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

9
10 **SECURITIES AND EXCHANGE COMMISSION,**

11 **Plaintiff,**

12 **v.**

13 **MATTHEW WADE BEASLEY et. al.**

14 **Defendants,**

15 **THE JUDD IRREVOCABLE TRUST et. al,**

16 **Relief Defendants.**

Case No. 2:22-cv-0612-CDS-EJY

**NON-PARTY KAMILLE DEAN'S REPLY
TO SECURITY EXCHANGE
COMMISSION'S OPPOSITION (DKT. 392)
TO MS. DEAN'S OBJECTION AND
REQUEST FOR TRIAL DE NOVO (DKT
380)**

17 **TIME: TBD**
18 **DATE: TBD**
PLACE: Courtroom 6B

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I.

INTRODUCTION

Third Party Ms. Kamille Dean submits this Reply to the Securities Exchange Commission (“SEC”) in Support of her Objection to the Magistrate’s November 17, 2022, Order (Dkt. 396). There is not one word in the SEC’s 12-15-22 Opposition (Dkt. 392) mentioning that on November 18, 2022, Ms. Dean sent \$201,060 to the Receiver, and she has nothing in her Trust Account regarding this case. (See Dean 12-1-22 Dec. Dkt. 381 Exhibit “F;” Dean 12-15-22 Dec. Dkt. 395 Exhibit “A”). *Arizonans for Official English v. Arizona*, 520 U.S. 43, 68 n.23 (1997) (“counsel for the plaintiff has a duty to bring to the court’s attention facts which may raise an issue of mootness.”).¹ There is no case or controversy here,² and the Court should not enter an Order or compel Ms. Dean to Turnover property she does not have.³ There is nothing further for the Court to, and no judgment should be entered.⁴ Attorney’s fees are not available in this case, and Ms. Dean seeks to bring this proceeding to an end because since November 18, 2022, this proceeding has been moot.

¹ In *Martinez v. DelBalso*, 2021 WL 510276, at *4 (E.D. Pa. Feb. 11, 2021), the Court found a party had a duty of candor which requires it to inform the Court of material facts essential to its decision: “The obligation to ‘ensure that the tribunal is aware of the significant events that may bear directly on the outcome of litigation’ is ‘especially true for government attorneys, who have special responsibilities to both this court and the public at large.’ *Douglas v. Donovan*, 704 F.2d 1276, 1279 (D.C. Cir. 1983) (emphasis added); see also *United States v. Tucor Int’l, Inc.*, 35 F. Supp. 2d 1172, 1188 (N.D.Cal. 1998); *Brewer v. District of Columbia*, 891 F. Supp.2d 126, 133 n.7 (D.D.C. 2012).”

² *Friends of the Earth v. Laidlaw Environmental Services, Inc.*, 528 U.S. 167, 180 (2000) (the law of mootness derive from Article III’s requirement that the judicial power of the United States extends only to cases and controversies). A case is moot when the court cannot give any “effectual” relief to the party seeking it. See *Church of Scientology of California v. United States*, 506 U.S. 9, 12 (1992).

³ In *Los Angeles County v. Davis*, 440 U.S. 625, 631 (1979) (internal citations omitted), the Court stated: “[A]s a general rule, “voluntary cessation of allegedly illegal conduct does not deprive the tribunal of power to hear and determine the case, i.e., does not make the case moot.” But jurisdiction, properly acquired, may abate if the case becomes moot because (1) it can be said with assurance that “there is no reasonable expectation ...” that the alleged violation will recur, and (2) interim relief or events have completely and irrevocably eradicated the effects of the alleged violation. When both conditions are satisfied it may be said that the case is moot because neither party has a legally cognizable interest in the final determination of the underlying questions of fact and law.

⁴ In *Davis v. Colerain Twp., OH*, 2022 WL 4351074, at *7 (6th Cir. Sept. 20, 2022), the Court stated: “Yet a mootness finding deprives a court of subject-matter jurisdiction. See *Arizonans for Off. Eng.*, 520 U.S. at 67. We thus have an independent duty to raise mootness questions, and the parties lack the ability to forfeit (or waive) mootness challenges. See *Brock v. Int’l Union, United Auto., Aerospace & Agric. Implement Workers of Am.*, 889 F.2d 685, 687 n.1 (6th Cir. 1989).

II.

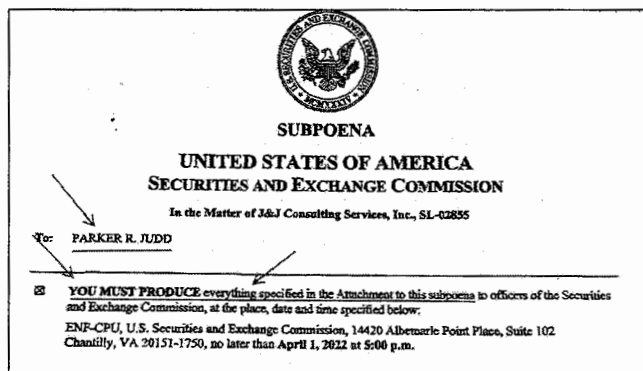
THE SEC’S BRIEF MAKES BASELESS CLAIMS REGARDING MS. DEAN CONCERNING SUBPOENAS AND THE SEC’S ACTIONS AND IGNORES THE RECEIVER VIOLATED 28 U.S.C. SECTION 754

A. The SEC’s Claim that Ms. Dean’s Clients Were Not Subpoenaed is Baseless

The SEC argues that it only sent two (2) Subpoenas, with one to Jeffrey Judd and another to Parker Judd, and therefore “Ms. Dean’s insinuation that her work was necessary” for six (6) clients is “misleading.” (SEC 12-15-22 Opposition, p. 2 lines 15-17). However, the SEC’s claims ignore any discussion of (1) the mootness of this case; (2) the Receiver’s failure to have filed Notice of Receivership in Arizona within 10-days of his June 3, 2022, Appointment, and (3) the undeniable fact that all of Ms. Dean’s clients were the subject of the SEC’s subpoenas. The SEC’s claim needs to be reproduced in the snapshot below to understand the full impact of the SEC’s incompetent statement:

18	aware, the SEC sent <u>two</u> subpoenas on March 24, 2022: a document subpoena to now-
19	Defendant <u>Jeffrey Judd</u> , and a document subpoena to his son <u>Preston Judd</u> , 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 <u>Jennifer Judd</u> , <u>Kennedy Judd</u> , <u>Khloe</u>
23	<u>Judd</u> , or <u>Parker Judd</u> . Nor did the SEC require or insist that Jeffrey Judd or Preston Judd retain

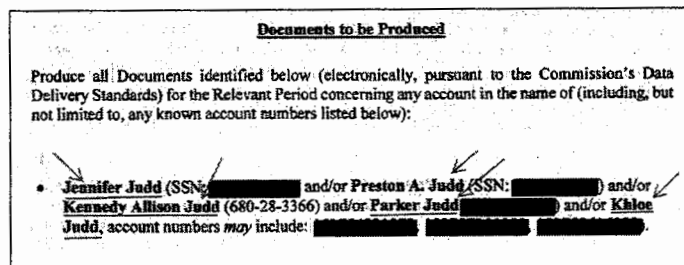
This Subpoena to Parker Judd (Exhibit “H”) and the snapshots of the Subpoenas set forth below show the Subpoena where directed to all “present and former family members,” and the Notices to Consumer to each family member:



(N)

4. A “Representative” of a Person means any present or former family members, officers, executives, partners, joint-venturers, directors, trustees, employees, consultants, accountants, attorneys, agents, or any other representative acting or purporting to act on behalf of the Person.

1 The Subpoena to US Bank National Association (Exhibit "I") contained the following instructions at
 2 pp. 3-4 and directed production of all documents relating to Jennifer Judd, Preston Judd, Kennedy Judd,
 3 Parker Judd, and Khloe Judd, as shown in the "snapshot below:



4
 5
 6
 7
 8 Attached are copies of the Notices to Consumer served on Kennedy Judd (Exhibit "J"), Parker Judd
 9 (Exhibit "K"), Jennifer Judd (Exhibit "L"), Preston Judd (Exhibit "M"), and Khloe Judd (Exhibit "N"). The
 10 SEC's claim in an unsworn legal Memorandum is baseless. *United States v. Polizzi*, 801 F.2d 1543, 1558
 11 (9th Cir. 1986). ("statements and argument of counsel are not evidence.").

12 The SEC claims the absence of subpoenas was addressed in the Magistrate's November 17, 2022,
 13 Order (Dkt. 3). (SEC 12-15-22 Opposition, p. 3, 3-6). However, there is not one word about the Subpoenas
 in the Magistrate's Order. The SEC has created claims from whole cloth.

14 **B. The SEC's Protest that It Had No Intent to Bring a Receivership is Baseless**

15 The SEC argues:

16 "Dean falsely contends, without evidentiary basis, that at the time it sent the subpoenas "the SEC
 17 knew the SEC was going to seek a Receiver and freeze Defendant's assets." (See Dkt. No. 380, App.
 18 at 4-5.) Dean further asserts she was prejudiced because she provided "emergency services" in
 response to these subpoenas "for which the SEC knew she would never be paid." (Id. at 5.) (SEC
 12-15-22 Opposition, p. 1, lines 25, to p. 2, line 3).

