

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION  
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In re:

Chapter 11

1 GLOBAL CAPITAL LLC, d/b/a  
1GC COLLECTIONS, *et al.*,<sup>1</sup>

Case No. 18-19121-RBR  
*Jointly Administered*

Debtors.

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**THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS' OBJECTION TO NOTICE OF TRANSFER OF  
CLAIM OTHER THAN SECURITY (CLAIM NO. 2146 – BRIAN D. JONES)**

The Official Committee of Unsecured Creditors (the “**Committee**”), by its undersigned counsel, files this its Objection (the “**Objection**”) to Notice of Transfer of Claim Other Than Security (the “**Notice**”) [ECF No. 739], and in support of its Objection, states:

1. On July 27, 2018 (the “**Petition Date**”), 1 Global Capital, LLC, d/b/a 1 GC Collections (“**1 Global**”) and 1 West Capital, LLC (collectively, the “**Debtors**”) commenced these cases (the “**Chapter 11 Cases**”) by filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Florida (the “**Court**”).

2. The Debtors are operating their businesses and managing their affairs as debtors in possession pursuant to section 1107(a) and 1108 of the Bankruptcy Code.

3. On September 7, 2018, the United States Trustee for Region 21 appointed the Committee in these Chapter 11 Cases.

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the business addresses and the last four (4) digits of each Debtor’s federal tax identification number, if applicable, are: 1 Global Capital LLC, 1250 E. Hallandale Beach Blvd., Suite 409, Hallandale Beach, FL 33009 (9517); and 1 West Capital LLC, 1250 E. Hallandale Beach Blvd., Suite 409, Hallandale Beach, FL 33009 (1711).

4. On November 21, 2018, Brian D. Jones (“**Jones**”) filed a Proof of Claim in 1 Global’s bankruptcy case which was assigned Claim No. 2146 (the “**Claim**”). Numerous documents were attached to the Claim, including the Memorandum of Indebtedness (the “**MOI**”) between Jones, as lender, and 1 Global.

5. The MOI provides that the agreement cannot be assigned without prior written approval. Section 12.2 of the MOI provides in part:

. . . Lender may not transfer, encumber, assign, hypothecate, or otherwise transfer this Indebtedness to any party, individual, or entity without prior written approval of [1 Global].

6. Anti-assignment provisions are enforceable in a bankruptcy case. *In re Woodbridge Group of Companies, LLC*, 590 B.R. 99 (Bankr. D. Del. 2018).

7. On June 21, 2019, Argo Partners filed the Notice. The only documentation attached to the Notice was a document entitled “Assignment of Claim 2146” executed by Jones and Argo.

8. Neither Argo nor Jones obtained the written approval of 1 Global as required by the MOI.

9. The Committee objects to the transfer on the grounds that neither Argo nor Jones complied with the provisions governing the transfer of the MOI.

WHEREFORE, the Committee respectfully requests the Court sustain the Objection,

determine that the Claim cannot be transferred without prior written approval, and for such other and further relief as may be just.

/s/ Scott A. Stichter  
Harley E. Riedel (FBN 183628)  
Russell M. Blain (FBN 236314)  
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**COUNSEL TO THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing the Official Committee of Unsecured Creditors' Objection to Notice of Transfer of Claim Other Than Security (Claim No. 2146 – Brian D. Jones) has been furnished on this 3<sup>rd</sup> day of July, 2019, by the Court's ECF System to all parties receiving electronic notice, and by U.S. Mail to:

Argo Partners  
ATTN: Matthew V. Binstock, CFA  
12 West 37<sup>th</sup> Street, 9<sup>th</sup> Floor  
New York, New York 10018

Brian D. Jones  
5071 Western Blvd., Apt. 1E  
Jacksonville, NC 28546

/s/ Scott A. Stichter  
Attorney

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