

**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.

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**NOTICE OF BAR DATE FOR CLAIMS AND PROCEDURES FOR  
SUBMISSION AND ADMINISTRATION OF PROOFS OF CLAIM**

**TO: ALL CLAIMANTS OF THE RECEIVERSHIP ENTITIES  
PLEASE TAKE NOTICE OF THE FOLLOWING**

On March 21, 2022, the United States District Court for the Southern District of Florida (the “Court”) entered an order in the above-captioned case (the “Bar Date Order”) establishing **July 19, 2022 at 11:59 p.m.** (prevailing Eastern Time) as the deadline (the “Bar Date”) for claimants to submit a completed and signed proof of claim form evidencing such claimant’s claim, together with supporting documentation, under the penalty of perjury (a “Proof of Claim”), against MJ Capital Funding, LLC (“MJ Capital”), MJ Taxes and More, Inc., Pavel Ruiz MJCF LLC, and UDM Remodeling, LLC<sup>1</sup> (each a “Receivership Entity” and collectively, the “Receivership Entities”). The Receiver has employed Stretto, Inc. as the claims agent (the “Claims Agent”) to assist with the claims administration process.

**1. WHAT IS THE BAR DATE?**

The Bar Date is the date by which individuals and entities described below must submit a Proof of Claim to the Receiver’s Claims Agent in the manner indicated below. The Bar Date is **July 19, 2022 at 11:59 p.m.** (prevailing Eastern Time), and all Proofs of Claim must be actually received on or before that deadline. Please note that any Proof of Claim submitted after the Bar Date will be subject to disallowance, which means that you would not receive any distribution from the Receivership Entities.

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<sup>1</sup> The Court has entered the Order Granting Receiver’s Motion to Expand Receivership Estate [DE 79] expanding the receivership to include, and the receiver has been appointed over, Pavel Ruiz MJCF LLC and UDM Remodeling, LLC. Such order was subject to a motion to vacate [DE 83], and on March 21, 2022, the Court entered an Order denying such motion to vacate [DE 129].

## 2. WHO NEEDS TO SUBMIT A PROOF OF CLAIM?

All persons or entities (including, without limitation, individuals, partnerships, corporations, joint ventures, estates, trusts, and governmental units) that believe they possess: (a) a right to payment or claim of any nature, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, mature, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured, against one or more of the Receivership Entities that arose from the beginning of time through the present date; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured, against one or more of the Receivership Entities that arose from the beginning of time through the present date, must submit a Proof of Claim by the Bar Date, regardless of whether such claim has been acknowledged by the Receiver (each a “Claimant” and collectively “Claimants”).

Claimants include, but are not limited to, a person or entity that holds a claim against one or more of the Receivership Entities based on the following:

- any investment in a Receivership Entity, including funds provided to MJ Capital for the purpose of funding a Merchant Cash Advance;
- the provision of goods or services to any Receivership Entity that has not been paid in whole or in part;
- money loaned to any Receivership Entity that has not been paid in whole or in part;
- unpaid wages, compensation, or other employment benefits;
- tax liabilities, including those held by federal and state governments;
- primary, secondary, direct, indirect, secured, unsecured, or contingent liability; and
- contract, tort, indemnity, reimbursement, subrogation theories or other legal or equitable theory.

This notice is being sent to many persons and entities that have had some relationship or have provide funds to the Receivership Entities. The fact that you have received this notice and proof of claim form does not necessarily mean that you are a Claimant, that you have a valid claim, or that the Court or the Receiver believes you have a valid claim against the Receivership Entities.

**3. DO I NEED TO SUBMIT A PROOF OF CLAIM IF I HAVE PREVIOUSLY SUBMITTED EVIDENCE OF A CLAIM?**

Yes. All Claimants must submit Proofs of Claim by the Bar Date. A Claimant that has previously submitted information regarding a claim to the Receiver, whether through the Receiver's website (<https://kttlaw.com/mjcapital/>), the Receiver's email address [MJCapital@kttlaw.com](mailto:MJCapital@kttlaw.com) or to the Receiver or her counsel directly, must submit a Proof of Claim with respect to such claim.

**4. WHAT ARE THE CONSEQUENCES OF NOT SUBMITTING A PROOF OF CLAIM?**

ANY CLAIMANT WHO IS REQUIRED TO SUBMIT A PROOF OF CLAIM, BUT THAT FAILS TO DO SO IN A TIMELY MANNER OR IN THE PROPER FORM, WILL BE FOREVER BARRED, ESTOPPED, AND ENJOINED TO THE FULLEST EXTENT ALLOWED BY APPLICABLE LAW FROM ASSERTING, IN ANY MANNER, SUCH CLAIM AGAINST THE RECEIVERSHIP ENTITIES AND THEIR RESPECTIVE PROPERTY AND ESTATES; WILL NOT BE PERMITTED TO OBJECT TO ANY DISTRIBUTION AND LIQUIDATION PLAN PROPOSED BY THE RECEIVER ON ACCOUNT OF SUCH CLAIM; WILL BE DENIED ANY DISTRIBUTIONS UNDER ANY DISTRIBUTION AND LIQUIDATION PLAN IMPLEMENTED BY THE RECEIVER ON ACCOUNT OF SUCH CLAIM; AND WILL NOT RECEIVE ANY FURTHER NOTICES ON ACCOUNT OF SUCH CLAIM. FURTHER, THE RECEIVERSHIP ENTITIES AND THEIR RESPECTIVE PROPERTY AND ESTATES WILL BE DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO SUCH CLAIM.