19 However, the government told the Magistrate on April 9, 2022, when it charged Matthew Beasley
 20 with fraud that it was conducting an investigation of an alleged Ponzi scheme against Beasley. The
 21 government claimed a \$300 million scheme to defraud investors. The government stated it had "posted an
 22 online form outlining the elements of what it called the 'Slip-and-Fall Ponzi scheme,' inviting potential
 23 victims to fill out a questionnaire about their experience." (Exhibit "O"). There is no question that the
 24 government planned pursuing an action against Beasley, and that the SEC Subpoenas of March 23, 24 & 24,
 25 2022, were part of that action where the SEC requested an injunction on April 13, 2022, followed by a
 request to appoint a Receiver on May 3, 2022. Meanwhile, the SEC was demanding Ms. Dean comply with
 the Subpoenas despite the fact it knew it would seek an injunction and the appointment of a Receiver.

26 **C. The Magistrate Improperly Placed the Burden of Proof on Ms. Dean**

27 **1. The burden of proof is on the Receiver to show clear and convincing evidence**

28 The SEC argues:

1 And despite filing yet another voluminous brief, Dean once again fails to address the primary
 2 question at issue—her burden of showing that the funds at issue are untainted. (SEC 12-15-22
 Opposition, p. 3, lines 6-8).

3 However, Ms. Dean testified she had no knowledge that the funds in her Trust Account were tainted
 4 and she was a bona fide purchaser and seller for value who incurred \$201,060 in attorney’s fees in good
 5 faith without notice. (Dean 8-15- Dec, Motion to Quash pp. 17-18). The Magistrate never required the
 6 Receiver to prove the funds were tainted, and improperly placed the burden on Ms. Dean to the contrary.
 7 The law places the burden on the Receiver, and not Ms. Dean, and the Magistrate’s Order was plain error.
 8 *Maggio v. Zeitz*, 333 U.S. 56 (1948) (“This Court has said that the turnover order must be supported by
 ‘clear and convincing evidence,’ *Oriel v. Russell*, 278 U.S. 358, 49 S.Ct. 173, 174, 73 L.Ed. 419.”).

9 The Magistrate’s Order was clearly erroneous because the burden is on the Receiver to prove by
 10 clear and convincing evidence that the funds in question are Receivership property. *Gorenz v. Illinois Dept.*
 11 *of Agriculture*, 653 F.2d 1179, 1184 (7th Cir.1981) (quoting 2 *Collier on Bankruptcy*, ¶ 23.10 (14th ed.
 12 1976)) (“[T]he burden of proof in a turnover proceeding is at all times on the receiver or trustee; he must at
 13 least establish a prima facie case. After that, the burden of explaining or going forward shifts to the other
 14 party, but the ultimate burden or risk of persuasion is upon the receiver or trustee.”).⁵

15 In *Sec. & Exch. Comm’n v. Torchia*, 922 F.3d 1307, 1312–13 (11th Cir. 2019), the Court stated:
 16 “As the movant, the receiver had the burden to show that the receivership was entitled to the

17 ⁵ The burden of proof is on the Receiver to show by clear and convincing evidence the property subject to a
 18 turn over request is Receivership property. *Evans v. Robbins*, 897 F.2d 966, 968 (8th Cir.1990) (trustee or
 19 receiver has burden of proof in turnover action and must establish entitlement to property with prima facie
 20 case); *United States v. Garcia*, 37 F.3d 1359, 1364–65 (9th Cir. 1994) (“The government had the burden of
 21 showing that the criminally derived property used in the monetary transactions was in fact derived from
 22 specified unlawful activity.”) (quoting *United States v. Johnson*, 971 F.2d 562, 570 (10th Cir.1992)); *In re*
 23 *Kana*, 2011 WL 1753208, at *2 (Bankr. D.N.D. May 6, 2011)(“The burden of proof in a turnover
 24 proceeding is at all times on the receiver.”); *In re Lawrence*, 251 B.R. 630, 640 (S.D. Fla. 2000), *aff’d*, 279
 25 F.3d 1294 (11th Cir. 2002) (“The burden of proof in a turnover proceeding is at all times on the receiver.”);
 26 *In re Guillotine Splicer Corp.*, 2 B.R. 306, 308 (Bankr. E.D.N.Y. 1980) (to obtain a turnover order a
 27 trustee/receiver must establish by clear and convincing evidence the property belongs to the estate); *United*
 28 *States v. Chalmers*, 252 B.R. 420, 425 (W.D. Mich.2000) (“It is well established that the burden of proof is
 on the party seeking turnover of property of the estate[.]” (internal quotation marks omitted)); *In re Redman*
Oil Co., 95 B.R. 516, 521 (Bankr. S.D. Ohio 1988) (“The burden of proof in a turnover proceeding rests on
 the party seeking turnover.”); Fletcher *Cyclopedia of the Law of Corporations* § 7853.20 (2022)(“The
 receiver has the burden of proof to sustain his or her claim in an action to recover assets.”); 68 C.J.S.
Partnership § 499 (2022) (“Accordingly, the receiver may institute actions to collect what is due the
 partnership and otherwise to enforce and protect its rights. The burden of proof in such an action lies with
 the receiver as the plaintiff.”); 65 Am. Jur. 2d *Receivers* § 249 (2022) (“As in any other action, in an action
 by a receiver, the receiver bears the burden of proof of entitlement to the relief requested.”); 3B Fed. Proc.
Forms § 8:274 (2022)(“The burden of proof is on the receiver in an action to collect bank assets”).

1 requested relief. See, e.g., *Evans v. Robbins*, 897 F.2d 966, 968 (8th Cir. 1990). *Cf. Donell v. Kowell*,
 2 533 F.3d 762, 771 (9th Cir. 2008) (discussing a receiver's burden in recovering false profits); *In re*
 3 *Bernard L. Madoff Inv. Sec. LLC*, 454 B.R. 317, 331, 334–35 (Bankr. S.D.N.Y. 2011) (same).
 4 Throughout the process, however, the receiver did not submit any evidence to the district court
 5 justifying his determination that the Sutherlands were obligated to remit fictitious profits or
 6 supporting his calculations of the fictitious profits. *Cf. Wiand*, 753 F.3d at 1199, 1204 (affirming
 7 summary judgment order that allowed the receiver to recover “false profits” where the receiver
 8 alleged that the Ponzi scheme paid out investors in excess of their original investment and provided
 9 evidence of specific transactions).”

10 Here the burden was on the Receiver to prove by clear and convincing evidence the assets were
 11 Receivership property. *Maggio v. Zeitz*, 333 U.S. 56, 64 (1948) (the burden of proof is on the
 12 Receiver/trustee to prove the subject property is an asset of the estate, and “This Court has said that the
 13 turnover order must be supported by ‘clear and convincing evidence,’ *Oriel v. Russell*, 278 U.S. 358, 49
 14 S.Ct. 173, 174, 73 L.Ed. 419,”). The Magistrate’s Order improperly placed the burden on Ms. Dean.

11 **2. There was no evidence that the funds were tainted**

12 The Magistrate stated:

13 “there is evidence before the Court that the funds in Ms. Dean's possession were commingled and,
 14 therefore, are within the scope of the Receivership Order. [] Specifically, Receiver provides to the
 15 Court a letter from an attorney who was aware of the chain of events involving the funds at issue.
 16 ECF No. 275-1 at 2. In that letter, the attorney describes the money changed hands as follows: (1) on
 17 October 15, 2021, two wire transfers were received by Michael Lee Peters—an attorney for one or
 18 more of the Defendants and/or Receivership Defendants related to Judd—for services rendered; (2)
 19 the transfers totaled \$2,000,000 and were placed in Mr. Peters' IOLTA account; and (3) on March
 20 30, 2022, \$250,000 of that amount was wired to the Kamille Dean, P.C. Arizona IOLTA trust
 21 account as a retainer for attorney services.” (Magistrate 11-17-22 Order, p. 12, ln 23, to p. 13, ln 7).

22 However, the Magistrate committed reversible error in holding Ms. Dean held Receivership
 23 property. The claim there was “evidence” Ms. Dean commingled funds with Jeffrey Judd was without merit
 24 because she held money in trust, and it never belonged to Jeffrey Judd. It was unquestioned that the
 25 property was in trust, did not belong to Ms. Dean’s six (6) Clients, and there was no commingling.

26 The property was held in trust for the Joint Defense of each client, and commingling was not only
 27 contrary to the facts, but also contrary to the contract each of Ms. Dean’s Clients signed because the funds
 28 were for Joint Defense, not the defense of just one of the Clients. (Dean 3-24-22 Attorney-Client
 Agreement, Dean Dec. Exhibit “B” 8-15-22 Motion to Quash Dkt. 257). Ms. Dean testified (1) the funds
 she held did not belong to Jeffrey Judd, and (2) Ms. Dean had no notice of any of Judd’s misconduct or taint
 until long after she had earned \$201,060 in attorney’s fees. The Magistrate improperly placed the burden on
 Ms. Dean to prove a negative where there was no proof that the funds Ms. Dean held belonged to Jeffrey
 Judd. *Maggio v. Zeitz*, 333 U.S. 56, 64 (1948) (the burden of proof is on the receiver/trustee to prove the
 subject property is an asset of the estate, and “This Court has said that the turnover order must be supported

1 by 'clear and convincing evidence,' *Oriel v. Russell*, 278 U.S. 358, 49 S.Ct. 173, 174, 73 L.Ed. 419,").

