

L15000147610

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

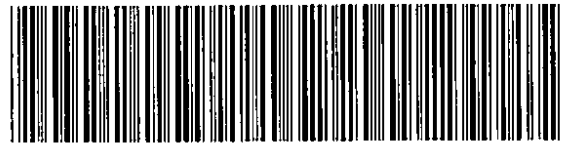
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



400401967154

FILED

2023 FEB 14 PM 12:31

SECRETARY OF STATE
TALLAHASSEE, FL

Count ordered
Dissolution

FEB 22 2023

D CUSHING

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO: 2018-012194-CA-01

SECTION: CA21

JUDGE: David C. Miller

FILED
2023 FEB 14 PM 12:31
CLERK OF THE COURT
MIAMI-DADE COUNTY, FL

Paola Mantegazza Pomelli

Plaintiff(s)

vs.

Paulo Cesar Mantegazza Pomelli et al

Defendant(s)

FINAL JUDGMENT BY JUDGE

THIS CAUSE came before the Court on Thursday, December 15, 2022, at 9:00 a.m. for a bench trial. The Court, having received documents into evidence, having heard argument and agreements of counsel, having established that certain pertinent facts are no longer in dispute through Mr. Pomelli's counsel's representations in open court. and being otherwise duly advised, finds as follows:

1. The assets at issue in this matter (the "Miami Assets") were all located in Miami-Dade County, Florida, prior to their liquidation.
2. With the exception of the Riva Yacht and the Banco Santander International bank account, which are owned directly by PMP Holding, Ltd. ("PMP Holding"), a British Virgin Islands company, the Miami Assets were all owned by six Florida LLCs. Those six LLCs are PMP FAMILY LLC, PMP FAMILY II LLC, PMP FAMILY III LLC, PMP FAMILY IV LLC, PMP FAMILY V LLC, and PMP FAMILY VI LLC (collectively, the "Florida LLCs").
3. The Florida LLCs are all assets of PMP Holding.
4. Ms. Mantegazza and Mr. Pomelli own PMP Holding.

A TRUE COPY
CERTIFICATION ON LAST PAGE
LUIS G. MONTALDO
CLERK AD INTERIM

-
5. Ms. Mantegazza and Mr. Pomelli owned PMP Holding, and PMP Holding in turn owned the Florida LLCs, during their marriage. The Parties' marriage has been dissolved in Brazil.
 6. On May 13, 2021, following the dissolution of the Parties' marriage, the Brazilian trial court issued its ruling on the division of their assets (the "Brazilian Ruling"). The Brazilian Ruling was admitted into evidence by this Court as Plaintiff's Exhibit 197.
 7. The Brazilian Ruling found that all assets and debts incurred during the Parties' marriage belong to Ms. Mantegazza. Specifically, and in pertinent part, the Brazilian court stated:

Regarding the fourth and last controversial point. It is unnecessary to assess the amount of assets and debts existing at the time of physical separation, since the thesis of incommunicability has been implemented, it is the case of recognizing that all assets and debts belong to the wife. Only by way of illustration, the amount of assets and the amount of debts were ascertained by the expert accountant in the report on pages 3532/3534.

However, I emphasize that all assets eventually acquired by the husband after the couple's physical separation, even if in breach of the injunction blocking the action, must return to the woman's estate.

Therefore, based on the article 487, I of the CPC, I approve the request to declare the inexistence of tangible or intangible assets to be shared, either by the incommunicability of the property of the wife's source, or pursuant to the nullity of the change of the marital property rule, as explained in the reasoning.

I declare that all the goods, whether tangible or intangible, as well as the debts incurred during the marriage, and until the couple's physical separation remain in the ownership of the petitioner, Ms. Paola Mantegazza; and that even the watches acquired by the husband are to be deemed as an investment (belonging to the wife), and not personal property of the husband as decided by E.TBSP o appeal, already res judicata.

Pl. Exh. 197-0038.

