

# App. 14

IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA  
CIVIL ACTION

**DGP PRODUCTS INC. d/b/a NUMERIC RACING,**

Plaintiff,

v.

CASE NO: 20-CA-000889-CA-AXWS  
DIVISION: G

**FAITH ELYZABETH ANTONIO,**

Defendant.

**DGP'S NOTICE OF FILING IN RESPONSE TO NOTICE OF LACK OF PROSECUTION**

DGP Products Inc. d/b/a Numeric Racing ("**DGP**") hereby gives notice to the Court and Faith Elyzabeth Antonio ("**Defendant**") of several documents as to the current status of Defendant's bankruptcy claim<sup>1</sup>. DGP further states that a stay in proceedings as a result of Defendant's Suggestion of Bankruptcy remains in place pursuant to 11 U.S. Code §362.

In support DGP attaches the following documents filed in the Adversary Proceedings:

1. April 3, 2023 Pro Memo of Status Conference in Adversary Proceeding; and
2. April 7, 2023, Interim Bankruptcy Report in BK Claim.

Respectfully submitted,

/s/ Stanford R. Solomon

Stanford R. Solomon

[ssolomon@solomonlaw.com](mailto:ssolomon@solomonlaw.com)

[bankruptcy@solomonlaw.com](mailto:bankruptcy@solomonlaw.com)

Florida Bar No. 302147

**THE SOLOMON LAW GROUP, P.A.**

1881 West Kennedy Boulevard, Suite D

Tampa, Florida 33606-1611

(813) 225-1818 (Tel)

(813) 225-1050 (Fax)

Attorneys for **DGP PRODUCTS, INC.**

**D/B/A/ NUMERIC RACING**

<sup>1</sup> On October 13, 2020, Defendant filed her Suggestion of Bankruptcy [Doc. 53] in the Middle District Court of Florida in Case No. 8:20-bk-07637-CPM (the "**BK Claim**"). On October 15, 2020, DGP filed its adversary claim and the parties have been litigating the Adversary Claim since in Case No. 8:20-AP-00537-CPM (the "**Adversary Proceedings**").

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA



**PRO MEMO**

04/03/2023 10:00 AM

COURTROOM 8B

HONORABLE CATHERINE MCEWEN

CASE NUMBER:

FILING DATE:

8:20-bk-07637-CPM

Chapter 7

10/15/2020

ADVERSARY: 8:20-ap-00537-CPM

Pltf Atty: Stanford R Solomon

Dft Atty: Gino A Megna

DEBTOR: Faith Elyzabeth Antonio

**HEARING:**

DGP Products Inc. d/b/a Numeric Racing v. Antonio

Status Conference to discuss closing argument scheduling and trial exhibits

APPEARANCES: Faith Antonio, Victoria Cruz-Garcia, Adam Tammaro, Daniel Geberth

**RULING:**

Status Conference to discuss closing argument scheduling and trial exhibits

...Plaintiff's closing statement (50 page limit) due 5/10/2023; Defendant's closing statement (50 page limit) due 6/9/2023; Plaintiff's rebuttal (20 page limit) due 6/23/2023...

...EXHIBITS IN EVIDENCE (as to Plaintiff's exhibits): 1, 2, 31 [page 17, line 3], 32 [email 9/6/2019], 40-143, 174-177, 180, 181, 187-192, 206, 218, 219, 220 [except for the exclusion of Doc. 720], 235-249, 254, 265, 266, 267, 268, 277, 278, 279, 280-284, 285, 286, 287 [demonstrative]...

- Plaintiff's exhibit 32 (email 9/6/2019 at 2:14 p.m. from Antonio TR00088) admitted. Plaintiff's exhibit 265 clarified as to page 53, 54 & 55 but admitted in its entirety. Plaintiff's exhibit 31 admitted as to page 17, line 3 - ...

...EXHIBITS IN EVIDENCE (as to Defendant's exhibits): 6, 7, 31, 39, 42-50, 52, 62 [handwriting portion only], 96 [pages 62, 73, 130-132], 106 [DG statement only], 116, 118 [page 34, lines 5-13], 126, 127 [minus Doc. 720 carve out], 131, 133 [Doc. 450], 134 [Complaint Doc. 1 & Doc. 720], 135 [Answer Doc. 17, Second Amended affirmative defenses Doc. 75] (excluding Statute of Limitations + spoliation)...

- Defendant's exhibit 8 is not offered. Defendant may file a supplement [complete set of checks re: Synovus] with an appropriate declaration within 7 days as to Plaintiff's exhibit 206, Plaintiff shall have 7 days to file an Objection (if any). If no objection, it will be deemed admitted as Defendant's exhibit 136 - ...

