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**From:** Cornell-Brown, Rowan  
**Sent:** Monday, January 7, 2019 3:35 PM  
**To:** 'cortego@hptylaw.com'  
**Subject:** RE: Public Records Request  
**Attachments:** 2017-03534 Wyatt Complaint\_Redacted.pdf; 2017-03534 3.pdf; 2017-03534 1.pdf; 2017-03534 2.pdf

Dear Ms. Ortego:

Attached, please find records in response to your public records act request dated January 2, 2019.

Personal contact and personal identifiable information has been redacted pursuant to 1 V.S.A § 317(c)(7). If you feel information has been withheld in error, you may appeal directly to Deputy Attorney General Joshua Diamond.

Best Regards,

**Rowan Cornell-Brown**  
Paralegal  
State of Vermont  
Office of the Attorney General  
109 State Street  
Montpelier, VT 05609-1001  
(802) 828-5507

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**Sent:** Wednesday, January 2, 2019 3:47 PM  
**To:** AGO - Public Records Requests <[AGO.PublicRecordsRequests@vermont.gov](mailto:AGO.PublicRecordsRequests@vermont.gov)>  
**Subject:** Public Records Request Form Form submitted on Office of the Vermont Attorney General

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Name	Cynthia
Last Name	Ortego
Organization	Hawkins Parnell Thackston & Young, LLP
Address	303 Peachtree St., NE Suite 4000 Atlanta, GA 30308-3243 United States
Email	<a href="mailto:cortego@hptylaw.com">cortego@hptylaw.com</a>
Phone Number	(404) 614-7697

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Please describe the records you are requesting and provide as much specificity as possible, including applicable date ranges.

I am writing to request the consumer protection complaint regarding Stephen Wyatt; 2017-03534. Thank you, Cynthia

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Please take note of the following disclaimer:

1. This public records request, including any associated correspondence, will be considered a public record in its entirety. As such, it will be made available to any member of the public upon request.
2. Do not include any sensitive information, such as medical information, financial account numbers, or Social Security numbers. The AGO will contact you if additional information is required.
3. Submission of this form does not constitute receipt of it by the AGO. Your public records request will be considered received on the next business day following its submission.

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Agreement

I agree that I have read the directions and disclaimers on this form and that the information that I have provided is accurate to the best of my knowledge. Clicking the Declaration below is equivalent to my electronic signature.

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Declaration (Required)

Declaration (Required)

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Date Submitted

January 2, 2019

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**From:** AGO CAP <ago.cap@vermont.gov>  
**Sent:** Friday, May 12, 2017 8:39 AM  
**To:** AGO - CAP  
**Subject:** CAP Complaint

The following CAP complaint was submitted:

<b>Your First Name</b>	Stephen
<b>Your Last Name</b>	Wyatt
<b>Confirmation Number</b>	WB17-00441
<b>Your E-Mail Address</b>	[REDACTED]
<b>Your Daytime Phone</b>	[REDACTED]
<b>Daytime Phone Type</b>	Mobile
<b>Your Mailing Address</b>	[REDACTED]
<b>Your City</b>	Jericho
<b>Your State</b>	VT
<b>Your Zip Code</b>	05465
<b>Your Alternate Phone</b>	[REDACTED]
<b>Alternate Phone Type</b>	Home
<b>Is your complaint about:</b>	Some other type of business
<b>Business Name or Person's First Name</b>	Harmony International
<b>Person's Last Name</b>	Matheson
<b>Business Phone (1)</b>	770-865-4670

