**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF PUERTO RICO**

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| **WIGBERTO LUGO-MENDER, as the duty appointed Trustee in the liquidation of EURO PACIFIC INTERNATIONAL BANK, INC.,**<br><br>*Plaintiff,*<br><br>v.<br><br>**QENTA, INC.; PETER D. SCHIFF; BRENT DE JONG; ET AL.,**<br><br>*Defendants.*<br><br>**EURO PACIFIC FUNDS SCC LTD.; EURO PACIFIC SECURITIES, INC.; EURO PACIFIC CARD SERVICES LTD.; AND GLOBAL CORPORATE STAFFING LTD.**<br><br>*Parties in Interest.* | **CIVIL NO.**: 25-1501 (PAD) |

**URGENT MOTION TO CELEBRATE ARGUMENTATIVE HEARING VIA VTC OR, IN THE ALTERNATIVE, FOR LEAVE TO APPEAR VIRTUALLY AT ARGUMENTATIVE HEARING**

**TO THE HONORABLE COURT:**

**COMES NOW** Defendant Peter D. Schiff ("Schiff" or "Defendant"), through the undersigned counsel, and respectfully states and prays as follows:

1. On September 16, 2025, Plaintiff Wigberto Lugo-Mender ("Lugo-Mender" or "Trustee") filed an "Emergency Motion Requesting Hearing for Provisional Remedies, Including Temporary Restraining Order, to Secure Satisfaction of Judgment" requesting immediate court intervention to prevent the dissipation of approximately $50 million in assets allegedly controlled by Qenta Inc. (*See* Docket No. 2.) The Trustee seeks provisional remedies including a temporary restraining order, asset attachment and garnishment, an injunction against asset transfers, and a full accounting of customer assets, arguing that

without such relief, the assets may be lost and any future judgment rendered by the Court would be unenforceable. (*See id.*)

2. Mr. Schiff filed his response to the Trustee's motion on September 29, 2025. (*See* Docket No. 14.) While supporting the idea of freezing Qenta's assets to protect those customers, Schiff contends that the Trustee's claims against him are baseless, legally deficient, and contrary to the factual record. First, Mr. Schiff is not in position of any assets that could be reasonably construed as belonging to any current or former customer of Euro Pacific International Bank, Inc. ("EPB"). Any order restricting the movement of customer-owned assets would thus not touch upon any property in Mr. Schiff's possession. Second, the response argues that the Trustee's "Emergency Motion" is both frivolous and misleading because it falsely accuses him of conspiring with Qenta, Inc. to defraud customers when, far from engaging in wrongdoing, Schiff was the first to act against Qenta by filing lawsuits in Puerto Rico and New York to freeze and recover approximately $80 million in customer assets. Third, Schiff argues that the Trustee's RICO complaint fails to allege any viable enterprise, pattern of racketeering, or fraudulent misrepresentation under Rule 9(b).

3. Today, the Court set the Trustee's motion for oral argument on October 8, 2025 at 3:00 PM in Courtroom 5. (*See* Docket No. 16.)

4. On that date, Defendant's counsel, Javier F. Micheo-Marcial, will be outside the jurisdiction.

5. Considering the undersigned counsel's preexisting obligations outside the jurisdiction on the date scheduled for oral argument—and based on representations by the Trustee's own counsel that the Trustee will likewise be outside the jurisdiction on October 8—Defendant respectfully requests that the Court hold the October 8, 2025 hearing virtually.

6. Such accommodation would ensure that the matter, which the Trustee himself has labeled as "emergent," is addressed promptly and without unnecessary delay. The primary dispute concerns the alleged conduct of Qenta, Inc. and the Trustee's request for provisional remedies against Qenta's control of certain assets; Mr. Schiff is not alleged to possess, manage, or have custody over any of the property at issue. Under these circumstances, a virtual hearing would fully serve the interests of judicial efficiency, fairness, and expediency, enabling all parties to be heard without compromising decorum or the Court's ability to evaluate the arguments.
7. In the alternative, Defendant respectfully requests that the Court authorize his counsel to appear virtually so that the hearing may proceed as scheduled without disruption or prejudice to any party.
8. This request is made in good faith and in the interest of justice. Importantly, Mr. Schiff conferred with counsel for both Qenta, Inc. and the Trustee, and both have indicated that they do not object to the requested relief.

**WHEREFORE**, Defendant Peter D. Schiff respectfully requests the Court GRANT this motion.

**RESPECTFULLY SUBMITTED** in San Juan, Puerto Rico on this 6th day of October 2025.

**WE HEREBY CERTIFY**: Today we have electronically filed the foregoing document using the CM/ECF system which will send a copy and notification of filing to all counsel of record.

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