2 The Magistrate committed plain error and deprived Ms. Dean of due process and a hearing by
 3 relying upon the hearsay unauthenticated "letter from an attorney who was aware of the chain of events
 4 involving the funds at issue." The unauthenticated Letter dated June 13, 2022, which Ms. Dean never saw
 5 until it was filed as Dkt. 276-1 on August 29, 2022, was from Attorney Janeen Isaacson (Dkt. 276-1), who
 6 had no personal knowledge of the matters contained in her Letter. She testified to what some other attorney
 7 did in some different law firm. Ms. Isaacson's Letter was hearsay on hearsay and lacked personal
 8 knowledge. *Bank Melli Iran v. Pahlavi*, 58 F.3d 1406, 1412-13 (9th Cir. 1995) (hearsay statements in
 9 declarations and unauthenticated documents are not admissible in evidence). The Letter was entitled to no
 10 weight because the declarant did not show personal knowledge. *See Taylor v. List*, 880 F.2d 1040, 1045 n.
 11 3 (9th Cir.1989) (hearsay statements in declarations are made without personal knowledge are inadmissible
 12 in evidence and entitled to no weight).

13 There was no competent Affidavit from the Receiver establishing the elements of a Turnover Order
 14 or that the funds were somehow tainted. *Progressive Cas. Ins. Co. v. F.D.I.C.*, 80 F. Supp. 3d 923, 934
 15 (N.D. Iowa 2015) ("Similarly, statements in an affidavit based on what the affiant "learned" or "heard"
 16 about a decision or a decision-making process are hearsay and do not satisfy the "personal knowledge"
 17 requirement. *Ward v. International Paper Co.*, 509 F.3d 457, 462 (8th Cir.2007)."). The statements in the
 18 Letter did not set forth where the money came from, who the owner of the money might be, or any basis to
 19 claim the money was Receivership property. *Ward v. Int'l Paper Co.*, 509 F.3d 457, 462 (8th Cir. 2007)
 20 ("Neither affiant has personal knowledge of this, however; one simply 'heard' about it and the other
 21 'learned' about it. Nothing in the affidavits indicates a hearsay exception applies. These affidavits cannot be
 22 considered by this court. *See McKay*, 340 F.3d at 699."). The Isaacson Letter was unauthenticated, hearsay
 23 on hearsay, and irrelevant because it did not establish the source of the funds. *Canada v. Blain's*
 24 *Helicopters, Inc.*, 831 F.2d 920, 925 (9th Cir. 1987) (unauthenticated documents cannot be considered in the
 25 absence of testimony establishing authenticity).

26 **3. Turn Over Orders must be supported by clear and convincing evidence**

27 The Magistrate stated:

28 "The letter is based on the personal knowledge of an attorney familiar with the chain of events
 involving the funds at issue. Id." (Magistrate 11-17-22 Order, p. 13, lines 12-13).

However, Attorney Isaacson was not the Custodian of Records for the other Attorney Peters' trust
 account and she had no personal knowledge of how the Trust Account was administered, when money was
 deposited, where the money came from, or when or why it was disbursed. *Sorapur v. Cornerstone Chem.*

1 Co., 2018 WL 3587792, at *8 (E.D. La. July 25, 2018) ("Similarly, the two declarations lack any
 2 foundational information describing how either declarant learned the "facts" stated in their declarations").
 3 *Ward v. International Paper Co.*, 509 F.3d 457, 462 (8th Cir.2007)."). The unauthenticated letter on its face
 4 shows no personal knowledge. The Magistrate's Order may not be based on inadmissible hearsay.
 5 *Progressive Cas. Ins. Co. v. F.D.I.C.*, 80 F. Supp. 3d 923, 934 (N.D. Iowa 2015) ("Similarly, statements in
 6 an affidavit based on what the affiant 'learned' or 'heard' about a decision or a decision-making process are
 7 hearsay and do not satisfy the "personal knowledge" requirement).

8 **D. Plaintiff has Ignored the Receiver's Violation of Section 754**

9 **1. The July 28, 2022, Receiver Order Amendment was not a Reappointment**

10 The Magistrate's Order stated that an Amendment to the Receivership Order entered on July 28,
 11 2022, (Dkt. 207) constituted a Reappointment which started the 10-day clock under section 754 running
 12 anew when the Receiver had failed to properly file Notice of his Appointment in Arizona within 10-days of
 13 June 3, 2022. (Receiver 11-17-22 Order, pp. 15-16). However, the SEC says nothing about this improper
 14 holding and does not address that it is clearly erroneous and plain error. Instead, the SEC makes the claim
 15 that the Magistrate's Order is in a non-dispositive Order. (*See Dean 12-22-22 Reply to Receiver*, pp. 9-12).

16 The SEC ignores the Receiver's violation of 28 U.S.C. section 754 by his failure to file Notice of his
 17 June 3, 2022, Appointment in Arizona within 10-days. That failure deprived this Court of jurisdiction over
 18 Ms. Dean and the assets in her Trust Account and renders the SEC and Receiver's requests for a Turnover
 19 Order without jurisdiction. An Amendment to the Receivership Order cannot be a Reappointment because
 20 of the violation of Ms. Dean's rights to notice, opportunity to be heard, and due process. *KeyBank Nat'l*
 21 *Ass'n v. Fleetway Leasing Co.*, 2019 WL 5102206, at *5 (E.D. Pa. Oct. 11, 2019) (party to receivership has
 22 right to object to Receiver's reappointment). The Receiver's failure file in Arizona within 10-days of his
 23 Appointment on June 3, 2022, irreparably prejudiced Ms. Dean, and the Magistrate's holding that an
 24 Amendment is a Reappointment violates Ms. Dean's rights to show her prejudice.

25 **2. The Receiver concealed his section 754 violation from the Court**

26 **a. Failure to disclose the section 754 violation was unforgivable**

27 The Magistrate's Order stated the Receiver complied with 28 U.S.C. section 754 because the
 28 Receiver obtained an Amendment to the Receivership Order on July 28, 2022, and the Amendment
 constituted a Reappointment (11-17-22 Order, p. 15, lines 17-28). However, an Amendment was not a
 Reappointment, and Ms. Dean seeks *de novo* review of the clearly erroneous ruling. The so-called
 Amendment was based on a Motion to Amend filed on June 29, 2022 (Dkt. 120) where the Receiver wished
 to add eight (8) new defendants to the case, which had nothing to do with Ms. Dean. These defendants were

1 Larry Jeffery, Jason Jenne, Seth Johnson, Christopher Madsen, Richard Madsen, Mark Murphy, Cameron
2 Rohner, and Warren Rosegreen, and nothing about them involved Ms. Dean.

3 In the Receiver's June 29, 2022, Motion to Amend the Receivership Order (Dkt. 120), the Receiver
4 did not disclose his failure to have filed Notice of the Receivership in Arizona within 10-days of his
5 appointment on June 3, 2022. He concealed that the Motion to Amend had anything to do with Ms. Dean
6 who was never mentioned in the Motion. The Receiver failed to disclose that Ms. Dean claimed prejudice
7 because of the failure to file in Arizona and that Ms. Dean would oppose any Reappointment were she to
8 have received notice of the proceeding, which she did not. *Eyak Native Vill. v. Exxon Corp.*, 25 F.3d 773,
9 777 (9th Cir. 1994) ("Moreover, a court has 'inherent power ... to investigate whether a judgment was
obtained by fraud,' and may bring before it 'all those who may be affected....'").

10 The Amendment was not a Reappointment. If it somehow could be construed as a Reappointment, it
11 was procured through falsity, concealment, and a deliberate lack of Notice to Ms. Dean who was prejudiced
12 by any Reappointment. *United States v. Arizona Fuels Corp.*, 739 F.2d 455, 460 (9th Cir. 1984) (Receiver
13 may seek reappointment under section 754 so long as no party has been prejudiced). In undertaking a *de*
14 *novo* review or any other type of review of the Magistrate's Order, the Court should recognize the
15 Receiver's total failure in his June 29, 2022, Motion to Amend Order to make any disclosure of his failure
16 to file in Arizona under section 754, or the prejudice to Ms. Dean of which Ms. Dean had complained and
17 the Receiver was aware, and yet failed to disclose to the Court. *Hazel-Atlas Glass Co. v. Hartford-Empire*
18 *Co.*, 322 U.S. 238, 244(1944) (party may seek relief from fraudulently procured judgment or order at any
19 time). The SEC and Receiver's Opposition are silent on the prejudice to Ms. Dean. However, ignoring the
20 prejudice does not make it go away, and any Reappointment was a subterfuge because Ms. Dean had no
21 notice, opportunity to be heard, or due process concerning the Receiver's July 28, 2022, Amendment which
22 the Receiver claims was a reappointment. *Universal Oil Prod. Co. v. Root Ref. Co.*, 328 U.S. 575, 580
(1946) (Court has the inherent power to investigate and call before the Court anyone responsible for
procuring an Order through fraud).