<b>Business E-Mail Address</b>	<a href="mailto:orcuttlawoffices@gmail.com">orcuttlawoffices@gmail.com</a>
<b>Business Address</b>	2090 Baker Rd
<b>Business City</b>	Kennesaw
<b>Business State</b>	GA
<b>Business Zip Code</b>	30144
<b>Description</b>	<p>My daughter attends Hobart and William Smith Colleges in Geneva, NY. We submitted several installment payments totaling \$2,697 to Harmony International for a trip to Cuba this spring with her college's choir group. The trip was cancelled shortly after the last installment payment was made. Subsequently, the company's web site was shut down and all inquiries were directed to an attorney. A refund has not been issued and direct questions regarding the refund have not been answered by the attorney. Attached below is a full summary from Bob Cowles who is the music director at Hobart and William Smith.</p> <p>During summer 2016, I [Bob Cowles, Professor of Music at Hobart and William Smith Colleges (Geneva, NY)] sought to organize a choir tour to Havana, Cuba. The tour was to be managed by the touring company Harmony International (hereafter H.I.). The dates of the tour were to be May 22-28, 2017. The tour package price was set by H.I. at \$2697 per person. Thirty-five individuals (33 of whom reside in NYS) chose to participate in this tour under my musical direction. All arrangements for the trip were to be made by H.I. Members of the group were required by H.I. to pay a series of installment payments distributed from September 15, 2016 to April 15, 2017. At first members were allowed to make these installment payments via PayPal, but quite early in the going H.I. informed the group that payments by PayPal would no longer be possible and that going forward payments by check would be the only option. Communication throughout this entire period from H.I. President/CEO Brad Matheson and his H.I. employees was extremely poor; numerous people in the group expressed repeated frustration over how H.I. was not sufficiently responsive to queries both by email and phone.</p> <p>On April 18, 2017, just three days after everyone's final payment had been due, HI President/CEO Brad Matheson notified me and the other collaborating music director Brett Scott via conference call that the trip would likely need to be canceled due to difficulties in making ground arrangements in Cuba. During the course of this conversation, Mr. Matheson stated that all participants in our groups would receive a full refund. Mr. Matheson sent Mr. Scott and me the next day (4/19/2017) confirming that that the trip had been officially canceled. Within days of these communications, H.I. had taken down its website. When attempting to contact H.I. by phone, members were directed to its lawyer, Erika Orcutt, Kennesaw, GA (770-865-4670; <a href="mailto:orcuttlawoffices@gmail.com">orcuttlawoffices@gmail.com</a>).</p> <p>On May 4, 2017, the other music director and I received an email from Ms. Orcutt, informing us that Harmony International would "likely" be going out of business. Any pretext involving the word "likely" was removed four days later (5/8/2017), when Ms. Orcutt emailed all participants in the group to inform them that H.I. would definitely be going out of business. The term 'bankruptcy' has yet to be used, but bankruptcy appears to be where we are headed. Ms. Orcutt has offered to answer questions, but she has thus far been unable to answer various</p>

	<p>basic questions related to the situation and when or if participants will be receiving a refund; she has claimed thus far to be in the “information gathering” phase.</p> <p>It is my view that Harmony International’s actions have been fraudulent, and they amount moreover to breach of contract. Their off-and-on radio silence from September 2016 to April 2017 suggests that they knew for a considerable amount of time that the company was in financial distress, yet they withheld that information from us. Moreover, the timing whereby they waited until three days after the final payment was due to cancel the trip, followed then a few days later by the announcement about their going out of business, is extremely suspect. It appears that they waited to receive as many full payments as possible and then they pulled the plug.</p>
<b>Amount of loss:</b>	\$2697
<b>How would you like this matter to be resolved?</b>	Receive a full refund
<b>Incident Date</b>	5/12/2017 12:00:00 AM

Re{3} VT AGO Complaint #2017-03534 Wyatt, Stephen (Harmony International) CAP (ID 141825).txt  
From: Erika Orcutt <orcuttlawoffices@gmail.com>  
Sent: Monday, May 22, 2017 4:00 PM  
To: AGO - CAP  
Subject: Re: VT AGO Complaint #2017-03534 Wyatt, Stephen (Harmony International) CAP

Ms. Jandl:

We have been in direct correspondence with Mr. Wyatt. I am copying the correspondence that was provided on Thursday May 18, 2017. I trust that this should address the concerns of the Attorney General's office in this matter. I am available to provide additional information or answer questions at the contact information below.

