

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(WEST PALM BEACH DIVISION)

CASE NO. 09-80480-CIV-HURLEY/HOPKINS
(Ancillary Proceeding to U.S.D.C. Case No. 08-81565-CIV-HURLEY/HOPKINS)

<p>JONATHAN E. PERLMAN, Esq., as court appointed Receiver of Creative Capital Consortium, LLC, et al.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DOROTHY DELISFORT-THEODULE, an individual, WEALTH BUILDERS CIRCLE, LLC, a Georgia limited liability company, CARIBBEAN AIRWAYS, LLC, a Florida limited liability company, DONNA HAVER, INC., a Florida limited liability company, GOOD BUY HOMES, INC., a Florida corporation, INTERNATIONAL DEVELOPMENT ENTREPRENEURS OF AMERICA, INC., a Florida corporation, and COMPLETE AUTO REPAYMENT SOLUTIONS, INC., a Georgia corporation,</p> <p style="text-align: center;">Defendants.</p> <hr style="width: 30%; margin-left: 0;"/>	
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**PLAINTIFF’S STATEMENT OF REASONS FOR FILING
UNILATERAL PRETRIAL STIPULATION**

The Plaintiff, Jonathan E. Perlman, Esq., the court-appointed Receiver (the “Receiver”) of Creative Capital Consortium, LLC, A Creative Capital Concept\$, LLC, United Investment Club, LLC, Reverse Auto Loan, LLC, Wealth Builders Circle, LLC, The Dream Makers Capital Investment, LLC, G\$ Trade Financial, Inc. and Unity Entertainment Group, Inc., in accordance with Rule 16.1 of the Local Rules of the United States District Court for the Southern District of

Florida, hereby submits this Statement Of Reasons For Filing Unilateral Pretrial Stipulation¹ and states as follows:

1. The Defendant, Dorothy Delisfort-Theodule (“Delisfort”) is not represented by counsel in this action.

2. Until January of 2010, the Receiver was engaged in earnest settlement discussions regarding the claims in this case with Delisfort by and through her criminal attorney. Early in this case, it appeared that settlement of the claims would be achieved. However, as a result of further information ultimately learned by the Receiver through his investigation of the alleged Ponzi scheme conducted by Delisfort’s husband, George Theodule, settlement discussions terminated in or around January of 2010.

3. Delisfort filed her Answer in this case on February 19, 2010 only after the Receiver indicated his intent to seek a default. Delisfort has not provided the Receiver with any contact information and has not responded to the Receiver’s attempts to communicate with her regarding this case, including attempts to communicate with her concerning the parties’ preparation for trial in this matter.

4. The Receiver prepared a draft proposed pretrial stipulation and forwarded it to Delisfort at her last known address, as well as providing a courtesy copy to Delisfort’s criminal counsel. No response was received from Delisfort.

5. After this motion was first prepared by Receiver’s counsel, and just prior to filing on the afternoon of March 23, 2010, Delisfort sent the documents attached hereto in “response” to the Receiver’s proposed stipulation via e-mail. The documents do not sufficiently address Delisfort’s obligations concerning a proposed pretrial stipulation. Despite requests for further

¹ This Statement of Reasons pertains only to defendant Dorothy Delisfort-Theodule. The claims filed by the Plaintiff against all other remaining defendants have been resolved either through voluntary dismissal or by default.

communication by Receiver's counsel upon receipt of the attached documents, Delisfort continues to refuse to discuss the pretrial stipulation.

WHEREFORE, the Receiver requests that the Court accept its Unilateral Pretrial Stipulation.

Dated: March 23, 2010

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By: /s/ David P. Lemoie
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CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2010, the foregoing document was served this day on Dorothy Delisfort-Theodule, 2108 New London Place, Snellville, Georgia by U.S. Mail and by e-mail.

/s/ David Lemoie
David Lemoie, Esq.
Florida Bar No. 188311

From: lifeisacircle lifeisacircle [lifeisacircle@live.com]
Sent: Tuesday, March 23, 2010 2:17 PM
To: Lemoie, David
Cc: Bergold, Nancy; attorney buddy parker; lifeisacircle@live.com
Subject: RE: dd's mediation request and conflict for depo
Attachments: dd exhibit list.doc; dd response to pre trial stipulation.doc; dd witness list.doc

Mr. Lemoie,

As you know, per your records, I have had a total of 4(four) depositions and have complied with all your requests. I have taken so much time away from work to attend to this matter, that it has seriously affected my employment. I do not have a date as of right now when I will be available for another deposition.

Attached, please find the information requested for the trial.

Sincerely,
Dorothy

Subject: RE: dd's mediation request and conflict for depo
Date: Tue, 23 Mar 2010 13:46:45 -0400
From: Dlemoie@gjb-law.com
To: lifeisacircle@live.com
CC: nbergold@gjb-law.com

Dorothy:

It is important that I speak with you. We are ordered by the court to communicate prior to trial. Are you available by telephone? Also, I will need confirmation of a new date for your deposition. We can't just leave it open. If we do not speak, I will have to file motions against you for failure to appear at deposition, etc. I would prefer to handle this amicably as opposed to filing such motions. Please let me know if you are available to discuss.

Regards

David Lemoie

From: lifeisacircle lifeisacircle [mailto:lifeisacircle@live.com]
Sent: Tuesday, March 23, 2010 12:53 PM
To: Lemoie, David
Cc: attorney buddy parker; lifeisacircle@live.com
Subject: FW: dd's mediation request and conflict for depo

Hello Mr. Lemoie,

Hope you are having a good day today. I will not be available for a deposition tomorrow or Friday. God willing, I am planning to be present at calendar call this Thursday. I will be sending you the stipulation requested yesterday shortly. Thank you for your time.

Regards,
Dorothy Delisfort