OF COMPLIANCE WITH FED. R. APP. P. 26-1**

I HEREBY CERTIFY that, in accordance with 11<sup>th</sup> Cir. R. 26-1, the undersigned has conferred with Appellee's counsel regarding the issues raised in this Motion, who has no objection to Appellant's requested enlargement sought herein.

**CERTIFICATE OF COMPLIANCE WITH FED. R. APP. P. 26-1**

1. This Second Unopposed Motion for Extension of Time to File Brief of Appellant Jonathan E. Perlman, Esq., Receiver, complies with the page volume limitation of Fed. R. App. P. 27(d)(2) because this motion does not exceed 20 pages.

2. This Second Unopposed Motion for Extension of Time to File Brief of Appellant Jonathan E. Perlman, Esq., Receiver, complies with the typeface requirements of Fed. R. App. 32(a)(6) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word 2010 in 14 point Century font.

/s/Carmen Contreras-Martinez  
*Attorneys for Appellant, Jonathan E. Perlman, Esq.,  
Court-appointed Receiver*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on November 9, 2012, pursuant to Fed. R. App. P. 25(d), the foregoing was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the forgoing document is being served this day on all counsel of record identified on the attached Service List, either via transmission of Notices of Electronic Filing generated by CM/ECF, by U.S. mail on those counsel or parties who are not authorized to receive electronically Notices of Electronic Filings.

By: /s/ Carmen Contreras-Martinez  
Attorney



**SERVICE LIST**

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