

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

OTO ANALYTICS, LLC,

Plaintiff,

v.

**BENWORTH CAPITAL PARTNERS PR,
LLC; BENWORTH CAPITAL PARTNERS,
LLC; BERNARDO NAVARRO and CLAUDIA
NAVARRO,**

Defendants.

Civil No. 23-01034 (GMM) *cons.*
Civil No. 24-01313 (GMM)

**FEDERAL RESERVE BANK OF SAN
FRANCISCO,**

Plaintiff-Intervenor,

v.

**OTO ANALYTICS, LLC; BENWORTH
CAPITAL PARTNERS PR, LLC;
BENWORTH CAPITAL PARTNERS, LLC;
BERNARDO NAVARRO and CLAUDIA
NAVARRO,**

Defendants in Intervention.

**FEDERAL RESERVE BANK OF SAN
FRANCISCO,**

Consolidated Plaintiff,

v.

**BENWORTH CAPITAL PARTNERS PR,
LLC; BENWORTH CAPITAL PARTNERS,
LLC; BERNARDO NAVARRO and CLAUDIA
NAVARRO,**

Consolidated Defendants.

JOINT STATUS REPORT

Pursuant to this Court's September 3, 2024 Order ("**Order**"; ECF No. 161), Plaintiff/Defendant in Intervention Oto Analytics, LLC (f/k/a Oto Analytics, Inc. d/b/a Womply) ("**Womply**"), Plaintiff-Intervenor Federal Reserve Bank of San Francisco ("**Reserve Bank**"; together with Womply, "**Plaintiffs**"), and Defendants Benworth Capital Partners PR, LLC, Benworth Capital Partners, LLC, Bernardo Navarro, and Claudia Navarro (collectively, "**Defendants**"; together with Plaintiffs, the "**Parties**"), through their undersigned counsel, respectfully submit this Joint Status Report.

Since the Order, the Parties have begun the discovery process; conducted motion practice; and met and conferred by email and video conference regarding discovery, case deadlines, a protective order, and a stipulation regarding electronically stored information ("**ESI**") as follows:

- **Discovery.** On September 5, 2024, Defendants served their respective Initial Disclosures with respect to the Reserve Bank. On September 19, 2024, the Parties conducted a second Rule 26(f) conference by videoconference.
- **Agreed Deadlines.** After meeting and conferring by email and by videoconference on September 11, 2024, the Parties agreed that (1) Womply's and Defendants' deadline to answer or otherwise respond to the Reserve Bank's Complaint in Intervention is October 1, 2024; (2) Defendants' deadline to respond to Plaintiffs' discovery requests is October 7, 2024; and (3) the Parties will meet and confer regarding Defendants' discovery responses on October 10, 2024, by videoconference at 11 AM ET.
- **Motion Practice.** On September 9, 2024, Womply moved to strike certain of Defendants' affirmative defenses (ECF No. 162). Defendants filed their opposition to Womply's motion on September 23, 2024 (ECF No. 163) and Womply represents that it is filing a motion for leave to file a reply today.
- **Protective Order.** After an extensive meet-and-confer process, the Parties reached agreement regarding a Stipulated Confidentiality Agreement and Proposed Protective Order, except for one provision about which the Parties are continuing to confer. By Friday, October 4, the Parties will file a joint submission seeking entry of a protective order.
- **ESI Stipulation.** After an extensive meet-and-confer process, the Parties reached agreement regarding the ESI Stipulation attached hereto as Exhibit 1.

Dated: September 30, 2024

MCCONNELL VALDÉS LLC

By: /s/ Alejandro J. Cepeda Diaz
Alejandro J. Cepeda Diaz
USDC-PR 222110
McConnell Valdés LLC
270 Muñoz Rivera Ave.
Hato Rey PR 00918
(787) 250-5637
ajc@mcvpr.com

WILLKIE FARR & GALLAGHER LLP

Alexander L. Cheney (admitted *pro hac vice*)
333 Bush Street
San Francisco, CA 94104
(415) 858-7400
acheney@willkie.com

Stuart R. Lombardi (admitted *pro hac vice*)
787 Seventh Avenue
New York, NY 10019
(212) 728-8882
slombardi@willkie.com

Joshua S. Levy (admitted *pro hac vice*)
1875 K Street, N.W.
Washington, D.C. 20006
(202) 303-1000
jlevy@willkie.com

*Counsel for Plaintiff and Defendant in
Intervention Oto Analytics, LLC*

FERRAIUOLI LLC

By: /s/ Roberto A. Cámara Fuertes
Roberto A. Cámara Fuertes
USDC-PR 219002
Jaime A. Torrens-Davila
Monica Del Pilar Ramos-Benitez
Ferraiuoli LLC
PO Box 195168
San Juan, PR 00919-5168
(787) 766-7000
(787) 766-7001
rcamara@ferraiuoli.com
itorrens@ferraiuoli.com
mramos@ferraiuoli.com

**KOZYAK TROPIN &
THROCKMORTON**

Dwayne Robinson
Michael R. Lorigas
Rasheed K. Nader
2525 Ponce de Leon Boulevard,
9th Fl.
Miami, Florida 33134
(305) 372-1800
jpiedra@kttlaw.com
drobinson@kttlaw.com
mlorigas@kttlaw.com
rnader@kttlaw.com

*Counsel for Defendants and
Defendants in Intervention
Benworth Capital Partners LLC
and Bernardo Navarro*

O'NEILL & BORGES LLC

By: /s/ Antonio L. Roig Lorenzo

Antonio L. Roig Lorenzo
USDC-PR No. 207712
Salvador J. Antonetti Stutts
USDC-PR No. 215002
Ubaldo M. Fernández Barrera
USDC-PR No. 224807
Aníbal A. Román Medina
USDC-PR No. 308410
250 Muñoz Rivera Ave., Ste. 800
San Juan, PR 00918-1813
(787) 764-8181
antonio.roig@oneillborges.com
salvador.antonetti@oneillborges.com
ubaldo.fernandez@oneillborges.com
anibal.roman@oneillborges.com

**CLEARY GOTTlieb STEEN &
HAMILTON LLP**

Lisa M. Schweitzer (admitted *pro hac vice*)
Thomas S. Kessler (admitted *pro hac vice*)
One Liberty Plaza
New York, New York 10006
(212) 225-2000
lschweitzer@cgsh.com
tkessler@cgsh.com

*Counsel for Plaintiff Intervenor the Federal
Reserve Bank of San Francisco*

**CASELLAS ALCOVER &
BURGOS, P.S.C.**

By: /s/ Carla S. Loubriel

Carla S. Loubriel
USDC-PR 227509
Ricardo F. Casellas
USDC-PR 203114
208 Ponce de Leon Ave.
Popular Center Bldg. Suite 1400
Hato Rey, PR 00918
(787) 756-1400
cloubriel@cabprlaw.com
rcasellas@cabprlaw.com

*Counsel for Defendants and
Defendants in Intervention
Benworth Capital Partners PR
LLC and Claudia Navarro*

CERTIFICATE OF SERVICE

The undersigned certifies that on September 30, 2024, the foregoing document was filed with the Clerk of the Court using CM/ECF, which sent notice to all parties receiving notifications through the CM/ECF system.

Dated: September 30, 2024

By: /s/ Alejandro J. Cepeda Diaz

Counsel for Plaintiff Oto Analytics, LLC