

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO: 2021-026520-CA-01 CA44

STEPHEN EZEKIEL JOSEPH *et. al.*,

CBL Division

Plaintiffs,

v.

Daily Bread, LLC,

Defendant.

**UNOPPOSED MOTION TO REQUIRE DISBURSEMENT OF FUNDS HELD BY BANK OF AMERICA
[IN CERTAIN ACCOUNTS HELD, DIRECTLY OR INDIRECTLY, BY ODETTE HITTI]**

Scott M. Dimond, as Receiver of Daily Bread, LLC, pursuant to the Court's December 14, 2021 Order Granting Plaintiffs' Emergency Motion for Appointment of Receiver, (the "Receiver") hereby files this Unopposed Motion to Require Disbursement of Funds Held by Bank of America [in Certain Accounts Held, Directly or Indirectly by Odette Hitti].

1. On December 14, 2021, this Court appointed the Scott M. Dimond as Receiver to "manage the wind down and dissolution of the Defendant [Daily Bread, LLC] with all powers and duties of a Receiver, . . . pursuant to §605.0704, Fla. Stat., and of all real and personal property of the Defendant."

2. By way of background, Daily Bread presented itself to customers as an investment firm operated by John Stanbridge ("Mr. Stanbridge"), but is alleged by Plaintiffs to have been run as a Ponzi scheme that resulted in the loss of millions of investor dollars.

3. The Receiver has since identified certain assets that are owned by non-party Odette Hitti, Mr. Stanbridge's widow, specifically including the following accounts at Bank of America, N.A. (collectively, the "Bank of America Accounts"), which have been frozen by stipulation with Ms. Hitti:

- a. Account No. 0184 (Titled: One Rodeo LLC);
- b. Account No. 0197 (Titled: One Rodeo LLC);
- c. Account No. 4193 (Titled: Odette Hitti MA Antonieta Guraieb);
- d. Account No. 5028 (Titled: Odette Hitti, P.A.); and
- e. Account No. 5031 (Titled: Odette Hitti, P.A.).

4. As previously set forth in a Settlement Agreement filed with the Court, Ms. Hitti agreed to surrender all funds held in the Bank of America Accounts as part of her settlement with the Receiver.¹

5. Based upon the foregoing, the Receiver has requested that Bank of America disburse the funds held in the Bank of America Accounts, and Bank of America does not oppose this request, subject only to the Court's entry of the proposed order requiring same attached as Exhibit A (the "BOA Order").

6. As such, the Receiver hereby requests that the Court enter the BOA Order so that the Receiver may take possession of the funds held in the Bank of America Accounts.

WHEREFORE, the Receiver respectfully requests the Court enter an the BOA Order and grant such further relief as the Court deems just and proper.

¹See Receiver's Sixth Status Report filed on June 14, 2022.

Respectfully submitted,

By: s/ Lorenz Michel Prüss

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Counsel for Receiver

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on July 15, 2022, a true and correct copy of the foregoing document titled: UNOPPOSED MOTION TO REQUIRE DISBURSEMENT OF FUNDS HELD BY BANK OF AMERICA [IN CERTAIN ACCOUNTS HELD, DIRECTLY OR INDIRECTLY, BY ODETTE HITTI] was filed with the Clerk of Court and served via e-mail upon counsel of record.

By: /s Lorenz Michel Prüss

Lorenz Michel Prüss

EXHIBIT A

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CBL Division

STEPHEN EZEKIEL JOSEPH *et. al.*,

Plaintiffs,

v.

Daily Bread, LLC,

Defendant.

_____ /

**AGREED ORDER GRANTING UNOPPOSED MOTION
REQUESTING THE DISBURSEMENT OF FUNDS HELD BANK OF AMERICA**

This Cause having come before the Court on the “Unopposed Motion Requesting the Disbursement of Funds held by Odette Hitti at Bank of America” (the “Motion”) filed by Scott M. Dimond, as Receiver of Daily Bread, LLC (the “Receiver”), and the Court having reviewed the file, noting that the request for relief unopposed, including by Bank of America (“BOA”), and being otherwise informed of the premises, it is hereby

ORDERED AND ADJUDGED:

1. The Motion is GRANTED.
2. Within twenty (20) days of the execution of this Order, BOA shall deliver a check made payable to Scott M. Dimond, as Receiver for Daily Bread, LLC to the Receiver’s counsel at the following address: c/o Lorenz Michel Prüss, Esq., Dimond Kaplan & Rothstein, P.A. Offices at Grand Bay Plaza, 2665 South Bayshore Drive, PH-2B, Miami, Florida 33133 in the amount of the total balance of all the following BOA accounts:

- a. Account No. 0184 (Titled: One Rodeo LLC);
- b. Account No. 0197 (Titled: One Rodeo LLC);
- c. Account No. 4193 (Titled: Odette Hitti MA Antonieta Guraieb);
- d. Account No. 5028 (Titled: Odette Hitti, P.A.); and
- e. Account No. 5031 (Titled: Odette Hitti, P.A.) (all five accounts collectively,

the “BOA Accounts”).

3. Upon payment of the full balance of the BOA Accounts to the Receiver by transmission of the check referenced in paragraph 2, BOA shall close the BOA Accounts.

4. BOA shall not have liability to any party or third party for transferring the funds from the BOA Accounts to the Receiver in compliance with this Order.

DONE AND ORDERED this _____ day of July, 2022.

Circuit Judge

Copies to:

Counsel of Record