This is the substance of the email sent last week:

"On behalf of Harmony International, and Brad and Margie Matheson, I offer my deepest apologies for the communication difficulties you have faced with respect to the cancellation of this trip. I appreciate your patience as I have sought to gather information regarding this situation and convey it to you.

"As already indicated in my prior correspondence to you, Harmony International is going out of business. The company is insolvent, meaning that its debts are far greater than its assets. After evaluating a variety of options over the past two weeks to determine if, when, and how refunds could be made to the participants due to the trip's cancellation, it became apparent that there is simply not enough money to do so.

"On Tuesday, May 16, 2017, MFPI Group, Inc. d.b.a. Harmony International filed for Chapter 7 bankruptcy protection in the U.S. Bankruptcy Court for the Southern District of Florida. The Court has been notified of all potential creditors of the company, including the participants in this group. A bankruptcy trustee will be appointed by the Court to gather all the assets of the company and pay off the company's creditors with those assets.

"We believe that the bankruptcy trustee will make a claim against the company's errors and

Re{3} VT AGO Complaint #2017-03534 Wyatt, Stephen (Harmony International) CAP (ID 141825).txt  
omissions liability insurance policy and use the insurance funds to pay the  
creditors. However,  
that process is in the hands of the Court and will take time.

"You will be receiving a notice in the mail directly from the Court with  
information regarding  
the bankruptcy filing and the process for making a claim as a creditor. If you do  
not receive such  
a notice, please feel free to contact my office, and I will pass your information  
on to the  
bankruptcy attorney handling the case so that you can be placed on the creditor  
list."

Thank you,

Erika K. Orcutt, Esq.\*  
Orcutt Law Offices  
3440 Blue Springs Rd., Suite 101  
Kennesaw, Georgia 30144  
Tel. 678.383.7857  
Fax 678.823.7153

The information contained in this message contains attorney work product and is  
attorney-client  
privileged, confidential, and protected from disclosure. This message is intended  
for the individual addressed herein only.  
If you are not the intended recipient, please notify the sender and delete this  
email immediately. \*Licensed in Georgia,  
California, and Nevada.

On Mon, May 22, 2017 at 3:35 PM, AGO - CAP <AGO.CAP@vermont.gov> wrote:  
May 22, 2017

Harmony International  
c/o Attorney E. Orcutt  
3440 Blue Springs Road, Suite 101  
Kennesaw, GA 30144

Re: 2017-03534 Consumer: Stephen Wyatt

Dear Attorney Orcutt,  
We received the attached consumer complaint with respect to a transaction with your  
client's  
business. Although at this point our office has made no determination as to the  
validity of the  
complaint, we do ask that you contact the consumer directly within 7 days so that  
you and the

Re{3} VT AGO Complaint #2017-03534 Wyatt, Stephen (Harmony International) CAP (ID 141825).txt

consumer can resolve this matter without further involvement of this office.

We also ask that you notify this office, indicating the steps you have taken to resolve the

complaint. Please respond using the Online Response Form located on our website, [www.uvm.edu/consumer](http://www.uvm.edu/consumer). Please include the above complaint number in your response.

We have also requested the consumer to update us regarding the complaint status after 14

days. The consumer's response, the enclosed complaint, and your response will remain on file

in this office for six years. Complaint files are public records and, as such, are open to the

public for inspection. Information about complaints, including the number of complaints

recorded in the last six years and their status, is provided to consumers who inquire about your

business. Complaint information is also used to determine when investigations should be

initiated.

We thank you for giving this matter your immediate attention.

Sincerely,

Lauren Jandl  
Consumer Advisor

Vermont Attorney General's Office  
Consumer Assistance Program  
109 State Street  
Montpelier, VT 05609-1001

Email: [ago.cap@vermont.gov](mailto:ago.cap@vermont.gov)  
Phone: 1-800-649-2424 / 802-656-3183



2017-03534 (ID 141824).txt

From: webteam@uvm.edu on behalf of Stephen Wyatt via The University of Vermont <webmaster@uvm.edu>  
Sent: Monday, May 22, 2017 4:05 PM  
To: AGO - CAP  
Subject: 2017-03534

