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6 **UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF NEVADA**

8 SECURITIES AND EXCHANGE
9 COMMISSION,

10 Plaintiff,
11 v.

12 MATTHEW WADE BEASLEY; BEASLEY
13 LAW GROUP PC; JEFFREY J. JUDD;
14 CHRISTOPHER R. HUMPHRIES; J&J
15 CONSULTING SERVICES, INC., an Alaska
16 Corporation; J&J CONSULTING SERVICES,
17 INC., a Nevada Corporation; J AND J
18 PURCHASING LLC; SHANE M. JAGER;
19 JASON M. JONGEWARD; DENNY
20 SEYBERT; ROLAND TANNER; LARRY
21 JEFFERY; JASON A. JENNE; SETH
22 JOHNSON; CHRISTOPHER M. MADSEN;
23 RICHARD R. MADSEN; MARK A.
24 MURPHY; CAMERON ROHNER; AND
WARREN ROSEGREN;

Defendants; and

25 THE JUDD IRREVOCABLE TRUST; PAJ
26 CONSULTING INC; BJ HOLDINGS LLC;
27 STIRLING CONSULTING, L.L.C.; CJ
INVESTMENTS, LLC; JL2 INVESTMENTS,
LLC; ROCKING HORSE PROPERTIES,
LLC; TRIPLE THREAT BASKETBALL,
LLC; ACAC LLC; ANTHONY MICHAEL
ALBERTO, JR.; and MONTY CREW LLC;

Relief Defendants.

Case No.: 2:22-cv-00612-CDS-EJY

**PLAINTIFF SECURITIES AND
EXCHANGE COMMISSION'S
OPPOSITION TO NON-PARTY
KAMILLE DEAN'S APPEAL FROM
AND OBJECTION TO
MAGISTRATE'S ORDER**

1 Plaintiff Securities and Exchange Commission (the “SEC”) respectfully opposes non-
 2 party Kamille Dean’s (“Dean’s”) appeal from and objection to Magistrate Judge Youchah’s
 3 November 17, 2022 order. (Dkt. No. 380, herein “Appeal” or “App.”) Judge Youchah’s well-
 4 reasoned opinion granted the Receiver’s motion to compel turnover of tainted funds in Dean’s
 5 possession (*see* Dkt. No. 210) and awarded the Receiver attorneys’ fees associated with that
 6 motion; and further denied Dean’s related motions to quash jurisdiction (Dkt. No. 257), to strike
 7 the Receiver’s motion (Dkt. No. 258), and to file an interpleader action (Dkt. No. 259). (*See*
 8 *generally* Dkt. No. 368, Magistrate’s Op. and Order.) Judge Youchah’s opinion specifically
 9 addressed those legal arguments Dean now raises in the Appeal, and uniformly rejected them.
 10 Judge Youchah also addressed each of the various factual assertions Dean makes in her Appeal,
 11 and dismissed Dean’s attempts to submit “facts” through lawyer argument rather than evidence.

12 The arguments in Dean’s Appeal reiterate the same factual assertions, and cite the same
 13 legal authority, that Judge Youchah already considered and rejected. The parties’ positions on
 14 those arguments are laid out at length in the prior and extensive briefing, and the SEC refers to
 15 and incorporates the arguments set forth in its prior response to Dean’s motions (*see* Dkt. No.
 16 276) and the Receiver’s motion and omnibus response to Dean’s motions (*see* Dkt. No. 275). In
 17 addition, the Receiver has filed a comprehensive response to Dean’s Appeal, and the SEC
 18 incorporates the arguments and authority set forth in that briefing. (*See* Dkt. No. 391.) The
 19 SEC writes separately here to address two misleading “factual” assertions Dean raises in her
 20 criticism of Judge Youchah’s opinion.

21 **First**, Dean accuses the SEC of “deceptive” conduct and “gamesmanship” because, prior
 22 to filing the above-captioned action, and as part of its investigation into the conduct now at issue
 23 here, the SEC sent subpoenas to “her Clients” on March 24, 2022—and Dean falsely contends,
 24 without evidentiary basis, that at the time it sent the subpoenas “the SEC knew the SEC was
 25 going to seek a Receiver and freeze Defendant’s assets.” (*See* Dkt. No. 380, App. at 4–5.) Dean
 26 further asserts she was prejudiced because she provided “emergency services” in response to
 27 these subpoenas “for which the SEC knew she would never be paid.” (*Id.* at 5.) To be clear, the

