

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

In re Assignment for the Benefit of Creditors of: COMPLEX BUSINESS LITIGATION
DIVISION

ERCIYES, LLC, a Delaware limited liability company, Case No.

Assignor,

To:

JOSEPH J. LUZINSKI,

Assignee.

_____ /

PETITION COMMENCING ASSIGNMENT FOR THE BENEFIT OF CREDITORS

Joseph J. Luzinski (the “Assignee”), solely as the Assignee for the benefit of creditors of ERCIYES, LLC, a Delaware limited liability company (the “Assignor”) and not individually, by and through his undersigned counsel and in accordance with Florida Statutes § 727.104(2)(b), files this Petition Commencing Assignment for the Benefit of Creditors, and states as follows:

1. This is a Petition for the Assignment for the Benefit of Creditors. This Court has jurisdiction of this case in accordance with the provisions of Chapter 727 of the Florida Statutes.

2. On April 4, 2024, the Assignee accepted delivery of an irrevocable Assignment for the benefit of creditors from the Assignor (the “Assignment”). A copy of the Assignment including the Verification of Assignment and Schedules by Assignor, Acceptance by Assignee, Schedule A (Creditor List), and Schedule B (List of Assets), is attached hereto as **Exhibit A**.

3. The Assignor has its principal place of business at 1680 Michigan Ave., Ste. 700, Miami Beach, Miami-Dade County, Florida 33139.



4. The Assignee's office is located at Development Specialists, Inc., 500 E. Broward Boulevard, Suite 1700, Fort Lauderdale, Broward County, Florida 33394.

5. The Assignor is indebted to creditors, is unable to pay its debts, and through this Assignment seeks to provide for the payment of said debts within its resources.

WHEREFORE, the Assignee respectfully requests the Court take jurisdiction of this Assignment for the Benefit of Creditors and for any further relief the Court deems just and proper.

Dated: April 10, 2024

BERGER SINGERMAN LLP
Proposed Counsel for Assignee
1450 Brickell Avenue, Suite 1900
Miami, FL 33131
Telephone: (305) 755-9500
Facsimile: (305) 714-4340

By: /s/ Brian G. Rich

Paul Steven Singerman
Florida Bar No. 378860
singerman@bergersingerman.com
Brian G. Rich
Florida Bar No. 38229
brich@bergersingerman.com
Samuel J. Capuano
Florida Bar No. 90946
scapuano@bergersingerman.com

EXHIBIT A

ASSIGNMENT FOR THE BENEFIT OF CREDITORS

THIS ASSIGNMENT is made this ___ day of February, 2024, between ERCIYES, LLC, with a principal place of business at 1680 Michigan Ave, Suite 700, Miami Beach, FL 33139, hereinafter "Assignor", and Joseph J. Luzinski of Development Specialists Inc., with a principal place of business located at 500 West Cypress Creek Road, Suite 400, Fort Lauderdale, Florida 33309, hereinafter "Assignee".

WHEREAS, the Assignor has been engaged in the business of ecommerce.

WHEREAS, the Assignor is indebted to creditors, as set forth in Schedule A annexed hereto, is unable to pay its debts as they become due, and is desirous of providing for the payment of its debts, so far as it is possible by an assignment of all of its assets for that purpose.

NOW, THEREFORE, the Assignor, in consideration of the Assignee's acceptance of this Assignment, and for other good and valuable consideration, hereby grants, assigns, conveys, transfers, and sets over, unto the Assignee, his successors and assigns, all of its assets, except such assets as are exempt by law from levy and sale under an execution, including, but not limited to, all real property, fixtures, goods, stock, inventory, equipment, furniture, furnishings, accounts receivable, bank deposits, cash, promissory notes, cash value and proceeds of insurance policies, claims and demands belonging to the Assignor, and all books, records, and electronic data pertaining to all such assets, wherever such assets may be located, hereinafter the "Estate", as which assets are, to the best knowledge and belief of the Assignor, set forth on Schedule B annexed hereto.

The Assignee shall take possession of, and protect and preserve, all such assets and administer the Estate in accordance with the provisions of Chapter 727, Florida Statutes, and shall liquidate the assets of the Estate with reasonable dispatch and convert the Estate into money,

collect all claims and demands hereby assigned as may be collectible, and pay and discharge all reasonable expenses, costs, and disbursements in connection with the execution and administration of this Assignment from the proceeds of such liquidation and collections.

