

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Case No. 8:24-cv-1626-KKM-AAS

START CONNECTING LLC, d/b/a USA
Student Debt Relief, a Florida limited
liability company;

START CONNECTING SAS, d/b/a USA
Student Debt Relief, a Colombia
corporation;

DOUGLAS R. GOODMAN, individually
and as an officer of START
CONNECTING LLC;

DORIS E. GALLON-GOODMAN,
individually and as an officer of START
CONNECTING LLC; and

JUAN S. ROJAS, individually and as an
officer of START CONNECTING LLC
and START CONNECTING SAS,

Defendants.

**DEFENDANT START CONNECTING LLC'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

Defendant Start Connecting LLC, by undersigned counsel, respectfully moves this Court, without opposition, for an extension of its deadline to respond to the Complaint to August 30, 2024, and in support thereof states as follows:

I. BACKGROUND

1. On July 9, 2024, the Federal Trade Commission (the “FTC”) initiated this action against Defendants Start Connecting LLC, Start Connecting SAS, Douglas R. Goodman, Doris E. Gallon-Goodman, and Juan S. Rojas (the “Defendants”) (Doc. 1).

2. Contemporaneous to the initiation of this action, the FTC moved *ex parte* to “temporarily seal the docket and all pleadings, motions, and other papers” filed in this action (Doc. 2) and for a temporary restraining order (“TRO”) under Federal Rule of Civil Procedure 65(b) (Doc. 3).

3. On July 11, 2024, the Court entered an *ex parte* order granting the FTC’s request for a TRO (Doc. 13). The TRO directs the FTC to personally serve Defendants with copies of the TRO, as well as the FTC’s Motion for Temporary Restraining Order and all other pleadings, documents, and exhibits filed with that motion (aside from the Complaint and summons) no later than July 17, 2024. *Id.* at 43.

4. On July 11, 2024, Defendants Douglas R. Goodman, Doris Gallon-Goodman, and Start Connecting LLC were served (Docs. 14, 15, 16).

5. On Monday, July 22, 2024, undersigned counsel filed Notices of Appearance on the Defendants’ behalf (Docs. 22, 23, 24, 25).

6. On July 24, 2024, counsel for the parties appeared before the Court for a case-management conference, at which time the Court extended the TRO to September 23, 2024. *See* Doc. 41 at 1. The Court also extended the deadline for Defendants to respond to the Complaint to August 16, 2024 (Doc. 36).

7. In the course of Defendants’ efforts to address the requirements of the TRO, an issue has arisen as to the scope of the attorney-client privilege that both Start Connecting LLC and Start Connecting SAS (the “Receivership Entities”) have with undersigned counsel.

8. The TRO appoints Jared J. Perez, Esq. (the “Receiver”) as “temporary receiver of the Receivership Entities with full powers of an equity receiver” and sets forth the duties and authority of the Receiver. Doc. 13 at 24–31. In relevant part, the TRO directs and authorizes the Receiver to:

A. Assume full control of the Receivership Entities by removing, as the Receiver deems necessary or advisable, any director, officer, independent contractor, employee, attorney, or agent of any Receivership Entity from control of, or management of, or participation in the affairs of the Receivership Entity;

...

F. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order; [and]

...

M. Institute, compromise, adjust, appear in, intervene in, defend, dispose of, or otherwise become party to any legal action in state, federal, or foreign courts or arbitration proceedings as the Receiver deems necessary and advisable to preserve or recover the Assets of the Receivership Entities, or to carry out the Receiver’s mandate under this Order, including actions challenging fraudulent or voidable transfers.

Id. at 25–28.

9. Recently, the Receiver asserted that there is “tension” between these two sections on the one hand and undersigned counsel’s appearance on behalf of the Receivership Entities on the other hand. *See, Exhibit A.*

10. The Receiver advised that, “[i]n the past, [he has] represented receivers who have taken the position that principals and lawyers for an entity placed in receivership are subsequently enjoined from taking any action in the name of that entity or on behalf on that entity.” *Id.*

11. Although the Receiver advised that he was not suggesting that the Receivership Entities be left defenseless, he advised that “courts have found that receivers hold the attorney-client privilege applicable to the receivership entities and thus can waive that privilege.” *Id.* As such, the Receiver advised that “it is worth noting and discussing some of these concepts.” *Id.*

12. In subsequent conversation, undersigned counsel expressed the concern to the Receiver that counsel was not capable of acting on behalf of the Receivership Entities if the Receiver could deem all of its work non-privileged and/or if it could be terminated at any time.

13. In light of the foregoing, the Parties appear to have reached a meeting of the minds that resolves this issue, and the Receiver intends on filing an unopposed motion for the Court to approve their agreement and to clarify or modify the TRO in accordance with that understanding.

14. However, until such time as the Court receives and rules on that anticipated motion, the terms of the TRO remain the same and undersigned counsel is

hampered in its representation of the Receivership Entities until such time as the privilege issue raised by the Receiver is addressed.

15. In light of the foregoing, including the delay to undersigned counsel because of the question as to whether counsel enjoys privilege with its client, Start Connecting LLC respectfully requests an expansion of time to August 30, 2024, to respond to the Complaint.¹

16. Prior to filing the instant motion, undersigned counsel communicated with counsel for the FTC who do not oppose that requested relief.

II. LEGAL STANDARD

The Federal Rules of Civil Procedure provide:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Fed. R. Civ. P. 6(b)(1).

III. ARGUMENT

Start Connecting LLC seeks an extension of the deadlines to respond to the Complaint before the current deadline has lapsed. To that end, good cause exists for the requested extension. As highlighted above, an issue has arisen as to the scope of the Receivership Entities' attorney-client privilege with undersigned counsel, resulting in

¹ As will be discussed in a subsequent motion, differences have arisen in the course of the undersigned counsel's representation of Start Connecting SAS, which also warrant an extension of Start Connecting SAS's deadline to respond to the Complaint. However, counsel will request—through a separate motion—a longer extension of time for that entity to respond.

the undersigned counsel lacking clarity about the scope of the attorney-client privilege that it holds with the Receivership Entities. This lack of clarity has hampered undersigned counsel's ability to prepare the Receivership Entities' responses to the Complaint. For example, since learning that the above-quoted language in the TRO may be interpreted in a way that diminishes or removes the attorney-client privilege between undersigned counsel and the Receivership Entities, undersigned counsel has avoided gathering privileged information from the Receivership Entities to prepare the responses to the Complaint, in an abundance of caution, to avoid a scenario in which undersigned counsel learns of privileged information that it subsequently must disclose under a reading of the TRO that diminishes or removes attorney-client privilege. The Receiver's anticipated motion will seek to remedy this privilege issue, but, with the Receivership Entities' deadline to respond right around the corner, Start Connecting LLC will need more time to respond to the Complaint.

WHEREFORE, Defendant Start Connecting LLC respectfully requests that the Court extend the deadline for it to respond to the Complaint to August 30, 2024, which relief the Government does not oppose.

Date: August 15, 2024.

Respectfully submitted,

/s/ Matthieu Goddeyne

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Attorneys for Defendant Start Connecting LLC

LOCAL RULE 3.01(g) CERTIFICATION

Pursuant to Local Rule 3.01(g), the undersigned counsel certifies that communication regarding this Motion was made with opposing counsel via e-mail, who advised that the FTC does not oppose extending Start Connecting LLC' deadline to respond to August 30, 2024.

/s/ Matthieu Goddeyne
Matthieu Goddeyne

CERTIFICATE OF SERVICE

I certify that on August 15, 2024, the foregoing was electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Matthieu Goddeyne
Matthieu Goddeyne