Submitted on Monday, May 22, 2017 - 16:05

Complaint Number: 2017-03534

This update submitted by: Business (respondent) Your e-mail address:  
orcuttlawoffices@gmail.com

Complaint Status: Resolved Consumer Full Name: Stephen Wyatt Business Name: Harmony International

(MFPI Group, Inc.) Business Contact: Erika K. Orcutt, Esq. 678-383-7857

Response/update to complaint:

We have been in direct correspondence with Mr. Wyatt. I am copying the correspondence that was provided on Thursday May 18, 2017. I trust that this should address the concerns of the Attorney

General's office in this matter. I am available to provide additional information or answer questions at the contact information below.

This is the substance of the email sent last week:

"On behalf of Harmony International, and Brad and Margie Matheson, I offer my deepest apologies for the communication difficulties you have faced with respect to the cancellation of this trip. I appreciate your patience as I have sought to gather information regarding this situation and convey it to you.

"As already indicated in my prior correspondence to you, Harmony International is going out of business. The company is insolvent, meaning that its debts are far greater than its assets. After evaluating a variety of options over the past two weeks to determine if, when, and how refunds could be made to the participants due to the trip's cancellation, it became apparent that there is simply not enough money to do so.

"On Tuesday, May 16, 2017, MFPI Group, Inc. d.b.a. Harmony International filed for Chapter 7 bankruptcy protection in the U.S. Bankruptcy Court for the Southern District of Florida. The Court has

2017-03534 (ID 141824).txt

been notified of all potential creditors of the company, including the participants in this group. A bankruptcy trustee will be appointed by the Court to gather all the assets of the company and pay off the company's creditors with those assets.

"We believe that the bankruptcy trustee will make a claim against the company's errors and omissions liability insurance policy and use the insurance funds to pay the creditors. However, that process is in the hands of the Court and will take time.

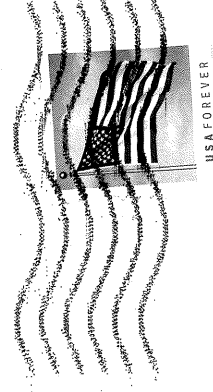
"You will be receiving a notice in the mail directly from the Court with information regarding the bankruptcy filing and the process for making a claim as a creditor. If you do not receive such a notice, please feel free to contact my office, and I will pass your information on to the bankruptcy attorney handling the case so that you can be placed on the creditor list."  
Attach files to include in your complaint:

The results of this submission may be viewed at:  
<https://www.uvm.edu/node/244671/submission/4567>

**ORSHAN, P.A.**  
701 Brickell Avenue  
Suite 2000  
Miami, FL 33131

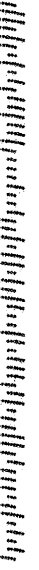
MIAMI FL 331

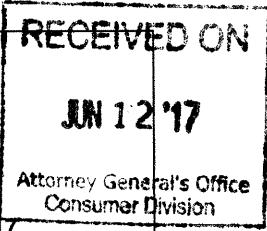
09 JUN 2017 PM 3 L



Stephen Wyatt  
c/o Lauren Jandl  
Vermont Attorney General's Office  
109 State St.  
Montpelier, VT 05610-1001

05602-272099





**Information to identify the case:**

Debtor **MFPI Group** EIN **20-8545148**  
 Name  
 United States Bankruptcy Court **Southern District of Florida** Date case filed for chapter 7 **5/16/17**  
 Case number: **17-16137-LMI**

**Notice of Chapter 7 Bankruptcy Case -- Proof of Claim Deadline Set**

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

You may want to consult an attorney to protect your rights. The bankruptcy clerk's office staff cannot give legal advice. Do not file this notice with any proof of claim or other filing in the case.