**Form 1**  
**Individual Estate Property Record and Report**  
**Asset Cases**

**Case No.:** 8:20-bk-07637-CPM  
**Case Name:** ANTONIO, FAITH ELYZABETH

**Trustee Name:** (290278) Christine L. Herendeen  
**Date Filed (f) or Converted (c):** 10/13/2020 (f)  
**§ 341(a) Meeting Date:** 11/18/2020  
**Claims Bar Date:** 03/19/2021

**For Period Ending:** 03/31/2023

1 Ref. #	2 Asset Description (Scheduled And Unscheduled (u) Property)	3 Petition/ Unscheduled Values	4 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	5 Property Formally Abandoned OA=\$554(a) abandon.	6 Sale/Funds Received by the Estate	7 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1*	2016 Kia Forte, 19832 miles (See Footnote)	6,800.00	7,558.00		6,938.56	FA
2	2008 Ford Mustang, 122218 miles	2,000.00	1,000.00	OA	0.00	FA
3	Bedroom Set	0.00	0.00	OA	0.00	FA
4	Bedroom Set	200.00	0.00	OA	0.00	FA
5	Tv and cell phone	250.00	0.00	OA	0.00	FA
6	Clothes and shoes	200.00	0.00	OA	0.00	FA
7	cats	0.00	0.00	OA	0.00	FA
8	Checking: Wells Fargo	692.00	0.00	OA	0.00	FA
9	Checking: Suncoast Credit Union	5.00	0.00	OA	0.00	FA
10	Rental deposit: Invitation homes	576.00	0.00	OA	0.00	FA
11	Labor and wage cause of action against DGP Products, Inc. (u)	Unknown	10.00		0.00	FA
12	Avoidable preference litigation (u)	1,000.00	1,000.00		1,000.00	FA
<b>12</b>	<b>Assets Totals</b> (Excluding unknown values)	<b>\$11,723.00</b>	<b>\$9,568.00</b>		<b>\$7,938.56</b>	<b>\$0.00</b>

RE PROP# 1 Debtor waived the \$1000.00 exemption per compromise (Doc. No. 27). Changed exemption to \$0.00. Exemption waived to apply funds to avoidable preference claims.

**Form 1**

**Individual Estate Property Record and Report  
Asset Cases**

Page: 1-2

**Case No.:** 8:20-bk-07637-CPM

**Case Name:** ANTONIO, FAITH ELYZABETH

**For Period Ending:** 03/31/2023

**Trustee Name:** (290278) Christine L. Herendeen

**Date Filed (f) or Converted (c):** 10/13/2020 (f)

**§ 341(a) Meeting Date:** 11/18/2020

**Claims Bar Date:** 03/19/2021

**Major Activities Affecting Case Closing:**

03/11/23: Case ready for closing after resolution of objection to POC No. 7 (unliquidated claim) - ADV filed by creditor v debtor, status conference scheduled for 4/3/23 to discuss closing argument scheduling and trial exhibits. Obj to be determined by outcome of trial. All other claims reviewed and no other objections pending. NOA filed.

