

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:21-cv-23472-RNS

Ryan Birmingham, Roman Leonov, Steven Hansen,
Mitchell Parent, and Jonathan Zarley, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

Alex Doe, *et al.*,

Defendants.

PLAINTIFFS' SCHEDULING REPORT

Plaintiffs Ryan Birmingham, Roman Leonov, Steven Hansen, Mitchell Parent, and Jonathan Zarley, individually and on behalf of all others similarly situated, file this Scheduling Report and Proposed Scheduling Order in response to the Court's January 5, 2023 Order [ECF No. 238].

On June 27, 2022 and July 15, 2022, Plaintiffs moved for default judgment against 27 Defendants¹ [ECF Nos. 180 and 189] (collectively "Motions for Default Judgment"). On December 6, 2022, Magistrate Judge Goodman issued a Report and Recommendation regarding

¹ Peter Mohylny ("Mohylny"); The Investing Online; Ester Holdings, Inc. ("Ester Holdings"); Wealthy Developments LP ("Wealthy Developments"); VDD-Trading, Ltd. ("VDD"); Dmytro Fokin ("Fokin"); Ivan Hrechaniuk ("Hrechaniuk"); Manuchar Daraselia ("Daraselia"); Brass Marker s.r.o. ("Brass Marker"); Sergiy Prokopenko ("Prokopenko"); Profit Media Group LP ("Profit Media Group"); Auro Advantages, LLC ("Auro Advantages"); Borys Konovalenko ("Konovalenko"); Mayon Holding Ltd. ("Mayon Holding"); Marina Garda ("Garda"); Mayon Solutions Ltd. ("Mayon UK"); Olga Tielly ("Tielly"); Notus, LLC ("Notus"); Global E-Advantages, LLC ("Global E-Advantages"); Alla Skala ("Skala"); Olga Abrykosova ("Abrykosova"); Easy Com, LLC ("Easy Com"); ShopoStar, LLC ("ShopoStar"); Grovee, LLC ("Grovee"); Trans-Konsalt MR Ltd. ("Trans-Konsalt"); Art Sea Group Ltd. ("Art Sea Group"); and Mayon Solutions, LLC ("Mayon USA"). At the time of filing the Motions for Default Judgment, Defendant Skala had a pending motion to set aside the clerk's default. [ECF Nos. 177; 180]. This motion was granted by the Court [ECF No. 183] and Skala has since been dismissed as a Defendant [ECF No. 225]. Therefore, although Skala is referenced in Plaintiffs' Motions for Default Judgment, Skala was not included in the Court's default judgment consideration; nevertheless, she is no longer a party to this action.

these motions, recommending that they be granted with respect to the following 15 Defendants (hereinafter “Defaulted Defendants”) on the issue of *liability only*:

- Count III for fraud against Defendants Mohylny and The Investing Online;
- Count III for fraud against Ester Holdings, but only with respect to Plaintiffs Roman Leonov, Mitchell Parent, and Jonathan Zarley;
- Count IX for unjust enrichment against: Wealthy Developments, Notus, Global E-Advantages, Easy Com, ShopoStar, Grovee, Trans-Konsalt, Art Sea Group, VDD, Brass Marker, Profit Media Group, and Auro Advantages.

[ECF No. 233]. On January 5, 2023, the Court adopted Judge Goodman’s Report and Recommendation in all respects, entering default judgments in the above described manner and directing the Court to close this case [ECF No. 236]. Judge Goodman’s Report and Recommendation was limited to a finding of *liability only* because Plaintiffs requested that the Court reserve the issue of damages until after Plaintiff’s class certification motion has been filed and resolved (*see generally* Motions for Default Judgment). Accordingly, the Court re-opened the case and directed Plaintiffs to file this Proposed Scheduling Order [ECF No. 238].

Plaintiffs anticipate three Motions will be necessary to resolve this action. Each is identified in the below Proposed Schedule and Plaintiffs Proposed Scheduling Order² (*see Ex. 1*).

² The remaining Defendants have failed to appear, answer, or otherwise plead to the Amended Complaint. The undersigned has been unable to confer with counsel for the Defendants pursuant to Local Rule 16.1(b) because no such counsel has appeared. Accordingly, the Proposed Scheduling Report is provided solely by Plaintiffs pursuant to the Court’s Order [ECF No. 238].

PROPOSED SCHEDULE

Event	Proposed Deadline
Plaintiffs' Motion for Class Certification	<i>21 days</i> from the date of the Court's Scheduling Order
Plaintiffs' Motion for Discovery in Support of Plaintiffs' Motion for Default Judgment with Respect to Damages ³	<i>7 days</i> from the date of the Court's Order on Plaintiffs' Motion for Class Certification
Plaintiffs' Motion for Default Judgment with Respect to Damages	<i>35 days</i> from the date of the Court's Order granting Plaintiffs' Motion for Discovery

CERTIFICATION UNDER LOCAL RULE 7.1(A)(3)

There are presently no parties or counsel appearing in this action with whom to confer regarding the requested relief.

Dated: January 19, 2023.

Respectfully submitted,

/s/ Dennis A. González

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³ To better ascertain the class and determine the amount certain of unjust enrichment and corresponding damages to the class, Plaintiffs will request targeted discovery relating to the defaulted Defendants' financial transactions—information available from the defaulted Defendants' banks and other financial institutions.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on or about January 19, 2023, a true and accurate copy of PLAINTIFFS’ SCHEDULING REPORT was served on counsel of record via the CM/ECF system. The undersigned further certifies that a copy of the foregoing documents was served upon Defendants, who are not authorized to receive Notices of Electronic Filing, as indicated below:

Art Sea Group Ltd. Via publication on Plaintiffs’ website	Auro Advantages, LLC Via publication on Plaintiffs’ website
Easy Com, LLC c/o Registered Agent 159 Main Street, Unit 100, Nashua, NH 03060	Marina Garda Via publication on Plaintiffs’ website
Global E-Advantages LLC c/o Registered Agent North West Registered Agent LLC 8 The Green, Suite B, Dover, DE 19901	Grovec, LLC c/o Registered Agent Delaware Business Incorporators 3422 Old Capitol Trail, Suite 700 Wilmington, DE 19808
Ivan Hrechaniuk Via publication on Plaintiffs’ website	Borys Konovalenko Via email to borys.konovalenko@gmail.com
Mayon Solutions Ltd Via email to info@mayon.solutions and sales@mayon.solutions	Mayon Solutions, LLC (1) c/o Registered Agents, Inc. 159 Main Street, Unit 100, Nashua, NH 03060; and (2) Via courtesy email to Mayon.llc@gmail.com
Notus, LLC c/o Registered Agent Colorado Registered Agent LLC 1942 Broadway Street, Suite 314C, Boulder, CO 80302	Profit Media Group LP 4 Queen Street, Suite 1, Edinburgh, GB, EH21JE
Trans-Konsalt MR Ltd. Via publication on Plaintiffs’ website	Shopostar, LLC c/o Registered Agent Colorado Registered Agent LLC 1942 Broadway Street, Suite 314C, Boulder, CO 80302
Olga Tielly 3rd Floor 207 Regent Street, London, United Kingdom W1B3HH	

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