**WARNING TO DEBTOR: WITHOUT FURTHER NOTICE OR HEARING THE COURT MAY DISMISS YOUR CASE FOR FAILURE OF THE DEBTOR TO APPEAR AT THE MEETING OF CREDITORS OR FAILURE TO TIMELY FILE REQUIRED SCHEDULES, STATEMENTS OR LISTS.**

1. Debtor's Full Name	MFPI Group	
2. All Other Names Used in the Last 8 Years	dba Harmony International	
3. Address	1107 Key Plaza #318 Key West, FL 33040	
4. Debtor's Attorney (or Pro Se Debtor) Name and address	Paul L. Orshan Esq. ORSHAN, P.A. 701 Brickell Avenue Suite 2000 Miami, FL 33131	Contact phone 305-529-9380
5. Bankruptcy Trustee Name and address	Drew M Dillworth 2200 Museum Tower 150 West Flagler St Miami, FL 33130	Contact phone 305-789-3598
6. Bankruptcy Clerk's Divisional Office Where Assigned Judge is Chambered	US Bankruptcy Court 301 North Miami Avenue, Room 150 Miami, FL 33128	Hours open 8:30 a.m. - 4:00 p.m. Contact Phone (305) 714-1800
Documents filed conventionally in paper may be filed at any bankruptcy clerk's office location. Documents may be viewed in electronic format via CM/ECF at any clerk's office public terminal (at no charge for viewing) or via PACER on the internet accessible at <a href="http://www.pacer.gov">www.pacer.gov</a> (charges will apply). Case filing and unexpired deadline dates can be obtained by calling the Voice Case Information System toll-free at (866) 222-8029. As mandated by the Department of Homeland Security, ALL visitors (except minors accompanied by an adult) to any federal building or courthouse, must present a current, valid, government issued photo identification (e.g. drivers' license, state identification card, passport, or immigration card.)		<b>Note:</b> The clerk's office is closed on all legal holidays.  Clerk of Court: <b>Joseph Falzone</b> Dated: <b>5/17/17</b>
7. Meeting of Creditors	<b>June 21, 2017 at 10:00 AM</b>	Location: <b>Claude Pepper Federal Bldg, 51 SW First Ave Room 102, Miami, FL 33130</b>
The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.	The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	

Local Form 309D USBC SDFL (Corporations or Partnerships) **Notice of Chapter 7 Bankruptcy Case – Proof of Claim Deadline Set**  
(6/1/16)

Debtor **MFPI Group**Case number **17-16137-LMI**

<p><b>8. Deadlines</b> The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.</p>	<p><b>Deadline for all creditors to file a proof of claim (except governmental units):</b> <b>Deadline for governmental units to file a proof of claim:</b></p>	<p><b>Filing deadline: 9/19/17</b> <b>Filing deadline: 11/13/17</b></p>
<p><b>When Filing Proofs of Claim:</b> Claims may be delivered or mailed to the clerk's office. Creditors with internet access have the option to use the electronic claims filing program on the court website at <a href="http://www.flsc.uscourts.gov">www.flsc.uscourts.gov</a> to electronically file a proof of claim.</p> <p><b>Deadlines for Filing Proof of Claim:</b> A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.flsc.uscourts.gov">www.flsc.uscourts.gov</a> or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. If this is a converted case proofs of claim filed under the initial chapter shall be deemed filed and need not be refiled. Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p> <p><b>Filing Deadline for a Creditor with a Foreign Address:</b> The deadlines for filing proofs of claim in this notice apply to all creditors. If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline to file a proof of claim. See also box 9 below.</p>		
<p><b>9. Creditors with a Foreign Address</b></p>	<p>Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>	
<p><b>10. Liquidation of the Debtor's Property and Payment of Creditors' Claims</b></p>	<p>The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property. If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them, in the order specified by the Bankruptcy Code. To ensure you receive any share of that money, you must file a proof of claim, as described above.</p>	
<p><b>11. Abandonment of Property by Trustee, Deadline to Object to Trustee's Report</b></p>	<p>Pursuant to Local Rule 6007-1(A), the trustee will abandon at the meeting of creditors all property that the trustee has determined is of no value to the estate and file a report within two business days. Objections to the report must be filed within 14 days of the meeting.</p>	
<p><b>12. Option to Receive Notices Served by the Clerk by Email Instead of by U.S. Mail</b></p>	<p>1) EBN program open to all parties. Register at the BNC website <a href="http://ebn.uscourts.gov">ebn.uscourts.gov</a>, <b>OR</b> 2) DeBN program open to debtors only. Register by filing with the Clerk of Court, Local Form "Debtor's Request to Receive Electronically Under DeBN Program". There is no charge for either option. See also Local Rule 9036-1(B) and (C).</p>	
<p><b>13. Translating Services</b></p>	<p>Language interpretation of the meeting of creditors will be provided to the debtor at no cost, upon request to the trustee, through a telephone interpreter service. Persons with communications disabilities should contact the U.S. Trustee's office to arrange for translating services at the meeting of creditors.</p>	

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF FLORIDA**  
**MIAMI DIVISION**  
*www.flsb.uscourts.gov*

In re:

MFPI GROUP,

Case No. 17-16137-BKC-LMI

Debtor.

Chapter 7

**DEBTORS' NOTICE OF COMPLIANCE WITH REQUIREMENTS  
FOR AMENDING CREDITOR INFORMATION**

This notice is being filed in accordance with Local Rules 1007-2(B), 1009-1(D), or 1019-1(B) upon the filing of an amendment to the debtors' lists, schedules or statements, pursuant to Bankruptcy Rules 1007, 1009, or 1019. I certify that:

- [ X ] The paper filed **adds** creditor(s) as reflected on the attached list (include name and address of each creditor being added). I have:
1. remitted the required fee (unless the paper is a Bankruptcy Rule 1019(5) report);
  2. provided the court with a supplemental matrix **of only the added creditors** on a CD or memory stick in electronic text format (ASCII or MS-DOS text), or electronically uploaded the added creditors in CM/ECF;
  3. provided notice to affected parties, including service of a copy of this notice and a copy of the §341 or post conversion meeting notice [see Local Rule 1009-1(D)(2)] and filed a certificate of service in compliance with the court [see Local Rule 2002-1(F)]; and
  4. filed an amended schedule(s) and summary of schedules.
- [ ] The paper filed **deletes** a creditor(s) as reflected on the attached list (include name and address of each creditor being deleted). **I have:**
1. remitted the required fee;
  2. provided notice to affected parties and filed a certificate of service in compliance with the court [see Local Rule 2002-1(F)]; and
  3. filed an amended schedule(s) and summary of schedules.
- [ X ] The paper filed **corrects** the name and/or address of a creditor(s) as reflected on the attached list. **I have:**
1. provided notice to affected parties, including service of a copy of this notice and a copy of the §341 or post conversion meeting notice [see Local Rule 1009-1(D)(2)] and filed a certificate of service in compliance with the court [see Local Rule 2002-1(F)]; and
  2. filed an amended schedule(s) or other paper.
- [ ] The paper filed **corrects** schedule D, E or F amount(s) or classification(s). **I have:**
1. remitted the required fee;
  2. provided notice to affected parties and filed a certificate of service in compliance with the court [see Local Rule 2002-1(F)]; and
  3. filed an amended schedule(s) and summary of schedules.

None of the above apply. The paper filed does not require an additional fee, a supplemental matrix, or notice to affected parties. It  does  does not require the filing of an amended schedule and summary of schedules.

I also certify that, if required to be filed by the Bankruptcy Rules, the official form "Declaration Concerning Debtor's Schedules" has been signed by each debtor as required by Local Rules 1007-2(B), 1009-1(A)(2) and (D)(1), or 1019-1(B) and, if filed electronically without imaged signatures, a local form "Declaration Under Penalty of Perjury to Accompany Petitions, Schedules and Statements Filed Electronically" accompanied the filing of the document.

Dated: 6/5/17

Paul L. Orshan, Esq.  
Attorney for Debtors (or Debtor, if pro se)

Paul L. Orshan, Esq.  
Print Name

776203  
Florida Bar Number

\_\_\_\_\_  
Joint Debtor (if applicable)

701 Brickell Ave., Suite 2000, Miami, FL 33131  
Address

(305)529-9380  
Phone Number