8. Consistent with the findings in the Brazilian Ruling, along with Mr. Pomelli's counsel's concession in open Court that there is nothing to do here light of that ruling, all of the Miami Assets and the proceeds from the sale of the Miami Assets belong to Ms. Mantegazza.

A TRUE COPY
BEFORE ME
LUIS G. MONTALDO
CLERK AD INTERIM

9. In light of the dissolution of the Parties' marriage, this Court's finding that all of the Miami Assets and the proceeds from the sale of the assets belong to Ms. Mantegazza, and the contentious and irreparable nature of the Parties' relationship, it is established that it is no longer reasonably practicable to carry on the Florida LLCs' activities and affairs in conformity with their articles of organization and their operating agreements. Accordingly, good cause has been shown for the Court to fashion a remedy to provide for the judicial dissolution of the Florida LLCs.

ACCORDINGLY, IT IS ORDERED AND ADJUDGED as follows:

1. Judgment is entered in favor of Plaintiff, PAOLA MANTEGAZZA, individually and as manager of PMP FAMILY LLC, PMP FAMILY II LLC, PMP FAMILY III LLC, PMP FAMILY IV LLC, PMP FAMILY V LLC, and PMP FAMILY VI LLC, and against Defendants on all counts set forth in Ms. Mantegazza's April 16, 2018 Verified Complaint.
2. Ms. Mantegazza is entitled to any and all proceeds from the sale of the Miami Assets, any personal property that remains unsold, the funds in the accounts maintained by the General Magistrate, and the funds remaining in the Banco Santander International account. Ms. Mantegazza may use the funds to pay down loans, other debts, or for any other purpose.
3. General Magistrate shall immediately direct Banco Santander International to transfer the remaining balance of the PMP Holding account (account ending in 9496, including any and all subaccounts) to Ms. Mantegazza as directed by Ms. Mantegazza. Ms. Mantegazza shall provide the General Magistrate, and the General Magistrate shall in turn provide Banco Santander International, the banking information needed to facilitate this transfer. Once this transfer is complete, the General Magistrate shall direct Banco Santander International to close the PMP Holding account.
4. The General Magistrate shall immediately transfer the remaining balance of the two First Horizon accounts he holds in his capacity as General Magistrate to Ms. Mantegazza.

A TRUE COPY
CERTIFIED ACCOUNTS ENDING IN 7700
LUIS G. MONTALDO
CLERK AD INTERIM

and 7189) to Ms. Mantegazza as directed by Ms. Mantegazza. Ms. Mantegazza shall provide the General Magistrate the banking information needed to facilitate this transfer. Once the transfers are complete, the General Magistrate shall close these two accounts.

5. The General Magistrate shall transfer custody of the Riva Yacht to Ms. Mantegazza. Should she so choose, Ms. Mantegazza may separately retain the General Magistrate for purposes of disposing of the Riva.
6. Any remaining items of personal property retained by the General Magistrate from the Bay Harbor Property shall be transferred to Ms. Mantegazza as directed by Ms. Mantegazza. Ms. Mantegazza shall be responsible for the cost of any transfer.
7. Upon completion of his obligations under this Order, the General Magistrate shall present his final invoice to counsel for Ms. Mantegazza for approval and payment directly from Ms. Mantegazza. Ms. Mantegazza shall pay the final invoice within 10 days of receipt.
8. The General Magistrate is discharged upon completion of these duties, with the Court reserving jurisdiction to address any issue that may arise with respect to the discharge of his remaining obligations as set forth in this Order. Upon completion of these obligations, the General Magistrate shall file a final report with the Court providing that all of the Miami Assets have been sold or otherwise disposed of and that his final invoice has been paid.
9. Counsel for Ms. Mantegazza shall transfer any remaining funds held in the Nelson Mullins trust account pursuant to any orders of this Court to Ms. Mantegazza as directed by Ms. Mantegazza.
10. The writ of bodily attachment issued by this Court against Mr. Pomelli on October 11, 2019, shall remain in full force and effect and this Court reserves jurisdiction regarding its enforcement and the issues which led to its issuance.
11. In light of the grounds for judicial dissolution of the Florida LLCs set forth above, and

A TRUE COPY
CERTIFICATION ON LAST PAGE
LUIS G. MONTALDO
CLERK AD INTERIM

pursuant to § 605.0705(1), Fla. Stat., PMP FAMILY LLC, PMP FAMILY II LLC, PMP FAMILY III LLC, PMP FAMILY IV LLC, PMP FAMILY V LLC, and PMP FAMILY VI LLC are dissolved effective **December 15, 2022**.

