

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 (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 Parties’ September 30, 2024 Joint Status Report (ECF No. 164), the Parties have filed motion practice and continue to conduct discovery as follows:

- **Motion Practice.** There are two motions currently pending before this Court: (1) Womply’s motion to strike certain of Defendants’ affirmative defenses (ECF No. 162), and (2) Defendants’ motion to dismiss the Reserve Bank’s Complaint and Complaint in Intervention (ECF Nos. 169–70). On October 1, 2024, Womply filed its reply brief in support of its motion to strike (ECF No. 168), which is now fully briefed. Also on October 1, Defendants moved to dismiss the Reserve Bank’s Complaint and Complaint in Intervention. (ECF Nos. 169–70.) The Reserve Bank filed its opposition on October 29, 2024 (ECF No. 177), and Defendants will file their reply by November 12, 2024 (ECF No. 174).
- **Protective Order.** On October 7, 2024, this Court granted the Parties’ joint motion for a protective order. (ECF Nos. 175–76.)
- **Plaintiffs’ Discovery Requests.** On October 7, 2024, Defendants served responses and objections to Womply’s and the Reserve Bank’s documents requests and certain of Womply’s interrogatories. On October 10, 2024, the Parties met and conferred by videoconference about Defendants’ responses and objections. On October 11, 2024, Defendants made an initial document production and served “supplementary” responses and objections to the remainder of Womply’s interrogatories. On October 17, 2024, the Parties met and conferred by videoconference and continue to meet and confer by email. On October 25, 2024, Womply and the Reserve Bank provided Defendants with a proposed list of search terms to apply to ESI. On October 29, 2024, Defendants represented by email that they “have not been able to run the search terms because all the ESI we agreed to collect has not been uploaded to our platform.” Based on this extensive meet-and-confer process, the Parties have reached agreement on some discovery issues and appear to be heading towards impasse on other

discovery issues. If the Parties are unable to reach agreement on these outstanding discovery issues, they will raise them to this Court in due course.

- **Defendants' Document Requests.** On October 1, 2024, Defendants served their First Set of Requests for Production of Documents on Womply containing 46 document requests. On October 28, 2024, Defendants served their First Set of Requests for Production of Documents on the Reserve Bank containing 37 document requests.
- **Scheduling.** In light of the pace of discovery discussed above, Defendants are not on track to meet the November 29, 2024 deadline for substantial completion of document discovery. (ECF No. 161.) The Parties have agreed (1) to extend the substantial completion of document discovery deadline by one month to December 30, 2024, with no other modifications to this Court's Scheduling Order; and (2) to extend Plaintiffs' respective deadlines to respond to Defendants' document requests by one month to December 2, 2024 for Womply and December 27, 2024 for the Reserve Bank. A proposed order reflecting this agreement is attached hereto as Exhibit 1.

Dated: October 30, 2024

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on October 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: October 30, 2024

By: /s/ Alejandro J. Cepeda Diaz

*Counsel for Plaintiff Oto Analytics, LLC*