23 In this case, Ms. Dean suffered extensive prejudice which the SEC and Receiver have ignored.
24 *KeyBank Nat'l Ass'n v. Fleetway Leasing Co.*, 2019 WL 5102206, at *5 (E.D. Pa. Oct. 11, 2019) (party to
25 receivership proceeding has right to object to the reappointment of the receiver). Ms. Dean incurred
26 \$201,060 in attorney's fees in reliance upon the Receiver's failure to have filed in Arizona. In Ms. Dean's
27 December 15, 2022, Declaration she sets out her reliance and the Receiver's failure to tell her about the so-
28 called July 28, 2022, Amendment until August 29, 2022, when she had long prior incurred fees in reliance
upon the absence of any filing in Arizona. (See Dean 12-1-22 Objection Dkt. 380 p. 24 for statement of

1 extensive prejudice). *Terry v. Virginia June*, 2003 WL 21738299, at *3 (W.D. Va. July 21, 2003)(the
2 Receiver's failure to comply with the procedural requirements of section 754 can rarely be excused).

3 **b. Amendments lacking full disclosure are not Reappointments**

4 The Receiver has entered into two (2) Stipulations and Orders in this case dated August 4, 2022, and
5 August 11, 2022, which Amended the Receivership Order and materially altered application that Order.
6 These Amendments, like the July 28, 2022, Amendment, contained no disclosure of the Receiver's violation
7 of section 754 and failure to file in Arizona. If an Amendment is a Reappointment, which it is not, then the
8 two (2) Amendments are a perversion of section 754's intent to require an actual Reappointment.

9 In the August 4, 2022, Stipulation and Order regarding Christopher Madsen (Dkt. 229), the Court
10 Ordered that nothing in the Preliminary Injunction (Dkt. 206) or Order Amending Receivership Order (Dkt.
11 207) "shall apply to any property, account, receivable, contract, or other asset owned by or in the name of
12 All American Builders, Inc." (Dkt 229 p. 2, lines 7-8). The Order was a material Amendment to the
13 Receivership Order because it excluded property which was covered by the Receivership Order.

14 In the August 11, 2022, Stipulation and Order regarding Mark Murphy the Court Ordered the Court
15 ordered that the Order Amending Preliminary Injunction and Asset Freeze Order (Dkt. 206) and Order
16 Amending Receivership Order (Dkt. 207) "did not, apply to Defendant, Mark A. Murphy, as the hearing and
17 motions as to Mr. Murphy have been continued." The Court's Order was a material Amendment to the
18 Receivership Order which excluded Mr. Murphy from application of the Receivership Order.

19 If as the Receiver and Magistrate claim that an Amendment to the Receivership Order constitutes a
20 Reappointment then any Amendment such as those identified above, for whatever purpose, constitutes a
21 Reappointment which starts the section 754 clock running anew. However, it is incomprehensible that
22 Congress would permit its mandate of a 10-day filing in the District where assets are located as a mandatory
23 basis for acquiring jurisdiction to be defeated by a subterfuge Amendments to the Receivership Order. No
24 Court should permit Stipulations and Amendments to be construed as a Reappointment which re-starts the
25 10-day clock in section 754. Such a rule would permit the Receiver to engage in concealment, subterfuge,
26 and fraud in which has apparently happened in this case.

27 **3. The Magistrate's authorities do not support the SEC or Receiver's position**

28 The Magistrate cited *Ashmore v. Barber*, 2016 WL 4555340 (D.S.C. Sept. 1, 2016), for the
proposition that an Amendment to a Receivership Order constitutes a Reappointment. (Magistrate 11-17-
22 Order, pp. 15-16). However, Ms. Dean's Objection to the Magistrate's Order pointed out that the so-
called Amendment in *Ashmore* was actually a Reappointment, and Ms. Dean has produced the
Reappointment Order in *Ashmore* which sets forth all of the qualifications of the Receiver, the property over

1 which the Receivership applied, and the cause for the Receiver's reappointment. (Dkt. pp. 20-23). Both the
 2 SEC and the Receiver have failed to respond, and the fact is that the Order referred to in *Ashmore* was a
 3 Reappointment, not an Amendment, and the Court's mislabeling of the Order in *Ashmore* does not provide
 4 any president that an Amendment is a Reappointment. The SEC and Receiver's Briefs are silent regarding
 5 the *Ashmore* so-called Amendment being an actual Reappointment by the very terms of the documents.

6 A Reappointment Order must establish good cause for the Reappointment, and there must be a
 7 showing of the Receiver's continued qualification, absence of conflicts of interest, and necessity of a
 8 continued Receivership. None of these standards were met in the July 28, 2022, Amendment. *Terry v.*
 9 *Virginia June*, 2003 WL 21738299, at *3 (W.D. Va. Jul. 21, 2003) (Receiver's failure to comply with the
 procedural requirements of § 754 can rarely be excused).

10 In *Cent. Tr. Co. v. Wabash, St. L. & P. Ry. Co.*, 23 F. 863, 867 (E.D. Mo. 1885), parties to a
 11 receivership proceeding filed a motion for reappointment of the previously appointed receiver seeking an
 12 order "extending the receivership to the trust company" who was not already a party. The District Court
 13 refused the reappointment finding it did not meet the standards by which a receiver could be appointed in
 14 the first instance. *Id.* at 867. Such a Reappointment did not further the interests of the receivership. *Id.*
 15 The Court found that it needed to scrutinize the showing made for the Reappointment and the terms of the
 Reappointment to assure the purpose complied with receivership standards. The Court stated:

16 "Furthermore, as receivers appointed at the instance of the mortgagor in the first instance, they took
 17 possession of the entire properties while this order, as tendered, contemplates a seizure of part only
 18 of these properties, not all. Having taken possession of the road under the idea in the first instance
 that the integrity of the system had a value and should be preserved, it seems to us the receivership
 should continue right along in that line. There will be no reappointment of the receivers." *Id.*

19 In Ms. Dean's case, there was no Motion to Reappoint the Receiver, and the June 29, 2022, Motion
 20 to Amend the Receivership Order (Dkt. 120) contained no showing of good cause, the terms of
 21 Reappointment, or the purpose of Reappointment. Rather, the Receiver concealed his gross negligence in
 22 failing to comply with section 754 and materially mislead the Court that the purpose of calling the Motion a
 23 Motion to Amend instead of a Reappointment, which was a subterfuge designed to mislead the Court and
 24 conceal material facts of the Receiver's gross negligence in violating section 754. The June 29, 2022,
 25 Motion to Amend was not a Motion for Reappointment, and if it was, the Order was procured by material
 concealment and misleading the Court as to its hidden purpose which should render the Order void *ab initio*.

26 **4. Concealment of the section 754 violation precluded Reappointment**

27 There is no excuse for the Receiver having concealed in his June 29, 2022, Motion to Amend (Dkt.
 28 12) his section 754 violation, Ms. Dean's objection to the Receiver, and the prejudice Ms. Dean experienced

1 by the section 754 violation. Not only was the Order procured by concealment, but also there was a failure
2 to show any good cause for Reappointment. The July 28, 2022 Order was not a Reappointment.

3 In *Commodity Futures Trading Comm'n v. Rust Rare Coin Inc.*, 2019 WL 5260165, at *10 (D. Utah
4 Oct. 17, 2019), the Receiver filed a motion with the District Court in Utah which had appointed the
5 Receiver seeking a reappointment and setting forth that the Receiver had failed to have filed Notice of the
6 Receivership in the District of Montana where property of the Receivership was located. The Court found
7 that there was a sufficient showing of good cause for the reappointment and stated "The Court has reviewed
8 the Motion and the applicable law, and for good cause appearing," the Motion was granted with instructions
9 to file the notice of Reappointment in all districts where Receivership property might exist. *Id.* at *10

10 In Ms. Dean's case, there was no showing of good cause made for any Reappointment of the
11 Receiver. There could be no such showing in the face of the Receiver's concealment of his section 754
12 violation and hidden purpose of using an Amendment as a Reappointment. Instead, the Receiver engaged in
13 material concealment which misled the Court. The Receiver failed to show good cause for Reappointment
14 and failed to disclose the Receiver's gross negligence. This Court should not reward the Receiver's
15 procurement of a Court Order through concealment and subterfuge.

14 **5. The Receiver failed to file the Amendment in Arizona**

15 The Receiver failed to file the July 28, 2022, Amendment to the Receivership Order in Arizona (Dkt.
16 207). In Ms. Deans December 15, 2022, Declaration (Dkt. 395) she points out the prejudice to her from
17 never being served with the Amendment because when the Receiver filed the original Order in Arizona on
18 August 5, 2022, and the Clerk gave her notice on August 8, 2022, the Amendment was totally absent. Ms.
19 Dean did not receive Notice of the Amendment until August 29, 2022, when the Receiver disclosed it in
20 Opposition papers submitted to this Court. (Dkts. 275, 276). Meanwhile, Ms. Dean relied upon there being
21 no filing in Arizona of the Appointment Order within 10-days of June 3, 2022.

