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

WIGBERTO LUGO-MENDER, as Trustee for Euro Pacific International Bank, Inc. **Plaintiff,** **v.** QENTA, INC.; PETER D. SCHIFF; BRENT DE JONG; ABC INSURANCE COMPANY; XYZ INSURANCE COMPANY; XYZ **Defendants,** EURO PACIFIC FUNDS SCC LTD.; EURO PACIFIC SECURITIES, INC.; EURO PACIFIC CARD SERVICES LTD AND GLOBAL CORPORATE STAFFING LTD. **Parties In Interest.**	**Civil No.:** 25-cv-1501 (PAD) **RE:** VIOLATION OF THE COMMODITY EXCHANGE ACT, 7 U.S.C. § 1, *et. seq.;* VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, 18 U.S.C. §1962; DECLARATORY JUDGMENT; REQUEST FOR PROVISIONAL REMEDIES PURSUANT TO THE PUERTO RICO RULES OF CIVIL PROCEDURE; DEMAND FOR TRIAL BY JURY

NOTICE OF APPEARANCE, REQUEST FOR NOTICE
and MOTION FOR EXTENSION OF TIME

TO THE HONORABLE COURT:

COME NOW, defendants QENTA, INC. and MR. BRENT DE JONG (collectively "Defendants"), through the undersigned attorney and respectfully allege, pray and request as follows:

1. The undersigned counsel hereby appears on behalf of Defendants Qenta, Inc. and Mr. Brent and respectfully requests this Honorable Court to take notice and to direct all future notices and filings to the undersigned at:

PIRILLO LAW, LLC.
PO Box 194981
San Juan, PR 00919-4981
(787) 957-3077
Jose E. Nassar-Veglio
USDC-PR 220308
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2. Regarding the recent filings and the court-imposed deadlines for the Defendants to respond to Plaintiff's request for provisional remedies and answer the complaint or otherwise plead, the appearing party, respectfully, states:

BACKGROUND

a. On **September 17, 2025**, Plaintiff filed the *Verified Complaint* and an *Emergency Motion Requesting Hearing for Provisional Remedies Including Temporary Restraining Order to Secure Satisfaction of Judgment* (ECF Nos. 1 and 2). That same day, the Court denied the TRO and ordered Plaintiff to serve summons and all filings by noon Monday, September 22, 2025, and to certify service that same day.

b. Plaintiff mailed copies of the Complaint and Emergency Motion to various attorneys on **September 17**, as a courtesy notice (not service).

c. On **September 19, 2025**, counsel for Peter Schiff accepted service/waived personal service via email in exchange for a fifteen (15) day extension to respond to the Complaint. (*See* ECF No. 7)

d. Plaintiff did not serve Qenta Inc., nor Mr. Brent De Jong by the Court's **September 22nd deadline**. On **September 23, 2025**, Plaintiff moved for a short extension to complete service, citing difficulty identifying a current address. (*See* ECF No. 7)

e. On the same date, the Plaintiff's legal counsel reached out to the undersigned's office for address confirmation, which was provided in the morning of **September 24, 2025**. That afternoon, Qenta Inc. and Mr. De Jong were served. (*See* ECF. No. 9)

f. By subsequent order, the Court extended Plaintiff's service deadline to **Thursday, September 25, 2025**, and set Defendants' deadlines to (i) oppose provisional remedies by

Monday, September 29, 2025, and (ii) answer the complaint or otherwise plead by **Wednesday, October 1, 2025.** (*See* ECF. No. 8)

g. Appearing Defendants further emphasize that, contrary to Plaintiff's suggestion[1], **undersigned counsel and firm had not been retained to represent them in this litigation prior to the notification of service of summons**. While the firm had provided Qenta with occasional corporate and regulatory advice, it had no role in this controversy, the filing of documents and/or the strategy to handle the proceedings, other than limited pre-litigation communications between Attorney Martin Pirillo, Trustee Wigberto Lugo, and Plaintiff's counsel in an effort to resolve the matter out of court. Only after service of summons on **Wednesday, September 24th** and following internal review, did Qenta formally retain the undersigned on **Thursday, September 25**, to represent Defendants in this litigation.

h. Respectfully, these deadlines, set only days after late service, are insufficient and prejudicial to the Appearing Defendants, particularly in a case where the claims are based on complex statutory matters as are the Racketeer Influenced and Corrupt Organizations Act, or R.I.C.O. Act (18 U.S.C. § 1962), and the Commodity Exchange Act or C.E.A. (7 U.S.C. § 1 et seq).