The Assignee shall then pay and discharge in full, to the extent that funds are available in the Estate after payment of administrative expenses, costs, and disbursements, all of the debts and liabilities now due from the Assignor, including interest on such debts and liabilities. If funds of the Estate shall not be sufficient to pay such debts and liabilities in full, the Assignee shall pay from funds of the Estate, such debts and liabilities, on a pro rata basis and in proportion to their priority as set forth in Section 727.114, Florida Statutes. If all debt and liabilities are paid in full, any funds of the Estate remaining shall be returned to the Assignor.

To accomplish the purpose of this Assignment, the Assignor hereby appoints the Assignee its true and lawful attorney, irrevocable, with full power and authority to do all acts and things which may be necessary to execute the Assignment hereby created; to demand and recover from all persons all assets of the Estate; to sue for the recovery of such assets; to execute, acknowledge, and deliver all necessary deeds, instruments, and conveyances; and to appoint one or more attorneys, under him to assist him in carrying out his duties under the Assignment.

The Assignor hereby authorizes the Assignee to sign the name of the Assignor to any check, draft, promissory note, or other instrument in writing which is payable to the order of the Assignor, or to sign the name of the Assignor to any instrument in writing, whenever it shall be necessary to do so, to carry out the purpose of this Assignment.

The Assignee hereby accepts the trust created by the Assignment and agrees with the Assignor that the Assignee will faithfully and without delay carry out its duties under this Assignment.

WITNESSES:

Matt Biltz Brett Biltz
Richard Field Richard Field

ASSIGNOR:
ERCYES, LLC

Maya Burkenroad
By: Maya Burkenroad
Title: Chief Operations Officer

WITNESSES:

Monty
B. L.

ASSIGNEE:
Joseph Luzinski

JL

STATE OF VIRGINIA)

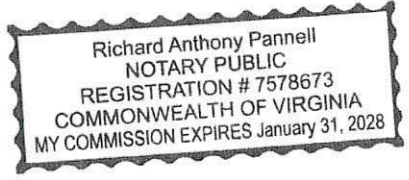
COUNTY OF AUGUSTA)
13th

I hereby certify that on this 13th day of February 2024, an officer duly authorized in this State and County to take acknowledgments, personally appeared Maya Burkenroad, Chief Operations Officer, duly authorized for and on behalf of ERCIYES, LLC as **ASSIGNOR**, and not individually. He/she is personally known to me or has produced PRDL# [REDACTED] as identification, and who executed the foregoing instrument or he acknowledged before me that he/she executed same in such capacity.

My commission expires: 01/31/2028

Richard Anthony Pannell

Notary Public

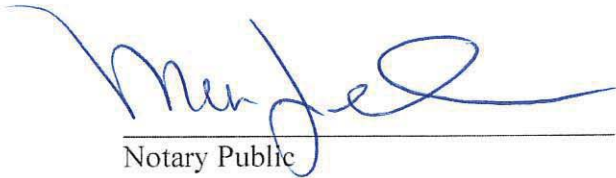


STATE OF FLORIDA)

COUNTY OF BROWARD)

I hereby certify that on this 4th day of April ~~February~~ 2024 an officer duly authorized in this State and County to take acknowledgments, personally appeared Joseph Luzinski of Development Specialists Inc. as **ASSIGNEE**. He is personally known to me or has produced _____ as identification, who executed the foregoing instrument or acknowledged before me that he executed same.

My commission expires:

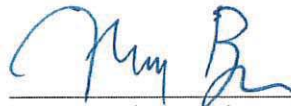


Notary Public



VERIFICATION OF ASSIGNMENT AND SCHEDULES BY ASSIGNOR

The undersigned, Maya Burkenroad, as Chief Operations Officer of ERCIYES, LLC, hereby verifies the Assignment for the Benefit of Creditors (the "Assignment") of all of its rights, title and interest in and to all of its assets, as indicated on the Schedules to that Assignment as filed with this Court on February ___, 2024, and further verifies each of the facts set forth in the Schedules annexed to the Assignment to the best of my knowledge and belief.



Maya Burkenroad
Chief Operations Officer of ERCIYES, LLC

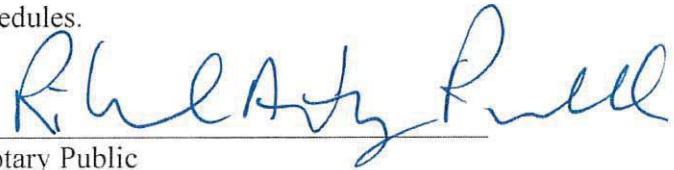
STATE OF VIRGINIA)

COUNTY OF AUGUSTA)

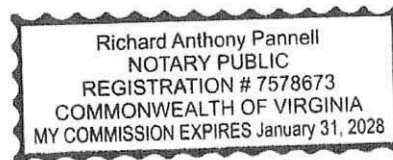
Sworn to and subscribed on this 13th day of February 2024, by Maya Burkenroad as Chief Operations Officer of ERCIYES, LLC, the Assignor, who is personally known to me or has produced PRDL# [REDACTED] as identification and who did take an oath as to the truth of the facts contained in the foregoing Assignment and Schedules.