1 only support for these inflammatory assertions is Dean’s own declaration previously submitted in
2 support of her motion to quash jurisdiction, where she makes several unfounded accusations
3 about the SEC’s “knowledge.” (See Dkt. No. 257, Dean Decl. ¶¶ 2, 3, 4, 18.) But there is no
4 evidence in the record—nor could there be—that the SEC sent those subpoenas knowing it
5 would be moving for an asset freeze three weeks later. Rather, and as detailed in the SEC staff
6 attorney’s declaration submitted in support of the SEC’s application for a temporary restraining
7 order, the SEC moved for that asset freeze on an emergency basis because it discovered, in the
8 weeks after sending out the subpoenas Dean references, that Dean’s client Jeffrey Judd was
9 engaged in concerted efforts to liquidate investor assets. (See, e.g., Dkt. No. 2-5, Declaration of
10 Joni Ostler ¶¶ 8–17 (detailing the SEC’s investigation of and discovery of evidence that Judd
11 intended to liquidate significant assets).) In fact, a significant part of the SEC’s knowledge
12 regarding Judd’s intentions was relayed to SEC counsel by another of Judd’s attorneys—
13 suggesting that Dean was at least equally aware of Judd’s liquidation of assets and the possibility
14 the SEC would need to take emergency action to protect investors.

15 **Second**, Dean’s insinuation that her work was necessary because the SEC sent subpoenas
16 to each of her six clients (Defendant Jeffrey Judd, his wife Jennifer Judd, and their children
17 Parker Judd, Kennedy Judd, Khloe Judd, and Preston Judd) is misleading. As Dean is well
18 aware, the SEC sent two subpoenas on March 24, 2022: a document subpoena to now-
19 Defendant Jeffrey Judd, and a document subpoena to his son Preston Judd, who participated in at
20 least the administration and marketing of the subject investment scheme, and was registered as
21 the President, Secretary, and Treasurer of Relief Defendant PAJ Consulting, Inc. (See Dkt. No.
22 2-5, Ostler Decl. ¶¶ 49–51.) The SEC did not subpoena Jennifer Judd, Kennedy Judd, Khloe
23 Judd, or Parker Judd. Nor did the SEC require or insist that Jeffrey Judd or Preston Judd retain
24 counsel to respond to the two document subpoenas. And at the time those subpoenas were sent,
25 the SEC had not yet filed this action or moved for an asset freeze or receivership—so it is
26 unclear why Dean believes that her “emergency” work on behalf of 6 clients, four of whom did
27

not receive a subpoena from the SEC—somehow exempts the tainted funds she received from turnover in this action.

In sum, each of the legal arguments and “factual” issues Dean raises were comprehensively addressed by Judge Youchah, and Dean has provided no new evidence or argument sufficient to show that Judge Youchah made a clear error in granting the Receiver’s motion and rejecting Dean’s serial filings. And despite filing yet another voluminous brief, Dean once again fails to address the primary question at issue—her burden of showing that the funds at issue are untainted. Without such showing, there is no basis for Dean’s Appeal and no reason to overturn Judge Youchah’s well-reasoned opinion and order.

CONCLUSION

For these reasons, the SEC respectfully requests that the Court deny Dean's Appeal.

DATED this 15th day of December, 2022.

/s/ Casey R. Fronk _____
Tracy S. Combs
Casey R. Fronk
Attorney for Plaintiff
SECURITIES AND EXCHANGE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of December, 2022, I caused the **PLAINTIFF**
SECURITIES AND EXCHANGE COMMISSION'S OPPOSITION TO NON-PARTY
KAMILLE DEAN'S APPEAL FROM AND OBJECTION TO MAGISTRATE'S ORDER
to be served to all parties entitled to service through the Court's ECF system and to the following
individuals by the means indicated below:

By U.S. Mail, first class, postage prepaid, to:

Matthew Wade Beasley and Beasley Law Group PC and PAJ Consulting, Inc. (as registered
agent)
Nevada Southern Detention Center
2190 East Mesquite Avenue
Pahrump, NV 89060

Jason M. Jongeward and JL2 Investments, LLC
[REDACTED]

Washington, UT [REDACTED]

Warren Rosegreen and Triple Threat Basketball, LLC
c/o Warren Rosegreen
[REDACTED]

Henderson, NV [REDACTED]

Rocking Horse Properties, LLC
c/o Denny Seybert
[REDACTED]

Henderson, NV [REDACTED]

By email to the following:

Anthony Michael Alberto, Jr. and Monty Crew, LLC
[REDACTED]

Dyke Huish
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huishlaw@mac.com
Counsel for Roland Tanner

/s/ Casey R. Fronk
Casey R. Fronk