

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**Civil Action No. 22-cv-3353**

**LG CAPITAL FUNDING, LLC, and  
JOSEPH I. LERMAN,**

**Defendants,**

**and**

**DANIEL GELLMAN,  
BORUCH GREENBERG, and  
ELI SAFDIEH,**

**Relief Defendants.**

**STIPULATION OF DISMISSAL AND RELEASES**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Securities and Exchange Commission (the “Commission”), Defendants LG Capital Funding, LLC and Joseph I. Lerman, and Relief Defendants Daniel Gellman, Boruch Greenberg, and Eli Safdieh (collectively, the “Defendants”) hereby stipulate and agree as follows:

**WHEREAS**, the Commission filed a Complaint in this civil enforcement action (the “Litigation”) on June 7, 2022;

**WHEREAS**, in the exercise of its discretion and as a policy matter, the Commission believes the dismissal of this case with prejudice is appropriate;

**WHEREAS**, the Commission’s decision to seek dismissal of this Litigation does not necessarily reflect the Commission’s position on any other case; and

**WHEREAS**, the Commission and the Defendants agree to have this Litigation dismissed on the terms set forth herein.

**NOW, THEREFORE,**


1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Commission and the Defendants stipulate and agree that this Litigation shall be dismissed with prejudice as to the conduct alleged in the Complaint through the date of the filing of this Stipulation, and without costs or fees to either party.


2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

- a. Any and all rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant[s] that in any way relate to the Litigation, including, but not limited to, investigative steps taken prior to commencing the Litigation.
- b. Any and all claims, demands, rights, and causes of action of every kind and nature, asserted or unasserted, against the Commission and its present and former officers or employees that arise from or in any way relate to the Litigation, including, but not limited to, investigative steps taken prior to commencing the Litigation.

3. Each of the undersigned represents that they have the authority to execute this stipulation on behalf of the party so indicated.

**STIPULATED AND AGREED:**

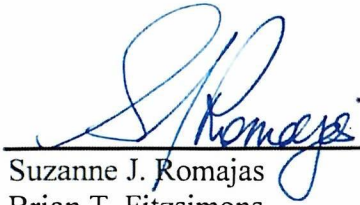
  
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*Counsel for Defendants LG Capital  
Funding, LLC and, Joseph I. Lerman, and*

-and-

*Relief Defendants Daniel Gellman and  
Baruch Greenberg*



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*Counsel for Plaintiff*

Dated: ~~April~~ <sup>May</sup> 22, 2025

-and-



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*Counsel for Relief Defendant Eli Safdieh*

Dated: April 10, 2025