22 A receiver must file the Reappointment Order in the foreign jurisdiction within 10-days of receiving
23 the Reappointment to satisfy the requirement of section 754. *Terry v. June*, 2003 WL 22125300, at *3
24 (W.D. Va. Sept. 12, 2003) (when the receiver is reappointed, the Receiver must file "copies of the complaint
25 **and order of reappointment** in the United States District Court for the Eastern District of Michigan" where
26 the property in question is located) (emphasis added); *Wiand v. Buhl*, 2011 WL 6048829, at *5 (M.D. Fla.
27 Nov. 3, 2011), *report and recommendation adopted*, 2011 WL 6048741 (M.D. Fla. Dec. 6, 2011) (receiver
28 must file order of reappointment in the District where property is located in order to comply with section
754 where original order was not filed within 10-days). A receiver may comply with the section 754
requirements by obtaining an Order of Reappointment and then filing the Order and the Complaint within

1 ten (10) days from the entry of the order of Reappointment. *S.E.C. v. Vision Comm., Inc.*, 74 F.3d 287, 290-
2 91 (D.C. Cir. 1996) (Receiver must file Order of Reappointment in foreign jurisdiction within 10-days of
3 Reappointment); *SEC v. Heartland Group, Inc.*, 2003 WL 21000363, at *5 (N.D. Ill. May 2, 2003) (to
4 comply with section 754, Receiver must file order of Reappointment in district where assets are located
5 within 10-days of reappointment); *Terry v. Walker*, 369 F. Supp. 2d 818, 820 (W.D. Va. 2005) (when
6 Receiver reappointed, Reappointment Order must be filed in the foreign district within 10-days).

7 The Receiver never filed the July 28, 2022, Amendment in Arizona, and to this date there has been
8 no filing. The mandates established in section 754 are unambiguous, and the obligations to obtain a
9 Reappointment starting the 10-day clock running anew are clear. *S.E.C. v. Vision Comm., Inc.*, 74 F.3d 287
10 (D.C. Cir. 1996) (where the receiver did not file copies of Complaint and Order of Appointment in proper
11 judicial district within ten days of his appointment "the court may reappoint the receiver and start the ten-
12 day clock of § 754 ticking once again"). In this case, the Receiver failed to file in Arizona the July 28,
13 2022, Amendment within 10-days and there is no jurisdiction over Ms. Dean or the foreign District assets.
14 The Magistrate's November 17, 2022, Order, and the SEC and Receiver's claims against Ms. Dean are
15 without jurisdiction.

16 **III.**

17 **CONCLUSION**

18 For the foregoing reasons, Third Party Kamille Dean requests that her Objection and Appeal for De
19 Novo Review from Magistrates November 17, 2022, Order be granted.

20 DATED: December 22, 2022

21 KAMILLE DEAN

22 

23 By: _____

24 Kamille Dean, Attorney in Pro Se

DECLARATION OF KAMILLE DEAN

I, Kamille Dean, declare and say:

1. I am an attorney at law admitted to practice before all the Courts of the States of Arizona, California, Colorado, Minnesota, and Utah.

2. Attached are the true and correct copies of the following Exhibits:

- “H” 03-24-22 Securities Exchange Commission Subpoena to Parker Judd
- “I” 03-24-25 Securities Exchange Commission Subpoena to US Bank National Association
- “J” 03-25-22 Notice to Consumer to Kennedy Judd
- “K” 03-25-22 Notice to Consumer to Parker Judd
- “L” 03-25-22 Notice to Consumer to Jennifer Judd
- “M” 03-25-22 Notice to Consumer to Preston Judd
- “N” 03-25-22 Notice to Consumer to Khloe Judd
- “O” 04-09-22 US News Article - Las Vegas Lawyer Shot by FBI Allegedly Headed \$300M Ponzi Scheme

I declare under penalty of perjury under the laws of the State of Arizona the foregoing is true and correct. Executed this 22nd day of December, 2022, at Phoenix, Arizona.



Kamille Dean

Exhibit “H”



SALT LAKE
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
351 S. WEST TEMPLE, SUITE 6.100
SALT LAKE CITY, UT 84101

DIVISION OF ENFORCEMENT

March 24, 2022

VIA OVERNIGHT DELIVERY

PARKER R. JUDD
279 AQUA LN
HENDERSON, NV 89012-3125

10644 N 5720 W
HIGHLAND, UT 84003

Re: In the Matter of J&J Consulting Services, Inc., SL-02855

Dear Mr. Judd:

The staff of the United States Securities and Exchange Commission is conducting an investigation in the matter identified above. The enclosed subpoena has been issued to you as part of this investigation. The subpoena requires you to provide us with documents.

Please read the subpoena and this letter carefully. This letter answers some questions you may have about the subpoena. You should also read the enclosed SEC Form 1662. If you do not comply with this subpoena, the SEC may bring an action in Federal Court to enforce this subpoena. Failure to comply with a court order enforcing this subpoena may result in the court imposing a fine, imprisonment or both.

Producing Documents

What materials do I have to produce?

The subpoena requires you to provide us the documents described in the attachment to the subpoena. You must provide these documents by **April 1, 2022**. The attachment to the subpoena defines some terms (such as "document") before listing what you must provide.

You should produce each and every document in your possession, custody, or control, including any documents that are not in your immediate possession but that you have the ability to obtain. All responsive documents shall be produced as they are kept in the usual course of business, and shall be organized and labeled to correspond with the numbered paragraphs in the

subpoena attachment. In that regard, documents should be produced in a unitized manner, *i.e.*, delineated with staples or paper clips to identify the document boundaries.

Documents responsive to this subpoena may be in electronic or paper form. Electronic documents such as email should be produced in accordance with the attached document entitled SEC Data Delivery Standards (the "Standards"). If you have any questions concerning the production of documents in an electronic format, please contact me as soon as possible but in any event before producing documents. **All electronic documents responsive to the document subpoena, including all metadata, must also be secured and retained in their native software format and stored in a safe place.** The staff may later request or require that you produce the native format.

For documents in paper format, you may send the originals, or, if you prefer, you may send copies of the originals. The Commission cannot reimburse you for the copying costs. If you are sending copies, the staff requests that you scan (rather than photocopy) hard copy documents and produce them in an electronic format consistent with the Standards. Alternatively, you may send us photocopies of the documents in paper format. **If you choose to send copies, you must secure and retain the originals and store them in a safe place.** The staff may later request or require that you produce the originals.

Whether you scan or photocopy documents, the copies must be identical to the originals, including even faint marks or print. Also, please note that if copies of a document differ in any way, they are considered separate documents and you must send each one. For example, if you have two copies of the same letter, but only one of them has handwritten notes on it, you must send both the clean copy and the one with notes.

If you do send us scanned or photocopied documents, please put an identifying notation on each page of each document to indicate that you produced it, and number the pages of all the documents submitted. (For example, if Jane Doe sends documents to the staff, she may number the pages JD-1, JD-2, JD-3, etc., in a blank corner of the documents.) Please make sure the notation and number do not conceal any writing or marking on the document. If you send us originals, please do not add any identifying notations.

In producing a photocopy of an original document that contains post-it(s), notation flag(s), or other removable markings or attachments which may conceal all or a portion of the markings contained in the original document, photocopies of the original document both with

Passwords for documents, files, compressed archives, and encrypted media should be provided separately either via email addressed to ENF-CPU@sec.gov, or in a separate cover letter mailed separately from the data. Password correspondence should reference case number, case name and requesting SEC staff member.

Please include a cover letter stating whether you believe you have met your obligations under the subpoena by searching carefully and thoroughly for everything called for by the subpoena, and sending it all to us. Correspondence should reference case number, case name and requesting SEC staff member.

Please also provide a narrative description describing what you did to identify and collect documents responsive to the subpoena. At a minimum, the narrative should describe:

- who searched for documents;
- who reviewed documents found to determine whether they were responsive;
- what sources were searched (e.g., computer files, CDs, DVDs, thumb drives, flash drives, online storage media, hard copy files, diaries, datebooks, planners, filing cabinets, home office, work office, voice mails, home email, webmail, work email, backup tapes or other media);
- what third parties, if any, were contacted to obtain responsive documents (e.g., phone companies for phone records, brokerage firms for brokerage records); and
- where the original electronic and hardcopy documents are maintained and by whom.

For any documents that qualify as records of regularly conducted activities under Federal Rule of Evidence 902(11), please complete a business records certification (a sample of which is enclosed) and return it with the document production.

What if I do not send everything described in the attachment to the subpoena?

The subpoena requires you to send all the materials described in it. If, for any reason – including a claim of attorney-client privilege – you do not produce something called for by the subpoena, you should submit a list of what you are not producing. The list should describe each item separately, noting:

- its author(s);
- its date;
- its subject matter;
- the name of the person who has the item now, or the last person known to have it;
- the names of everyone who ever had the item or a copy of it, and the names of everyone who was told the item's contents;
- the reason you did not produce the item; and
- the specific request in the subpoena to which the document relates.

If you withhold anything on the basis of a claim of attorney-client privilege or attorney work product protection, you should identify the attorney and client involved. If you withhold

anything on the basis of the work product doctrine, you should also identify the litigation in anticipation of which the document was prepared.

If documents responsive to this subpoena no longer exist because they have been lost, discarded, or otherwise destroyed, you should identify such documents and give the date on which they were lost, discarded or destroyed.

Where should I send the materials?

Please send the materials to:

ENF-CPU
U.S. Securities and Exchange Commission
14420 Albemarle Point Place, Suite 102
Chantilly, VA 20151-1750

For smaller electronic productions under 10MB in size, the materials may be emailed to the following email address: ENF-CPU@sec.gov. For productions over 10MB in size, please email ostlerj@sec.gov for access to a secure FTP site.

