

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 23-CV-81558-WPD

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

TITANIUM CAPITAL LLC, HENRY  
ABDO, and CAROL ANN BARSH,

Defendants, and

ELIAS HALIM ABDO and GANNA  
MIGULINA,

Relief Defendants.

**ORDER GRANTING SEC'S MOTION FOR SUMMARY JUDGMENT  
AGAINST DEFENDANT HENRY ABDO**

THIS CAUSE is before the Court upon Plaintiff Securities and Exchange Commission (“SEC”)’s Motion for Summary Judgment (the “Motion”) [DE 46] and Statement of Undisputed Material Facts in Support (the “Statement”) [DE 46-1], filed herein on January 14, 2026. The Court has carefully considered the Motion [DE 46] and the Statement [DE 46-1] and is otherwise fully advised in the premises.

Defendant Henry Abdo failed to file a response to the Motion [DE 46] and the Statement [DE 46-1] and the time for such filing passed. *See* S.D. Fla. L.R. 7.1(c)(1).<sup>1</sup> On January 29,

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<sup>1</sup> Local Rule 7.1(c)(1) provides that “[f]or all motions, except motions served with the summons and complaint, each party opposing a motion shall serve an opposing memorandum of law no later than fourteen (14) days after service of the motion. Failure to do so may be deemed sufficient cause for granting the motion by default.” S.D. Fla. L.R. 7.1(c)(1). Further, pursuant to Local Rule 56.1(c):

(c) Effect of Failure to Controvert Undisputed Facts. All material facts in any party’s Statement of Material Facts may be deemed admitted unless controverted by the other party’s Statement of

2026, the Court issued an Order to Show Cause Why Motion Should Not Be Granted. [DE 53]. The Court warned Defendant Henry Abdo that a failure to respond to the summary judgment motion by February 5, 2026, may result in the Court granting the summary judgment motion if supported by the evidence in the record. *See* [DE 53]. On January 29, 2026, Defendant Henry Abdo filed a Motion for Extension of Time, seeking an additional 20 days to respond to the summary judgment motion. *See* [DE 56]. On January 30, 2026, the Court entered an Order granting the requested extension of time to respond, ruling in relevant part:

2. Defendant Henry Abdo shall file a response to Plaintiff Securities and Exchange Commission (“SEC”)’s Motion for Summary Judgment (the “Motion”) [DE 46] and Statement of Undisputed Material Facts in Support (the “Statement”) [DE 46-1] on or before **February 18, 2026**;

3. A failure by Defendant Henry Abdo to timely respond may result in the Court granting the Motion [DE 46] by default, if supported by evidence in the record.

[DE 57] (emphasis in original).

Defendant Henry Abdo failed to file a response to the Motion [DE 46] and the Statement [DE 46-1].

Apart from Defendant Henry Abdo’s default, the Court has carefully considered Plaintiff SEC’s summary judgment motion and the evidence submitted in support thereof and has ensured that the Motion is properly supported. *See United States v. One Piece of Property, 5800 S.W. 4th Ave., Miami, Fla.*, 363 F.3d 1099, 1101 (11th Cir. 2004). The Court agrees with Plaintiff that there is no genuine issue of material fact in dispute and that Plaintiff is entitled to judgment in its favor as a matter of law.

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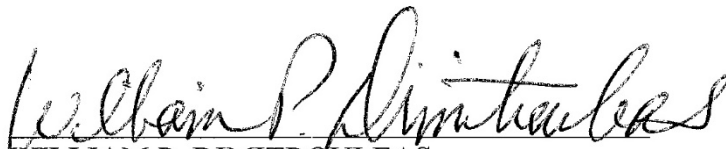
Material Facts, provided that: (i) the Court finds that the material fact at issue is supported by properly cited record evidence; and (ii) any exception under Fed. R. Civ. P. 56 does not apply.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The SEC's Motion for Summary Judgment [DE 46] is **GRANTED**; and
2. Judgment shall be entered separately pursuant to Federal Rule of Civil Procedure 58.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida,

this 4th day of March, 2026

  
WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:

Counsel of record