**5. WHERE CAN I GET A COPY OF THE PROOF OF CLAIM FORM?**

For your convenience, enclosed with this notice is a proof of claim form. A copy of the proof of claim form is also available on the Receiver's website for this case at <https://kttlaw.com/mjcapital/>. The Receiver will also provide this notice and the proof of claim form to any potential Claimant who makes a written request for such documents to the e-mail address [TeamMJCapital@stretto.com](mailto:TeamMJCapital@stretto.com), or the physical address MJ Capital Claims c/o Stretto, 410 Exchange, Ste. 100, Irvine, CA 92602.

**6. HOW DO I SUBMIT MY PROOF OF CLAIM FORM?**

A completed and signed proof of claim form, together with supporting documentation, must be submitted to the Claims Agent, so as to be **actually received** no later than **July 19, 2022 at 11:59 p.m.** (prevailing Eastern Time). Proof of claim forms must be submitted to the Claims Agent by: (a) electronic submission via <https://cases.stretto.com/mjcapital/>, (b) courier service, hand delivery, or mail addressed to MJ Capital Claims c/o Stretto, 410 Exchange, Ste. 100, Irvine, CA 92602, or (c) electronic mail, as an attachment in portable document format (.pdf) to [TeamMJCapital@stretto.com](mailto:TeamMJCapital@stretto.com). Proof of claim forms should not be filed with the Court, and any proof of claim forms so filed will not be considered properly submitted.

If you have a claim against more than one Receivership Entity, you must submit a separate proof of claim form against each such Receivership Entity and identify on each proof of claim form the particular Receivership Entity against which the proof of claim form is asserted. Your failure to identify the correct Receivership Entity on a proof of claim form may be grounds for objection to, and disallowance of, the claim. However, you may submit proof of claim forms against all of the Receivership Entities if, based upon a reasonable investigation, you believe that you hold a claim against those Receivership Entities or you are unsure which Receivership Entity you hold a claim against.

## **7. SUPPORTING DOCUMENTS**

You should attach to each proof of claim copies of all documents available to you that could support your claim. Such documentation may include, but is not limited to:

- copies of personal checks, cashier's checks, wire transfer advices, cash receipts, and other documents evidencing the investment of funds;
- copies of each signed investment contract;
- a chronological accounting of all money and other assets received by you, directly or indirectly, from any Receivership Entity, whether such monies are denominated as the return of principal, interest, commissions, referral fees, affiliate payments, or otherwise;
- copies of all agreements, promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, evidence of perfection of lien; and
- other documents evidencing the amount and basis of the Claim. **DO NOT SEND ORIGINAL DOCUMENTS.** If such supporting documentation is not available, please explain why in an addendum that is attached to your Proof of Claim.

## **8. CONSENT TO JURISDICTION AND WAIVER OF JURY TRIAL**

BY SUBMITTING A PROOF OF CLAIM, YOU CONSENT AND SUBMIT TO THE EXCLUSIVE JURISDICTION OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA FOR ALL PURPOSES AND AGREE TO BE BOUND BY SUCH COURT'S DECISIONS, INCLUDING, WITHOUT LIMITATION, AS TO CLAIMS, OBJECTIONS, DEFENSES OR COUNTERCLAIMS BETWEEN YOU AND ANY RECEIVERSHIP ENTITY AND/OR THE RECEIVER. FURTHER, BY SUBMITTING YOUR PROOF OF CLAIM, YOU AGREE TO WAIVE ANY RIGHT TO A JURY TRIAL WITH RESPECT TO YOUR PROOF OF CLAIM, AND ANY RELATED CLAIMS, OBJECTIONS, DEFENSES, AND COUNTERCLAIMS.

**9. RESERVATION OF RIGHTS**

The Receiver reserves the right to dispute, or assert offsets or defenses as to the nature, amount, liability, classification, or otherwise against, any amounts asserted in any proof of claim. Nothing set forth in this notice or the proof of claim shall preclude the Receiver from objecting to any proof of claim on any grounds.

Dated this 28th day of March.

BY ORDER OF THE HONORABLE RAAG SINGHAL  
UNITED STATES DISTRICT COURT JUDGE

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