03/10/23: ADV Status: Notice of Status Conference on Status Conference to discuss closing argument scheduling and trial exhibits. Hearing scheduled for 4/3/2023 at 10:00 AM. 02/24/23: ADV Status: Hrd held on 2/23 on Debtor/Defendant's Motion to Recuse the Judge - denied and Judge will issue order. Court will be settling a status conference and then a schedule for closing arguments and review of exhibits. 12/04/22: ADV: No change in status, trial suspended. 09/09/22: ADV: Docket reflects Debtor filed medical records with Judge for in-camera inspection. 09/01/22: ADV: Trial suspended on 8/31/11 per docket entry due to medical issue declared by Debtor and Debtor required to file records by 9/9/22. 08/17/22: ADV: Order entered dismissing Count III of the Complaint (re obj to discharge). 06/22/22: ADV: Order Rescheduling Continued Trial-- status conference scheduled on June 28, 2022 and Trial continued to August 29-31, 2022. 05/06/22: Order Denying as moot Debtor's Motion To Reschedule Hearing on Debtor's Motion for Reconsideration of Order Granting Trustee's Motion to Approve Compromise or Settlement filed by the Debtor entered. 04/28/22: Motion to Reschedule Hearing On Debtor's Motion for Reconsideration of Order Granting Trustee's Motion to Approve Compromise or Settlement filed by Debtor. 04/28/22: Order Denying Motion for Reconsideration of Order Granting Trustee's Motion to Approve Compromise or Settlement for lack of prosecution. 03/15/22: Docket entry in main case re Obj to Claim: Stipulated that Trustee will accept the outcome of the trial in the adversary case will determine the claim without being involved. 03/14/22: Attended ADV trial and hrg on Obj to DGP claim. Requested to be excused. Reminded the court that Claimant and I have agreed that the outcome of the trial will dispose of the Obj to Claim. Judge requested claims and amt in estate to confirm that it is not a surplus case, and I provided same to confirm. Judge concluded that Debtor will not have standing to object as it will not be a surplus case. Debtor pointed out her pending objection to claim and Judge stated objection will be heard through the ADV. 03/02/22: Hrg Held: Debtor's Motion for Sanctions v Creditor denied per hrg memo. 02/07/22: Motion for Reconsideration of Order Granting Trustee's Motion to Approve Compromise filed by Debtor Faith Elyzabeth Antonio. 01/27/22: Emergency Motion to Quash SUBPOENA DIRECTED TO DANIEL A. H. GEBERTH filed in ADV by Creditor. 01/20/22: NOH set for 3/2/22 on Mtn for Sanctions by Debtor. 01/12/22: Motion For Sanctions for Violation of the Automatic Stay under 11 U.S.C. Sec. 362(k) against Creditor SRP Sub LLC d/b/a Invitation Homes filed by Debtor. 01/05/22: Pending hearing on Objection to Claim and trial in ADV scheduled for 3/14/22. 11/09/21: Notice Rescheduling Hearing on Debtor's Objection to Claim(s) 7-1 of DGP Products, Inc., d/b/a Numeric Racing filed by the Debtor and the Trustee. Court rescheduled hearings to 3/14/22. 08/12/21: Court filed Notice of Rescheduled Hearing on Objections to Claim - hearings continued to 11/12/21. 06/29/21: Objection to Claim hearings continued to 8/30/21. 06/28/21: Attended hearing on Debtor's Motion to Remove Trustee, Christine L. Herendeen, for Misappropriation of Debtor's Estate, and Trustee's Response to same. Debtor withdrew the motion in open court. Hearing was also a status hearing on the Debtor and Trustee's Objections to Claim and Creditor's Response to same. I agreed with the Judge that the disposition of the ADV through the trial or otherwise would dispose of the Objection and she pushed it off until after the Aug. trial in the ADV (or it can be sooner if resolve through motions or mediation). Judge found that Debtor may have standing to argue the Objection to Claim due to the pendency of the ADV proceeding, then allowed Debtor to determine which would go to trial first, and she selected the ADV. 06/22/21: Filed Response to Debtors' Motion to Remove Trustee. 06/08/21: Notice of Hearing re Objection to Claim No. 7 and Claimant's Opposition to same filed. 06/03/21: Opposition to Objection to Claim [D.E. 68] Filed by Allison D Thompson on behalf of Creditor DGP Products Inc. d/b/a Numeric Racing. 05/28/25: Cont. NOH filed - hearing on Debtor's obj to claim no. 7 cont. to 6/28. 05/25/21: NOH filed scheduling hearing on Debtor's Motion to Remove Trustee. 05/24/21: Motion to Remove Trustee, Christine L. Herendeen for Misappropriation of Debtor's Estate Filed by Debtor Faith Elyzabeth Antonio. 05/24/21: NOF of Form 1 and Form 2 filed with the court / served on the Debtor. Hrg held on various motions. Judge ruled that Debtor does not have standing to object to the DGP claim. I agreed to file a formal Objection to Claim and work with Creditor's counsel on a proposed order since the Claimant is going to consent to the BK court determining the amount / liquidating the claim in the pending ADV proceed that is set for trial in Aug. 05/06/21: Withdrawal of Claim(s): 2 Filed by Creditor CACH LLC. 4/20/21: Notice of Preliminary Hearing on Objection to Claim 7-