My commission expires:

01/31/2028



Notary Public



ACCEPTANCE BY ASSIGNEE

The undersigned, Joseph Luzinski of Development Specialists Inc., the Assignee herein, duly acknowledges that the Assignee accepts delivery of the Assignment and that he or she will duly perform the duties imposed upon the Assignee pursuant to chapter 727, Florida Statutes.



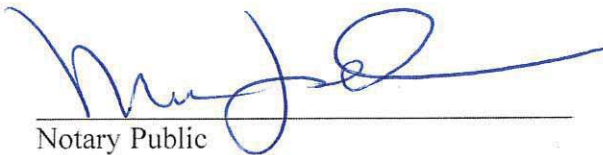
Joseph Luzinski, Assignee

STATE OF FLORIDA)

COUNTY OF BROWARD)

Sworn to and subscribed on this 4th day of April, 2024, by Joseph Luzinski of Development Specialists Inc., Assignee, who is personally known to me or has produced _____ as identification.

My commission expires:



Notary Public



SCHEDULE A – CREDITOR LIST

1. **SECURED CREDITORS:**
Name Address Amount Collateral Whether or not disputed
See attached ERCIYES, LLC Schedule A Support.

2. **WAGES OWED:**
Name Address Amount Whether or not disputed
See attached ERCIYES, LLC Schedule A Support.

3. **CONSUMER DEPOSITS:**
Name Address Amount Whether or not disputed
See attached ERCIYES, LLC Schedule A Support.

4. **LIST OF ALL TAXES OWED:**
Name Address Amount Whether or not disputed
See attached ERCIYES, LLC Schedule A Support.

5. **UNSECURED CLAIMS OWED:**
Name Address Amount Whether or not disputed
See attached ERCIYES, LLC Schedule A Support.

6. **LEASES:**
See attached ERCIYES, LLC Schedule A Support.

7. **OWNERS OR SHAREHOLDERS:**
Name Address Percentage of ownership
See attached ERCIYES, LLC Schedule A Support.

8. **LIST ALL PENDING LITIGATION AND OPPOSING COUNSEL OF RECORD:**
Style Parties Opposing Counsel of Record
See attached ERCIYES, LLC Schedule A Support.

Schedule A1: Secured Creditors (as of 2.13.2024)

None.

Schedule A2: Wages Owed (as of 2.13.2024)

None.

Schedule A3: Consumer Deposits (as of 2.13.2024)

None.

Schedule A4: Taxes (as of 2.13.2024)

State	Dept	Address	Total Open Balance	Disputed Amount/ Payment Plan?
Delaware	Division of Corporations	Division of Corporations John G. Townsend Bldg. 401 Federal Street, – Suite 4 Dover, DE 19901	\$ 300.00	<input type="checkbox"/>
Internal Revenue Service		Department of the Treasury Internal Revenue Service Kansas City, MO 64999-0002		<input type="checkbox"/>

Schedule A5: Unsecured Creditors (as of 2.13.2024)