LEGAL STANDARD

8. Federal Rule of Civil Procedure 12(a)(1)(A)(i) provides that a defendant must answer within twenty-one (21) days after being served with summons and complaint. In the captioned case the service of summons to Qenta Inc. and Mr. De Jong, occurred on September 24, 2025, which would make their deadline to answer or otherwise respond October 15, 2025

[1] As stated on Plaintiff's September 23rd *Informative Motion*, pg. 2 (*See* ECF. No. 7)

9. Federal Rule of Civil Procedure 6(b)(1) authorizes the Court to extend deadlines for good cause (and under Rule 6(b)(1)(B) upon excusable neglect if a deadline has passed), considering equity and fairness. *See O'Connell v. Hyatt Hotels of P.R.,* 357 F.3d 152, 154–55 (1st Cir. 2004) (good cause focuses on showing the deadline "cannot be met despite the movant's diligent efforts")*; See also Utah Republican Party v. Herbert* 678 Fed. Appx. 697, 700-701 (10th Cir. 2017)

10. The First Circuit has long held that procedural due process requires notice and a meaningful opportunity to be heard at a meaningful time and meaningful manner. *See Whiting v. United States*, 231 F.3d 70, 76–77 (1st Cir. 2000) (due process is about notice sufficient to ensure a meaningful opportunity to be heard); *Gorman v. Univ. of R.I.*, 837 F.2d 7, 12 (1st Cir. 1988) (same); *See* also *Ramirez-Pagán v. Benitez*, 910 F. Supp. 38, 43-45 (D.PR 1995).

GOOD CAUSE AND DUE PROCESS CONSIDERATIONS

10. In this case Defendants understand there is good cause to extend the deadlines.

11. Plaintiff failed to comply with the Court's initial deadline for serving Defendants. Service occurred late (Sept. 24) relative to the Court's original September 22nd noon deadline, compressing Defendants' time to (a) review a complex pleading (including RICO/CEA claims), (b) analyze and assemble an opposition to provisional remedies, and (c) prepare an answer or Rule 12 motion.

12. Undersigned Counsel was retained Thursday, September 25, leaving effectively **four (4) natural days** from service to the provisional-remedy deadline and **six (6) natural days** to the pleading deadline leaving insufficient time for the undersigned to analyze the Complaint and the voluminous set of documents included as exhibits, evaluate the request for provisional remedies, prepare a responsible and comprehensive response by the aforementioned deadlines. These dates do not afford a meaningful opportunity to be heard.

13. Plaintiff has already received additional time to complete service. A short extension will not prejudice Plaintiff but denying one would unduly prejudice and hinder Defendants' due-process rights, undermine the quality of briefing, and compromise judicial economy.

14. Under Rule 6(b)(1) the Court has ample discretion to adjust the schedule to ensure fairness and a complete record.

REQUESTED RELIEF

15. As previously stated, the undersigned attorney has just been retained as counsel for Defendants to represent their interest in the captioned case and is currently complying with its legal obligation and ethical responsibility investigating all allegations and documents that are and may be related to the Plaintiff's claim.

16. For this reason, Defendants respectfully request this Honorable Court for a reasonable extension of time until October 3rd, 2025, to finish said revision and to responsibly comply with our ethical and legal responsibility to respond to the request for provisional remedies and until October 14, 2025, to answer the complaint or otherwise plead.

17. This extension of time will not be prejudicial to the Plaintiff's claim as it had already agreed with co-defendant Schiff for a fifteen (15) day extension to plead.

WHEREFORE, appearing Defendants respectfully request this Honorable Court:

A. Takes notice of the undersigned counsel's appearance on behalf of Defendants Qenta Inc. and Mr. Brent De Jong;

B. Extend the deadline to file Defendants' response to the Plaintiff's request for provisional remedies to Friday, October 3, 2025;

C. Allow Defendants to answer or otherwise plead to the Complaint by October 14, 2025 (21 days from service), as provided by Fed. R. Civ. P. 12;

D. Grant such other and further relief as may be just and proper.

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will notify case participants.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 26th day of September 2025.

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