Please also provide a duplicate copy of any document production cover letters to: Laurie E. Abbott at abbottla@sec.gov, Joni Ostler at ostlerj@sec.gov, and Pasha Salimi at salimia@sec.gov. Additionally, please include the SEC matter number and the name of the requesting attorney when responding.

Other Important Information

May I have a lawyer help me respond to the subpoena?

Yes. You have the right to consult with and be represented by your own lawyer in this matter. If you are represented by a lawyer when you testify, your lawyer may advise and accompany you when you testify. We cannot give you legal advice.

What will the Commission do with the materials I send?

The enclosed SEC Form 1662 explains how we may use the information you provide to the Commission. This form also has other important information for you. Please read it carefully.

Has the Commission determined that anyone has done anything wrong?

This investigation is a non-public, fact-finding inquiry. We are trying to determine whether there have been any violations of the federal securities laws. The investigation does not mean that we have concluded that anyone has violated the law. Also, the investigation does not mean that we have a negative opinion of any person, entity or security.

Important Policy Concerning Settlements

Please note that, in any matter in which enforcement action is ultimately deemed to be warranted, the Division of Enforcement will not recommend any settlement to the Commission unless the party wishing to settle certifies, under penalty of perjury, that all documents responsive to Commission subpoenas and formal and informal document requests in this matter have been produced.

I have read this letter, the subpoena, and the SEC Form 1662, but I still have questions. What should I do?

If you have any other questions, you may call me at (801) 524-6748. If you are represented by a lawyer, you should have your lawyer contact me.

Sincerely,

/s/ Jon



SUBPOENA

**UNITED STATES OF AMERICA
SECURITIES AND EXCHANGE COMMISSION**

In the Matter of J&J Consulting Services, Inc., SL-02855

To: PARKER R. JUDD

YOU MUST PRODUCE everything specified in the Attachment to this subpoena to officers of the Securities and Exchange Commission, at the place, date and time specified below:

ENF-CPU, U.S. Securities and Exchange Commission, 14420 Albemarle Point Place, Suite 102
Chantilly, VA 20151-1750, no later than April 1, 2022 at 5:00 p.m.

YOU MUST TESTIFY before officers of the Securities and Exchange Commission, at the place, date and time specified below:

FEDERAL LAW REQUIRES YOU TO COMPLY WITH THIS SUBPOENA.

If you do not comply with this subpoena, the SEC may bring an action in Federal Court to enforce this subpoena. Failure to comply with a court order enforcing this subpoena may result in the court imposing a fine, imprisonment, or both.

By: /s/ Joni Ostler

Date: March 24, 2022

Joni Ostler, Counsel
U.S. Securities and Exchange Commission
Salt Lake Regional Office
351 S. West Temple Street, Suite 6.100
Salt Lake City, UT 84101

I am an officer of the U.S. Securities and Exchange Commission authorized to issue subpoenas in this matter. The Securities and Exchange Commission has issued a formal order authorizing this investigation under Section 20(a) of the Securities Act of 1933 and Section 21(a) of the Securities Exchange Act of 1934.

NOTICE TO WITNESS: If you claim a witness fee or mileage, submit this subpoena with the claim voucher.

SUBPOENA ATTACHMENT FOR PARKER R. JUDD
In the Matter of J&J Consulting Services, Inc., SL-02855

March 24, 2022

Definitions

As used in this subpoena, the words and phrases listed below shall have the following meanings:

1. "J&J Consulting Services, Inc." means the entity doing business under the name J&J Consulting Services, Inc., including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. **This includes any entities with which you are connected named J&J Consulting Services, Inc., even if there is more than one such entity.**
2. "J&J Purchasing LLC" means the entity doing business under the name J&J Purchasing LLC, including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing.
3. "Person" means a natural person, firm, association, organization, partnership, business, trust, corporation, bank or any other private or public entity.
4. A "Representative" of a Person means any present or former family members, officers, executives, partners, joint-venturers, directors, trustees, employees, consultants, accountants, attorneys, agents, or any other representative acting or purporting to act on behalf of the Person.
5. "Document" shall include, but is not limited to, any written, printed, or typed matter including, but not limited to all drafts and copies bearing notations or marks not found in the original, letters and correspondence, interoffice communications, slips, tickets, records, worksheets, financial records, accounting documents, bookkeeping documents, memoranda, reports, manuals, telephone logs, facsimiles, messages of any type, telephone messages, text messages, voice mails, tape recordings, notices, instructions, minutes, summaries, notes of meetings, file folder markings, and any other organizational indicia, purchase orders, information recorded by photographic process, including microfilm and microfiche, computer printouts, spreadsheets, and other electronically stored information, including but not limited to writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations that are stored in any medium from which information can be retrieved, obtained, manipulated, or translated.
6. "Communication" means any correspondence, contact, discussion, e-mail, instant message, or any other kind of oral or written exchange or transmission of information (in the form of facts, ideas, inquiries, or otherwise) and any response thereto between two or



more Persons or entities, including, without limitation, all telephone conversations, face-to-face meetings or conversations, internal or external discussions, or exchanges of a Document or Documents.

7. "Concerning" means directly or indirectly, in whole or in part, describing, constituting, evidencing, recording, evaluating, substantiating, concerning, referring to, alluding to, in connection with, commenting on, relating to, regarding, discussing, showing, describing, analyzing or reflecting.
8. An "Agreement" means any actual or contemplated (i) written or oral Agreement; (ii) term or provision of such Agreement; or (iii) amendment of any nature or termination of such Agreement. A request for any Agreement among or between specified parties includes a request for all Documents Concerning (i) any actual or contemplated Agreement among or between such parties, whether or not such Agreement included any other Person; (ii) the drafting or negotiation of any such Agreement; (iii) any actual or contemplated demand, request or application for any such Agreement, and any response thereto; and (iv) any actual or contemplated objection or refusal to enter into any such Agreement, and any response thereto.
9. "Social Media" means forms of electronic communication other than standard e-mail, through which users create online profiles to share information, ideas, personal messages, and other content (such as videos, photos), including but not limited to blogging and microblogging, Telegram, Facebook, Facebook Messenger, Twitter, Instagram, Pinterest, TikTok, WhatsApp, Kik, Snapchat, LinkedIn, Skype, YouTube, Vimeo, WeChat, Tumblr, Reddit, Microsoft Teams, Quora, Discourse, Jabber, Slack, and Twitch.
10. The term "you" and "your" means the Person to whom this subpoena was issued.
11. To the extent necessary to bring within the scope of this this subpoena any information or Documents that might otherwise be construed to be outside its scope:
 - a. the word "or" means "and/or";
 - b. the word "and" means "and/or";
 - c. the functional words "each," "every" "any" and "all" shall each be deemed to include each of the other functional words;
 - d. the masculine gender includes the female gender and the female gender includes the masculine gender; and
 - e. the singular includes the plural and the plural includes the singular.
12. "Relevant Period" means the time period beginning January 1, 2016, or the earliest time for which records exist, whichever is earlier, and continuing to the present, unless otherwise specified.

Instructions

1. Unless otherwise specified, this subpoena calls for production of the original Documents and all copies and drafts of same. Documents responsive to this subpoena may be in electronic or paper form. Electronic Documents such as email should be produced in accordance with the attached Document entitled SEC Data Delivery Standards. All responsive electronic Documents, including all metadata, should also be produced in their native software format.
2. For Documents in paper format, you may send the originals, or, if you prefer, you may send copies of the originals. The Commission cannot reimburse you for the copying costs. If you are sending copies, the staff requests that you scan (rather than photocopy) hard copy Documents and produce them in an electronic format consistent with the SEC Data Delivery Standards. Alternatively, you may send us photocopies of the Documents in paper format. If you choose to send copies, you must secure and retain the originals and store them in a safe place. The staff may later request or require that you produce the originals.
3. Whether you scan or photocopy Documents, the copies must be identical to the originals, including even faint marks or print. Also, please note that if copies of a Document differ in any way, they are considered separate Documents and you must send each one. For example, if you have two copies of the same letter, but only one of them has handwritten notes on it, you must send both the clean copy and the one with notes.
4. In producing a photocopy of an original Document that contains post-it(s), notation flag(s), or other removable markings or attachments which may conceal all or a portion of the markings contained in the original Document, photocopies of the original Document both with and without the relevant post-it(s), notation flag(s), or removable markings or attachments should be produced.
5. Documents should be produced as they are kept in the ordinary course of business or be organized and labeled to correspond with the categories in this request. In that regard, Documents should be produced in a unitized manner, i.e., delineated with staples or paper clips to identify the Document boundaries.
6. Documents should be labeled with sequential numbering (bates-stamped).
7. You must produce all Documents created during, or Concerning, the period from January 1, 2016, or the earliest time for which records exist, whichever is earlier, to the date of this subpoena, unless otherwise specified.
8. The scope of any given request should not be limited or narrowed based on the fact that it calls for Documents that are responsive to another request.
9. You are not required to produce exact duplicates of any Documents that have been previously produced to the Securities and Exchange Commission staff in connection with

this matter. If you are not producing Documents based upon a prior production, please identify the responsive Documents that were previously produced.

