

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 12-60616-CV-DIMITROULEAS/SNOW

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
v.)
)
GEORGE ELIA,)
INTERNATIONAL CONSULTANTS &)
INVESTMENT GROUP LTD. CORP.,)
)
Defendants,)
)
212 ENTERTAINMENT CLUB, INC.,)
ELIA REALTY, INC.,)
)
Relief Defendants.)
_____)

ORDER APPROVING NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE;
GRANTING MOTION TO CONTINUE TRIAL

THIS CAUSE is before the Court upon Notice of Voluntary Dismissal with prejudice as to its claims for a civil penalty against Defendants George Elia (“Elia”) and International Consultants & Investment Group Ltd. Corp. (“ICIG”, and, together with Elia, the “Defendants”) [DE 65] and Plaintiff’s Motion to Remove Case from Trial Docket and to Extend Plaintiff’s Time to File its Motion Setting Disgorgement Amounts [DE 66], both filed herein on June 24, 2013. The Court has carefully considered the Notice and Motion, and is otherwise fully advised in the premises.

Plaintiff voluntarily dismisses its civil penalty claim against Elia because of his sentencing in the parallel criminal case, United States v. Elia, Case No # 0:12-cr-60077-KMW (S.D. Fla.). Plaintiff states that, on June 12, 2013, the Court in the parallel criminal case

sentenced Elia to 144 months in prison while deferring restitution until September 13, 2013.

Plaintiff also voluntarily dismisses its civil penalty claim against ICIG.


Plaintiff states that, with these voluntary dismissals of the civil penalty claims against the Defendants, the only outstanding issues in this action are the Commission's disgorgement and prejudgment interest claims against the Defendants and the two relief defendants, 212 Entertainment Club, Inc. and Elia Realty, Inc.

In the parallel criminal matter, the Court is scheduled to determine the amount of restitution on September 13, 2013. Therefore, Plaintiff requests an extension of time to file any motion related to disgorgement and prejudgment interest to September 27, 2013. The Court construes Plaintiff's Motion [DE 66] as a motion to continue.

Accordingly, it **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Notice of Voluntary Dismissal with prejudice is **APPROVED**;
2. Plaintiff's Motion [DE 66], construed by the Court as a motion to continue trial, is **GRANTED**.
3. Trial in this case is hereby **RESET** for September 30, 2013, with the calendar call **RESET** for September 27, 2013 at 10:00 a.m.

DONE AND ORDERED in Chambers at Fort Lauderdale, Florida on this 25th day of June, 2013.


WILLIAM P. DIMITROULEAS
United States District Judge

cc: Counsel of Record