12. Pursuant to § 605.0705(1), Fla. Stat., the Clerk of Court is directed to deliver a certified copy of this Order to the Department of State, which shall file the certified copy of this Order upon receipt of same.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 30th day of December, 2022.


2018-012194-CA-01 12-30-2022 6:10 PM

2018-012194-CA-01 12-30-2022 6:10 PM
Hon. David C. Miller

CIRCUIT COURT JUDGE
Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

Adam Lavine, Adam.lavine@kobreckim.com
Amy Steele Donner, amy.steeledonner@nelsonmullins.com
Amy Steele Donner, janel.guilleuma@nelsonmullins.com
Erin Kolmansberger, erin.kolmansberger@nelsonmullins.com
Erin Kolmansberger, stacy.smith@nelsonmullins.com
Eugene Philip Flinn, eugeneflinn@bellsouth.net
Eugene Philip Flinn, eservice@eugeneflinn.com
Eugene Philip Flinn, eugene@eugeneflinn.com
Francisco Armada, francisco.armada@nelsonmullins.com
Francisco Armada, marisa.armas@nelsonmullins.com
Gabriela M Ruiz, gabriela.ruiz@kobreckim.com
Genilde Guerra, Genilde@kravitzlaw.com
Genilde Guerra, Marlene@kravitzlaw.com
Genilde Guerra, Paralegal@kravitzlaw.com

A TRUE COPY
CERTIFICATION ON LAST PAGE
LUIS G. MONTALDO
CLERK AD INTERIM

Genilde Guerra, Esq., genilde@kravitzlaw.com
Hector Enrique Lora, Hector@kravitzlaw.com
Hector Enrique Lora, hectorlora@bellsouth.net
Hector Enrique Lora, paralegal@kravitzlaw.com
Israel U Reyes, ireyes@reyeslawfirm.com
Israel U Reyes, sloric@reyeslawfirm.com
James M Schiff, jim@jmschiff.com
John Daniel Couriel, john.couriel@kobrekim.com
John Daniel Couriel, peter.schilling@kobrekim.com
Joseph Benjamin Rome, jrome@sequorlaw.com
Joseph Benjamin Rome, joseph.b.rome@gmail.com
Kimberly Jordan Freedman, kimberly.freedman@nelsonmullins.com
Kimberly Jordan Freedman, yusimy.bordes@nelsonmullins.com
Lidice Diaz, Lidiced2@gmail.com
Mark Raymond, mark.raymond@nelsonmullins.com
Mark Raymond, stacy.smith@nelsonmullins.com
Melissa A Giasi, melissa@giasilaw.com
Melissa A Giasi, ahill@giasilaw.com
Melissa A Giasi, eberger@giasilaw.com
Michael C. Grieco, jessica@griecolaw.com
Robert Alan Kravitz, Ez@Kravitzlaw.com
Robert Alan Kravitz, Paralegal@Kravitzlaw.com
Stephanie L Hauser, slh@klsg.com
Stephanie L Hauser, rsb@klsg.com
Zachary A. Emmanouil, ze@kravitzlaw.com
Zachary A. Emmanouil, paralegal@kravitzlaw.com

Physically Served:

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that the foregoing is a true and
correct copy of the original on file in this
office January 13, AD 20 23

LUIS G. MONTALDO, CLERK AD INTERIM
of Circuit and County Courts
Deputy Clerk /s/ Alexandra Barroso e26473

29949216