10. For any Documents that qualify as records of regularly conducted activities under Federal Rule of Evidence 902(11), please complete a business records certification (a sample of which is enclosed) and return it with the Document production.
11. This subpoena covers all Documents in or subject to your possession, custody or control, including all Documents that are not in your immediate possession but that you have the effective ability to obtain, that are responsive, in whole or in part, to any of the individual requests set forth below. If, for any reason – including a claim of attorney-client privilege – you do not produce something called for by the request, you should submit a list of what you are not producing. The list should describe each item separately, noting:
 - a. its author(s);
 - b. its date;
 - c. its subject matter;
 - d. the name of the Person who has the item now, or the last Person;
 - e. the names of everyone who ever had the item or a copy;
 - f. everyone who was told the item's contents;
 - g. the basis upon which you are not producing;
 - h. the specific request in the subpoena;
 - i. the attorney(s) and the client in the case of the subpoena; and
 - j. when the subpoena was prepared.
12. If

2. All Communications and Agreements with Jeffrey Judd and Jennifer Judd (your parents) regarding J&J Consulting Services, Inc., J&J Purchasing, LLC, or the investment opportunity in the insurance settlement agreements called Purchase Agreements or settlement contracts or Insurance Settlement Agreements or Purchase Contracts or any other name.
3. All non-privileged Communications with or Concerning, and any Agreements with, any of the following:
 - a. Beasley Law Group PC
 - b. J & J Consulting Services, Inc.;
 - c. J & J Purchasing, LLC;
 - d. BJ Holdings LLC;
 - e. CJ Investments LLC;
 - f. JL2 Investments LLC;
 - g. Stirling Consulting LLC;
 - h. Prestige Consulting LLC;
 - i. Prestige Legal Funding;
 - j. Rohner Capital LLC;
 - k. Advantage Legal Funding LLC.
4. All Communications, Agreements and Documents with any law firms, attorneys, or their clients that are parties to any insurance settlement agreements with J&J Consulting Services, Inc. or J&J Purchase LLC, whether those agreements are called Purchase Agreements or settlement contracts or Insurance Settlement Agreements or Purchase Contracts or any other name.
5. All Communications, Agreements, and Documents Concerning the investment opportunity that J&J Consulting Services and J&J Purchasing LLC offered to invest in or purchase portions of insurance settlement agreements, whether called Purchase Agreements or settlement contracts or Insurance Settlement Agreements or Purchase Contracts or any other name. The production should include, but not be limited to:
 - a. All Communications with and Agreements or contracts with any Person or entity who was an actual or potential investor or who was solicited to invest;
 - b. All Documents reflecting money coming from, and money being paid out to, any Person or entity who invested, such as requests for and confirmations of wire transfers, copies of checks, bank account statements, and Forms 1099 or any other tax forms issued to any person or entity in connection with the investment; and

- c. All Documents reflecting payments of commissions, or referral fees or bonuses, or finder's fees, or any similar payments to Persons or entities for referring or soliciting new investors to invest.
6. All Communications, Agreements, and Documents Concerning the Grand Desert Behavioral Hospital. The production should include, but not be limited to:
 - a. All Communications with and Agreements or contracts with any Person or entity who was an actual or potential investor or who was solicited to invest;
 - b. All Documents reflecting money coming from, and money being paid out to, any Person or entity who invested, such as confirmations of wire transfers, copies of checks, bank account statements, and Forms 1099 or any other tax forms issued to any Person or entity in connection with the investment; and
 - c. All Documents reflecting payments of commissions, or referral fees or bonuses, or finder's fees, or any similar payments to Persons or entities for referring or soliciting new investors to invest.
7. Documents sufficient to identify all securities brokerage accounts in which you have had a beneficial interest, or over which you have exercised direct or indirect control;
8. All account statements for all brokerage accounts identified in Request #7, above;
9. Documents sufficient to identify all your assets, including, but not limited to, the identity of all accounts at financial institutions (all foreign and domestic bank and brokerage accounts) over which you have direct or indirect control and/or over which you have a direct or indirect beneficial interest; the address of any real property in which you have direct or indirect ownership; and the make and model of any vehicles or airplanes in which you have direct or indirect ownership;
10. All credit card statements for credit cards that were or are in your name, and/or over which you have direct or indirect control;
11. Documents sufficient to disclose all telephone numbers and calling card numbers in your name or which you used during the relevant time period, including, but not limited to, all telephone numbers at your residences (regardless of whose names they are listed under), all cell phone and facsimile numbers, and all work-related telephone numbers used by you;
12. All telephone bills and statements for all phone numbers identified in Request #11, above;

13. Documents sufficient to disclose all email addresses in your name or which you used during the relevant time period, including, but not limited to, all email addresses you used at any employer (regardless of whose names they are listed under); and
14. Documents sufficient to disclose all Social Media usernames and accounts either in your name or which you used during the relevant time period, including but not limited to all instant messaging platforms or accounts.



U.S. Securities and Exchange Commission

Data Delivery Standards

This document describes the technical requirements for paper and electronic document productions to the U.S. Securities and Exchange Commission (SEC). ****Any questions or proposed file formats other than those described below must be discussed with the legal and technical staff of the SEC Division of Enforcement prior to submission.****

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General Instructions

Due to COVID-19 restrictions the current, temporary mailing address for all physical productions sent to the SEC is: ENF-CPU (U.S. Securities & Exchange Commission), 14420 Albemarle Point Place, Suite 102, Chantilly, VA 20151-1750

Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. (Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)

In the event produced files require the use of proprietary software not commonly found in the workplace, the SEC will explore other format options with the producing party.

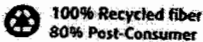
U.S. Securities and Exchange Commission
Data Delivery Standards

The proposed use of file de-duplication methodologies or *computer-assisted review* or *technology-assisted review* (TAR) during the processing of documents must be discussed with and approved by the legal and technical staff of the Division of Enforcement (ENF). If your production will be de-duplicated it is vital that you 1) preserve any unique metadata associated with the duplicate files, for example, custodian name and file location and, 2) make that unique metadata part of your production to the SEC.

General requirements for ALL document productions are:

1. A cover letter must be included with each production and should include the following information:
 - a. Case number, case name and requesting SEC staff member name
 - b. A list of each piece of media included in the production with its unique production volume number
 - c. A list of custodians, identifying the Bates range for each custodian
 - d. The time zone in which the emails were standardized during conversion
 - e. Whether the production contains native files produced from Mac operating system environments
2. Data can be produced on CD, DVD, thumb drive, etc., using the media requiring the least number of deliverables and labeled with the following:
 - a. Case number
 - b. Production date
 - c. Producing party
 - d. Bates range (if applicable)
 - e. Files organized by custodian unless otherwise instructed.
 - f. Email attachments, embedded files, etc., should be produced together and children files should be numbered.
 - g. One image pointer file.

Relevant files are produced



U.S. Securities and Exchange Commission
Data Delivery Standards

19. Additional technical descriptions can be found in the addendum to this document.

Please note that productions sent to the SEC via United States Postal Service are subject to Mail Irradiation, and as a result electronic productions may be damaged.

Delivery Formats

I. Imaged Productions

The SEC prefers that all scanned paper and electronic file collections be produced in a structured format including industry standard load files, Bates numbered image files, native files and searchable document-level text files.

1. Images

- a. Black and white images must be 300 DPI Group IV single-page TIFF files
- b. Color images must be produced in JPEG format
- c. File names cannot contain embedded spaces or special characters (including the comma)
- d. Folder names cannot contain embedded spaces or special characters (including the comma)
- e. All image files must have a unique file name, i.e. Bates number
- f. Images must be endorsed with sequential Bates numbers in the lower right corner of each image
- g. The number of image files per folder should not exceed 2,000 files
- h. Excel spreadsheets should have a placeholder image named by the Bates number of the file
- i. AUTOCAD/photograph files should be produced as a single page JPEG file

2. Image Cross-Reference File

The image cross-reference file (.LOG or .OPT) links the images to the database records. It should be a comma-delimited file consisting of seven fields per line with a line in the cross-reference file for every image in the database with the following format:

ImageID, VolumeLabel, ImageFilePath, DocumentBreak, FolderBreak, BoxBreak, PageCount

3. Data File

The data file (.DAT) contains all of the fielded information that will be loaded into the database.

- a. The first line of the .DAT file must be a header row identifying the field names
- b. The .DAT file must use the following *Concordance*® default delimiters:
Comma ¶ ASCII character (020)
Quote ¸ ASCII character (254)
- c. If the .DAT file is produced in Unicode format it must contain the byte order marker
- d. Date fields should be provided in the format: mm/dd/yyyy
- e. Date and time fields must be two separate fields
- f. The time zone must be included in all time fields
- g. If the production includes imaged emails and attachments, the attachment fields must be included to preserve the parent/child relationship between an email and its attachments
- h. An OCRPATH field must be included to provide the file path and name of the extracted text file on the produced storage media. The text file must be named after the FIRSTBATES. Do not include the text in the .DAT file.
- i. For productions with native files, a LINK field must be included to provide the file path and name of the native file on the produced storage media. The native file must be named after the FIRSTBATES.
- j. BEGATTACH and ENDATTACH fields must be two separate fields
- k. A complete list of metadata fields is available in **Addendum A** to this document

4. Text

Text must be produced as separate document-level text files, not as fields within the .DAT file. The text files must be named per the FIRSTBATES/Image Key and the full path to the text file (OCRPATH) should be included in the .DAT file. Text files may be in either ANSI or Unicode format, however, ALL text files must be in the same format within the same production. Note that productions containing text with foreign characters must produce text files in Unicode format to preserve the foreign characters. Text files must be in a separate folder, and the number of text files per folder should not exceed 2,000 files. There should be no special characters (including commas) in the folder names. For redacted documents, provide the full text for the redacted version.

