

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Case No. 4:15cr50
	)	
v.	)	(4:12cr101)
	)	
JEFFREY A. MARTINOVICH,	)	
	)	
Defendant.	)	
	)	

MOTION TO REQUEST WITNESS TESTIMONY AND SUBPOENAS FOR SENTENCING

NOW HERE COMES Jeffrey A. Martinovich, proceeding pro se, in a Motion to respectfully request this Court permit the noted witness testimony and applicable subpoena process. Contrary to the government's tactics in the previous sentencing on September 29, 2016, to call witnesses simply to reiterate emotional, non-additive theater, Mr. Martinovich's requested testimony is consistent with this District Court's Sentencing Procedures Order to be additive and "for good cause shown." Mr. Martinovich, proceeding pro se, respectfully motions this Court to subpoena and permit testimony from:

1. Mr. Todd Lynn, Esq., Patten Wornom Hatten & Diamonstein, Newport News, Virginia. As the Defense Position Paper's True Statement of the Case details, Mr. Lynn was the senior MICG legal advisor who orchestrated the independent representation of the MICG funds and shareholders, created and coordinated numerous legal documents which the government claims Mr. Martinovich "papered over," was the contact and partner with Mr. Andrew Shilling in executing the indemnification provisions, and was the attorney to initially confront Mr. Shilling with

his lying, or mistakes, in speaking with federal agents.

2. Mr. Andrew Shilling, Esq., Shilling, Pass & Barlow, Chesapeake, Virginia. Mr. Shilling is the central legal representative of the MICG Venture Strategies Fund in question, the law school roommate of Mr. Lynn, the creator of the Indemnification Opinion Letter, the recipient of the Indemnification Collateral Agreements, the party to the conference with Mr. Lynn addressing the Promissory Note between Venture Fund and Partners Fund, the party who authorized payments to legal experts for assistant Ms. Brooke Stafford to process these payments, and the party whom Mr. Lynn called directly and claimed was lying to federal agents.

3. Mr. William Carper, MICG Client. Mr. Carper has been continuously involved in these proceedings as an informant, as a witness, as a letter writer, and as a daily courtroom observer. Mr. Carper's factual recount of his loss, his understanding, his participation with the Venture and Partners Funds prior to these events and subsequent to these events, will provide perfect clarity for this Court on the value of the loss from the failure of EPV Solar of the indictment, the other loss from the sudden closure by FINRA regulators not of the indictment, and the loss from the Partners Fund cash account for indemnification payments which is the number one variable controlling the Sentencing Advisory Guidelines for this case, therefore controlling the length of sentence.

4. Mr. Michael Umscheid, formerly Harbinger PLC. As former auditor and tax advisor for MICG Partners and Venture Strategies Funds, Mr. Umscheid will provide this Court with 100% clarity on accounting and reporting of transactions between the Partners Fund and the Venture Fund, and the resulting filed transparent documentation of any and all liabilities.

5. Mr. Kevin Cadieux, former COO, MICG Investment Management. Mr. Cadieux worked closely with Mr. Martinovich, MICG Operations personnel, attorney Mr. Todd Lynn, and auditor Mr. Michael Umscheid handling the administration of the MICG Hedge Funds. Mr. Cadieux will provide independent verification of many variables in the inclosed True Statement of the Case, as well as provide the viewpoints of a separate MICG management executive to address any discrepancies or concerns of the Court.

6. Dr. Robert Dreelin, MICG Client. Dr. Dreelin, who has testified at trial and at resentencing for the government, will now provide this Court with clarity of Mr. Martinovich's involvement, losses, investments, disclosure and communications, all central to any alleged fraud and and loss, all primarily controlling sentencing length.

7. Ms. Shirley Hatten, MICG Client. Ms. Hatten, former secretary to and now ex-wife of Mr. Bobby Hatten of PWH, will provide clarity of the investments in MICG Venture, Partners, and Anchor Funds, as well as MICG stock and bond offerings. Her involvement with Mr. Hatten in initiating this complaint and PWH's intertwined work and substantial billings from these MICG Funds will clarify the indemnification procedures and multiple PWH associates involved in the activities the government alleged Mr. Martinovich "papered over."

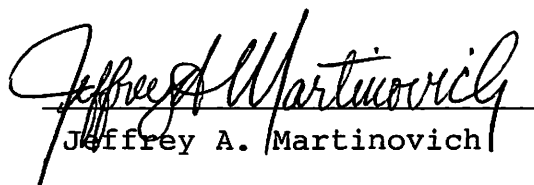
8. Mr. Kenneth Monroe, Dir. MICG Real Estate Division. Mr. Monroe worked closely in the MICG management inner-circle to include the hedge fund management meetings in question, MICG operations during the Financial Crisis, and interactions with Mr. Martinovich, Mr. Cadieux, COO, Mr. Feldman, CFO, and lead attorney Mr. Todd Lynn, PWH. Mr. Monroe will provide independent verification of bothe the Case 4:15cr50 and Case 4:12cr101 Tre Statements of the Case for this Honorable Court.

9. Mr. Martinovich respectfully requests this Court subpoena the mobile service phone records of Mr. Todd Lynn, Esq., and Mr. Andrew Shilling, Esq., for the applicable time periods, in order that Mr. Martinovich may submit independent verification to this Court of a) the phone conference of Mr. Lynn and Mr. Shilling from Mr. Lynn's conference room in which Mr. Lynn accused Mr. Shilling of lying to federal agents, b) the phone conference when Mr. Lynn and Mr. Shilling discussed the promissory note between MICG Partners Fund and Venture Fund with Mr. Martinovich and Ms. Brooke Stafford present, and c) the phone conference between Mr. Martinovich and Mr. Shilling immediately prior to Ms. Brooke Stafford processing the checks for the payments to the legal experts requested by Mr. Broccoletti.

Respectfully,

Date:

08/22/2019

  
Jeffrey A. Martinovich