**Form 1**

**Individual Estate Property Record and Report  
Asset Cases**

Page: 1-3

**Case No.:** 8:20-bk-07637-CPM

**Case Name:** ANTONIO, FAITH ELYZABETH

**For Period Ending:** 03/31/2023

**Trustee Name:** (290278) Christine L. Herendeen

**Date Filed (f) or Converted (c):** 10/13/2020 (f)

**§ 341(a) Meeting Date:** 11/18/2020

**Claims Bar Date:** 03/19/2021

1 of DGP Products, Inc. d/b/a Numeric Racing - HRG scheduled on 5/24 at 11 a.m. 04/15/21: Objection to Claim 7-1 of DGP Products, Inc. d/b/a Numeric Racing filed by pro se Debtor. 02/26/21: Order Granting Motion to Approve Compromise of Controversy entered. 02/11/21: Motion for Leave to Withdraw as Counsel filed by Samantha Dammer. 01/29/21: Filed Motion to Approve Compromise. 01/26/21: Order Determining Property is of Consequential Value to the Estate entered. 12/31/20: Motion to Determine Property is of Consequential Value to the Estate. 2016 Kia Forte VIN No. KNAFK4A67G5602581 filed. 12/21/20: Notice of Appearance and Request for Notice on Behalf of the Debtor Filed by Samantha L Dammer on behalf of Debtor Faith Elyzabeth Antonio. She is appearing for the Debtor in the ADV proceeding. 12/17/20: Order Approving Application to Employ/Retain Christine L. Herendeen of Herendeen Law, LLC as General Counsel for the Trustee entered. 12/16/20: Filed Application to Employ General Counsel. 10/16/20: ADV FILED: Complaint by DGP Products Inc. d/b/a Numeric Racing, Faith Elyzabeth Antonio against Faith Elyzabeth Antonio. (Fee Paid.) 8:20-ap-00537-CPM. Nature of Suit: [67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)], [68 (Dischargeability - 523(a)(6), willful and malicious injury)], [65 (Dischargeability - other)]. (Solomon, Stanford)

**Initial Projected Date Of Final Report (TFR):**

03/31/2022

**Current Projected Date Of Final Report (TFR):**

08/31/2023

**Form 2**

**Cash Receipts And Disbursements Record**

**Case No.:** 8:20-bk-07637-CPM  
**Case Name:** ANTONIO, FAITH ELYZABETH  
**Taxpayer ID #:** \*\*-\*\*\*0306  
**For Period Ending:** 03/31/2023

**Trustee Name:** Christine L. Herendeen (290278)  
**Bank Name:** Metropolitan Commercial Bank  
**Account #:** \*\*\*\*\*0700 Checking  
**Blanket Bond (per case limit):** \$28,939,000.00  
**Separate Bond (if applicable):** N/A

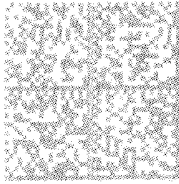
1	2	3	4	5	6	7	
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
12/30/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		12.28	7,651.56
01/31/23		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		13.07	7,638.49
02/08/23		Transfer Debit to TriState Capital Bank acct XXXXXX0863	Transition Debit to TriState Capital Bank acct XXXXXX0863	9999-000		7,638.49	0.00

<b>COLUMN TOTALS</b>	<b>7,938.56</b>	<b>7,938.56</b>	<b>\$0.00</b>
Less: Bank Transfers/CDs	0.00	7,638.49	
<b>Subtotal</b>	<b>7,938.56</b>	<b>300.07</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$7,938.56</b>	<b>\$300.07</b>	



**Office of Nikki Alvarez-Sowles, Esq.**  
**Clerk & Comptroller**  
**Pasco County, Florida**  
 P.O. Box 338  
 New Port Richey, FL 34656-0338

**US POSTAGE**  
 FIRST-CLASS MAIL  
 PERMIT NO. 100  
**\$000.54**  
 04/19/2023 ZIP 34054  
 043M31236962



**FAITH ELYZABETH ANTONIO**  
**965 DOVE HOLLOW CT**  
**PALM HARBOR, FL 34683**

**2023 APR 27 AM 11:37**

**Filed for Record**  
**Pasco County, Florida**

639 539 5727 0000/23/23

**RETURN TO SENDER  
 ATTEMPTED - NOT KNOWN  
 UNABLE TO FORWARD**

ANX 34656053830 2574-02934-23-46

689CAAXWS 4/17/2023 3:46:00 PM

**AL CIRCUIT IN AND FOR PASCO  
 A**

Case: 2020CA000889CAAXWS

Division: G

**SECUTION**

I record that no activity by filing of period of 10 months immediately used or approved by the court. 20(d), if no such record activity occurs court on its own motion or on the motion or not, after reasonable notice to least five (5) days before the hearing

to those parties and/or party attorneys

*Nikki Alvarez-Sowles*  
 Clerk & Comptroller

1889CAAXWS 4/17/2023 3:46:00 PM  
 Faye Donnelly

BLVD SUITE D, TAMPA, FL 33606  
 T, PALM HARBOR, FL 34683

Nikki Alvarez-Sowles, Esq., Pasco County Clerk & Comptroller 4/17/2023 3:46:00 PM