

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 21-61644-CIV-SINGHAL

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MJ CAPITAL FUNDING, LLC,
MJ TAXES AND MORE, INC., and
JOHANNA M. GARCIA,

Defendants.

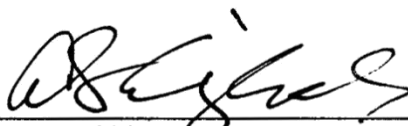
ORDER

THIS CAUSE is before the Court on the Receiver's Motion to Approve Settlement Agreement with Bryant Guayara, DaVibezCreations, LLC and Other Guayara Related Parties (DE [200]), filed on May 8, 2023. The instant motion requests the entry of an order approving the Settlement Agreement (DE [200-1]) entered into between the Receiver, on one hand, and Bryant Guayara, DaVibezCreations LLC, and all other companies for which Bryant Guayara has been a manager, member, officer, director, registered agent and/or direct or indirect owner, on the other hand, a copy of which is attached as Exhibit 1 to the motion (the "Settlement Agreement"). The Receiver has conducted an extensive review of documents and information in connection with claims against Guayara and his related companies. The Receiver issued subpoenas to financial institutions to obtain records relating to Guayara and DaVibez, issued a subpoena to Guayara, opposed and obtained a Court order denying DaVibez's Motion to Quash Subpoena to Bank of America (DE [104], [69]), and reviewed hundreds of documents and

records relating Guyara and DaVibez. Guayara and his related companies have surrendered a total of \$650,105.59 to the Receiver, which total consists of: (a) \$85,769.88 net proceeds from the sale of real property in Delray Beach, (b) \$267,609.51 net proceeds from the sale of real property in Coral Springs, (c) \$280,377.25 net proceeds from the sale of second property in Coral Springs, (d) \$6,152.51 from a bank account, and (e) \$10,196.44 from a second bank account. An additional \$7,062.70 was seized by the Federal Bureau of Investigation from one of DaVibez's bank accounts. Guayara has represented to the Receiver that he transferred \$265,000 to certain investors in order to return the amounts owed to the investors for their principal investment with the MJ Defendants. In order to fully and finally resolve their disputes, avoid litigation, expense and delay, and settle all claims and causes of action in connection with the Fraudulent Transfers, the parties have reached a compromise and settlement of the Fraudulent Transfers as set forth in the Settlement Agreement (DE [200-1]). Having considered the motion (DE [200]) and the Settlement Agreement (DE [200-1]), and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the Receiver's Motion to Approve Settlement Agreement with Bryant Guayara, DaVibezCreations LLC and Other Guayara Related Parties (DE [200]) is **GRANTED**.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 2nd day of June 2023.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE

Copies furnished to counsel of record via CM/ECF