Vendor	Address	Email Address	Total Open Balance	Disputed Amount?
Adel Sayegh			\$50,000.00	<input type="checkbox"/>
Andy Lin			\$50,000.00	<input type="checkbox"/>
Bart Claessens			\$25,000.00	<input type="checkbox"/>
Brian Schwartz			\$100,000.00	<input type="checkbox"/>
David Crandall			\$400,000.00	<input type="checkbox"/>
David Madsen			\$50,000.00	<input type="checkbox"/>
Devang Shah			\$50,000.00	<input type="checkbox"/>
Dinesh Gauba			\$225,000.00	<input type="checkbox"/>
Douglas Willner			\$575,000.00	<input type="checkbox"/>
Dustin Neeley			\$50,000.00	<input type="checkbox"/>
Edwin G Hatter			\$50,000.00	<input type="checkbox"/>
Erik Cooper			\$50,000.00	<input type="checkbox"/>
Frank Manzano			\$50,000.00	<input type="checkbox"/>
George Caravousanos			\$25,000.00	<input type="checkbox"/>
George Caravousanos			\$75,000.00	<input type="checkbox"/>
Greg Barnes			\$50,000.00	<input type="checkbox"/>
Igal Dubov			\$50,000.00	<input type="checkbox"/>
Ines Manzano			\$100,000.00	<input type="checkbox"/>
Jason Hietbrink			\$50,000.00	<input type="checkbox"/>
Jon Jasniak			\$50,000.00	<input type="checkbox"/>
Justin Donald			\$240,000.00	<input type="checkbox"/>
Krista Barker			\$150,000.00	<input type="checkbox"/>
Loretta Pratt			\$50,000.00	<input type="checkbox"/>
Marco Santarelli			\$500,000.00	<input type="checkbox"/>
Mario Sturion			\$150,000.00	<input type="checkbox"/>
Matthew Miller			\$150,000.00	<input type="checkbox"/>
Maulin Patel			\$50,000.00	<input type="checkbox"/>
Michael Petersen			\$200,000.00	<input type="checkbox"/>
Paul Janke			\$150,000.00	<input type="checkbox"/>
Paul Nash			\$50,000.00	<input type="checkbox"/>
Rachid Idrissi			\$450,000.00	<input type="checkbox"/>
Raj Menon			\$50,000.00	<input type="checkbox"/>
Rupesh Patel			\$50,000.00	<input type="checkbox"/>
Ryan Moran			\$600,000.00	<input type="checkbox"/>
Sachin Lulla			\$100,000.00	<input type="checkbox"/>
Spiros Anastasakis			\$25,000.00	<input type="checkbox"/>
Stela Ivanova			\$100,000.00	<input type="checkbox"/>
Sunil Lavani			\$50,000.00	<input type="checkbox"/>
Tammy Miller			\$50,000.00	<input type="checkbox"/>
Todd Bains			\$50,000.00	<input type="checkbox"/>
Todd Villeneuve			\$75,000.00	<input type="checkbox"/>
Yoel Gutierrez			\$100,000.00	<input type="checkbox"/>

**Schedule A6: Leases (as of
2.13.2024)**

None.

Schedule A7: Owners/Shareholders (as of 2.13.2024)

Contact Person	Contact Email	Contact Address	Capital Contribution
Allan German			
Amber Looper			
Amit Sarin			
Andrew Hamilton Griffin			
Arron Renfrew			
Atomic Man LLC			
Avrohom Scherman			
Barry Neal			
Barry Shahriari			
Ben Perkins			
Bill Bruno			
Bipin Ravi			
Brandon Bevans			
Brian Bewley			
Brian May			
Bryce Waite			
Carmen Mize			
Chris Wolfe			
Clifford Lucas			
Cole Maranville			
Danny Klous			
Darin Letzring			
Dave Bishoff			
Dave Christensen			
David Cormier			
David Schieber			
Dharmesh Vora			
Diego Semper			
Dr. Ariel Gilbert			
Erik Van Horn			
George Caravousanos			
George Caravousanos			
Igal Dubov			
Jason Hunter			
Jeff Klein			
Jeff Smith			
Jeremiah Klingman			
Jody Lang			
Joel E. Brook			
John Hutchison			
John Ramseier			
JuanCarlos Redero			
Justin Ray			
Kannan Govindasamy			
Kevin Alber			
Khamor Johnson Bey			

Schedule A7: Owners/Shareholders (as of 2.13.2024)

Lion's Share Networks, LLC

Marco Robijns

Marco Sadeghi

Matt Alexander

Melissa Jane Curtiss

Michael C Jones

Narbik Babakhanian

Neal Patel

Nisha Gupta

None.

Ravi Kuchibhotla

Retail Ecommerce Ventures
Partners LLC

Richard Jessop

Rob Bryant

Roberto Macedo

Roy Cook

Scott Hatter

Scott Rooney

Scott Ward

Shelly Stucchi

Spiros Anastasakis

Steve Avery

Steve Longbotham

Thomas Ayer

Todd Bertagnole

Tough Lift LLC

Tracey Hopkins

Virgil Borns

**Schedule A8: Pending Litigation and Opposing
Counsel of Record (as of 2.13.2024)**

None.

SCHEDULE B - LIST OF ASSETS

List each category of assets and for each give approximate value obtainable for the assets on the date of the Assignment, and address where assets are located.

DESCRIPTION AND LOCATION	LIQUIDATION VALUE AT DATE OF ASSIGNMENT
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I. NONEXEMPT PROPERTY:

1. REAL ESTATE/Legal Description/Street Address/leasehold interests.
None.
2. FURNITURE/FIXTURES:
None.
3. CASH AND BANK ACCOUNTS:
None.
4. INVENTORY:
None.
5. ACCOUNTS RECEIVABLE:
None.
6. EQUIPMENT:
None.
7. PREPAID EXPENSES, including deposits, insurance, rents, and utilities
None.
8. OTHER, including loans to third parties, claims, and choses in action:
None.

II. EXEMPT PROPERTY: