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Subject: MOTION FOR VARIANCE

10-13-20

Mr. Isaacson,

These are the points that I want in the motion and that I think would be relevant in the Motion for Variance.

1. Government witness Mary Jean Castillo who was a former employee testified that she witnessed no fraud and that every thing that I did I proved to her by documentation and the videos of me at the governmental agencies such as the FBI that validated what I was doing was lawful. She also testified about how hard I worked for clients and would work past midnight working on motions for clients to keep them in their homes.
2. Government witness Melvyn Ventura testified that I was a good man and that I was honest about the MEI program and that he still trust me. Also he provided 3 different affidavits which states that I did not comment any type of fraud against him through the mail or wire. He also sent me several emails stating that I have a good heart and that I saved him from foreclosure. 16 of the mail and wire fraud counts are 4 emails and 12 payments from him for my services which he stated he was satisfied with.
3. I notified the FBI and the DCCA about the fraudulent activities of my former employees by sending a letter, a fax and showing up in person to make a complaint to make sure these people didn't scam anyone else.
4. I had more clients as witnesses who testified that what the government witnesses testified was a lie and that I never represented myself as a licensed attorney but that I always informed them who exactly I was and what I could do and that I was not a member of the bar and neither did I ever want to be.
5. The MEI application that the pre-sentence report conveniently omitted, was signed by all clients informing them that if they were facing foreclosure or in foreclosure the guarantee did not apply to them and they could not participate in the mortgage reduction program.

6. The real scammers Edna Franco, Henry Malinay, Anabel Cabebe, Rowena Valdez, Angelita Pasion and Hep Guinn has not done any time for their crimes and Franco, Valdez and Pasion was not even charged for their crimes.

7. Everything that I did I got governmental approval for and have video and documented evidence to prove that everything I did was according to the law.

8. I was under investigation by the FBI in Florida who did the same investigation and the US Attorney's office declined prosecution because they didn't find no evidence of a federal crime.

9. A recent case involving fraud with a defendant named Tony Viola, had more alleged victims and over \$46 million dollars of alleged money that was scammed and he went to trial and lost and got a 10 year sentence.

10. The defendant is charged with a Class C Felony and according to the United States Code a class C felony has a maximum sentence of 12 years.

11. The government listed 112 clients as victims yet could get only 5 to testify at trial and didn't produce not one affidavit from any client that stated I scammed or defrauded them.

12. Two of the government's witnesses Nelson and Mariethez Madamba previously provided affidavits in 2015 stating that it was Edna Franco, Henry Malinay and Rowena Valdez that scammed them and not me.

13. Another government witness Macrina Pillos testified that it was Cabebe that lied to her, met with her and took money from her and when questioned why she didn't call the number on the app to verify she said she didn't see the number even though it was above her signature.

14. The government's FBI agent Joseph Lavelle testified that there were no victims in any states that made a complaint against me.

15. FBI Agent Megan Crawley testified that no Hawaii clients called her, emailed her, faxed her or came to her office and made a complaint against me. She also testified that when she interviewed the clients

at their homes none of them told her that I scammed them or defrauded them. This can be verified by the 302's that she filed which I was denied to submit as evidence at trial.

16. I have affidavits from co-defendant Anabel Cabebe and Angelita Pasion from 2015 stating that Edna Franco was the one who scammed them and not me. These affidavits were not allowed to be submitted as evidence at trial.

17. I have multiple videos of me going to the governmental agencies to get my documents scrutinized before filing and they were scrutinized by District Attorney's and they determined that there was nothing fraudulent about my documents or my company.

18. My PAG ID was approved by the FBI and TSA and I have multiple videos to prove this fact.

19. I was never charged with a fake ID, fake badge or handcuffs and yet the government focused on this at trial as if they were fake when they knew they were not.

20. In 18 years of doing this business I still have an A+ Better Business Bureau rating.

21. All the witnesses I called at trial testified that I never lied to them that I did the work I promised them and that I did alot of work without being paid or compensated.

22. Rosy Thomas who is listed as a victim testified that Anabel Cabebe, Henry Malinay and Edna Franco deceived me and that they not only scammed homeowners but they scammed me also. She also testified that I have continued to fight her foreclosure even from jail and have kept her and her mother in their home for 7 years now.

23. The fraudulent copy cat Mortgage Enterprise company set up by Franco, Cabebe, Malinay and Valdez was never investigated and charged and none of the homeowners they scammed were contacted by the FBI nor are any of them listed as victims on ANY of the presentence reports even though over 40 people made official complaints to the Office of Consumer Protection, none of them were contacted as victims and the amount of money that they were scammed out of was not included in the presentence report. I was not allowed to submit these complaints into evidence for the jury to see who actually scammed people and who the complaints were against.

24. I did all the work that I was hired to do and did not take anyones' money with no services rendered. In fact most clients only made 1 or 2 payments yet I continued to do the work to keep them in their homes which included appearing in court and showing up in person to stop the sheriff's from evicting clients out of their homes. This is also on video on youtube.

25. I maintain my innocence and will be filing my appeal to obtain justice.

26. I had approximately 40 witnesses ready to testify at trial how I saved them from foreclosure and that my services work but was denied the opportunity when they were struck from testifying in the middle of trial.

27. Dr. Leonard Horowitz and Sherri Kane (who is a former Fox News Journalist) testified that I knew what I was talking about and that I didn't scam people but helped people and was helping them fight their foreclosure and that everything that I showed them they verified it in the law, so much so that Dr. Horowitz felt compelled to put up a website also to educate the people about their rights.

28. None of the co-defendants have done any jail time and I should not get any jail time for doing what's right. I have spent almost 4 years in jail for a crime that I didn't commit and the culprits who committed the crimes have not spent a day in jail and will not spend a day in jail for what they did to homeowners and me.

These are the main points that I can think of. Thanks in advance for your assistance.