5. Linked Native Files

100% Recycled fiber
80% Post-Consumer

U.S. Securities and Exchange Commission
Data Delivery Standards

- Copies of original email and native file documents/attachments must be included for all electronic productions.
- a. Native file documents must be named per the FIRSTBATES number
 - b. The full path of the native file must be provided in the .DAT file for the LINK field
 - c. The number of native files per folder should not exceed 2,000 files

International Shipping Notice - Certain international carriers are required to file a manifest on the container for the International Emergency of Economic Sanctions (IEECS) (aka, IEECS Container). These commodities, technology or software were exported from the U.S. in accordance with the IEECS.

U.S. Securities and Exchange Commission
Data Delivery Standards

II. Native File Production without Load Files

With prior approval, native files may be produced without load files. The native files must be produced as they are maintained in the normal course of business and organized by custodian-named file folders. When approved, native email files (.PST or .MBOX) may be produced. A separate folder should be provided for each custodian.

III. Adobe PDF File Production

With prior approval, Adobe PDF files may be produced in native file format.

1. All PDFs must be unitized at the document level, i.e., each PDF must represent a discrete document.
2. PDF files should be produced in separate folders named by the custodian. The folders should not contain any special characters (including commas).
3. All PDF files must contain embedded text that includes all discernible words within the document, not selected text or image only. This requires all layers of the PDF to be flattened first.
4. If PDF files are Bates endorsed, the PDF files must be named by the Bates range.

IV. Audio Files

Audio files from telephone recording systems must be produced in a format that is playable using Microsoft Windows Media Player™. Additionally, the call information (metadata) related to each audio recording **MUST** be provided. The metadata file must be produced in a delimited text format. Field names must be included in the first row of the text file. The metadata must include, at a minimum, the following fields:

- | | |
|------------------------|--|
| 1) Caller Name: | Caller's name or account/identification number |
| 2) Originating Number: | Caller's phone number |
| 3) Called Party Name: | Called party's name |
| 4) Terminating Number: | Called party's phone number |
| 5) Date: | Date of call |
| 6) Time: | Time of call |
| 7) Filename: | Filename of audio file |

V. Video Files

Video files must be produced in a format that is playable using Microsoft Windows Media Player™.

VI. Electronic Trade and Bank Records

When producing electronic trade records, bank records, or financial statements, provide the files in one of the following formats:

1. MS Excel spreadsheet with header information detailing the field structure. If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details.
2. Delimited text file with header information detailing the field structure. The preferred delimiter is a vertical bar "|". If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details.

VII. Electronic Phone Records

When producing electronic phone records, provide the files in the following format:

1. MS Excel spreadsheet with header information detailing the field structure. If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details. Data must be formatted in its native format (i.e. dates in a date format, numbers in an appropriate numerical format, and numbers with leading zeroes as text).
 - a. The metadata that must be included is outlined in **Addendum B** of this document. Each field of data must be loaded into a separate column. For example, Date and Start Time must be produced in separate columns and not combined into a single column containing both pieces of information. Any fields of data that are provided in addition to those listed in **Addendum B** must also be loaded into separate columns.

U.S. Securities and Exchange Commission
Data Delivery Standards

VIII. Audit Workpapers

The SEC prefers for workpapers to be produced in two formats: (1) With Bates numbers in accordance with the SEC Data Delivery Standards; and (2) in native format or if proprietary software was used, on a standalone laptop with the appropriate software loaded so that the workpapers may be reviewed as they would have been maintained in the ordinary course of business. The laptop must have printing capability, and when possible, the laptop should be configured to enable a Virtual Machine (VM) environment.

IX. Mobile Device Data

Before producing mobile device data (including but not limited to text messages) parties should reach out to the requesting SEC staff member in order to discuss the appropriate production format

International Systems, Inc. - 2014-11-19 10:10:10 AM
The Commission's Use of Confidential Information Under the "JOBS" Act

ADDENDUM A

The metadata of electronic document collections should be extracted and provided in a .DAT file using the field definition and formatting described below:

Field Name	Sample Data	Description
FIRSTBATES	EDC0000001	First Bates number of native file document/email
LASTBATES	EDC0000001	Last Bates number of native file document/email **The LASTBATES field should be populated for single page documents/emails.
ATTACHRANGE	EDC0000001 - EDC0000015	Bates number of the first page of the parent document to the Bates number of the last page of the last attachment "child" document
BEGATTACH	EDC0000001	First Bates number of attachment range
ENDATTACH	EDC0000015	Last Bates number of attachment range
PARENT_BATES	EDC0000001	First Bates number of parent document/Email **This PARENT_BATES field should be populated in each record representing an attachment "child" document
CHILD_BATES	EDC0000002; EDC0000014	First Bates number of "child" attachment(s); can be more than one Bates number listed depending on the number of attachments **The CHILD_BATES field should be populated in each record representing a "parent" document
CUSTODIAN	Smith, John	Email: Mailbox where the email resided Native: Name of the individual or department from whose files the document originated
FROM	John Smith	Email: Sender Native: Author(s) of document **semi-colon should be used to separate multiple entries
TO	Coffman, Janice; LeeW [mailto:LeeW@MSN.com]	Recipient(s) **semi-colon should be used to separate multiple entries
CC	Frank Thompson [mailto: frank_Thompson@cdt.com]	Carbon copy recipient(s) **semi-colon should be used to separate multiple entries
BCC	John Cain	Blind carbon copy recipient(s) **semi-colon should be used to separate multiple entries
SUBJECT	Board Meeting Minutes	Email: Subject line of the email Native: Title of document (if available)
FILE_NAME	BoardMeetingMinutes.docx	Native: Name of the original native file, including extension
DATE_SENT	10/12/2010	Email: Date the email was sent Native: (empty)
TIME_SENT/TIME_ZONE	07:05 PM GMT	Email: Time the email was sent/ Time zone in which the emails were standardized during conversion. Native: (empty) **This data must be a separate field and cannot be combined with the DATE_SENT field

1. LOCAL FILES NUMBER

The content type of an email or native file document as identified/extracted from the header

The file type extension representing the email or native file document; will vary depending on the format

Email: (empty)

Native: Author of the document

Email: (empty)

Native: Last Author of the document

Email: (empty)

Native: Date the document was created

Email: (empty)

Native: Time the document was created including time zone

****This data must be a separate field and cannot be**

Email: (empty)

Native: Date the document was last modified

Email: (empty)

Native: Time the document was last modified including the time zone

****This data must be a separate field and cannot be**

Email: (empty)

Native: Date the document was last accessed

Email: (empty)

	<p><example_from@dc.edu> X-SpamCatcher-Score:1[X] Received:from[136.167.40.119] (HELO dc.edu) by fe3.dc.edu (CommuniGate Pro SMTP4.1.8) with ESMTP-TLS id 61258719 for example_to@mail.dc.edu; Mon, 23 Aug 2004 11:40:10 - 0400 Message-ID: <4129F3CA.2020509@dc.edu> Date: Mon, 23 Aug 2005 11:40:36 -400 From: Taylor Evans <example_from@dc.edu> User-Agent:Mozilla/5.0 (Windows;U; Windows NT 5.1; en-US;rv:1.0.1) Gecko/20020823 Netscape/7.0 X-Accept-Language:en-us,en MIME-Version:1.0 To: Jon Smith <example_to@mail.dc.edu> Subject:Business Development Meeting Content-Type: text/plain;charset=us-ascii; format=flowed Content-Transfer-Encoding:7bit</p>	Native: (empty)
MD5HASH	d131dd02c5e6ecc4693d9a069 8aff95c 2fcab58712467eab4004583eb 8fb7f89	MD5 Hash value of the document.
OCRPATH	TEXT/001/EDC0000001.txt	Path to extracted text of the native file



ADDENDUM B

For Electronic Phone Records, include the following fields in separate columns:

For Calls:

- 1) Account Number
- 2) Connection Date – Date the call was received or made
- 3) Connection Time – Time call was received or made
- 4) Seizure Time – Time it took for the call to be placed in seconds
- 5) Originating Number – Phone that placed the call
- 6) Terminating Number – Phone that received the call
- 7) Elapsed Time – The length of time the call lasted, preferably in seconds
- 8) End Time – The time the call ended
- 9) Number Dialed – Actual number dialed
- 10) IMEI Originating – Unique id to phone used to make call
- 11) IMEI Terminating – Unique id to phone used to receive call
- 12) IMSI Originating – Unique id to phone used to make call
- 13) IMSI Terminating – Unique id to phone used to receive call
- 14) Call Codes – Identify call direction or other routing information
- 15) Time Zone – Time Zone in which the call was received or placed, if applicable

For Text messages:

- 1) Account Number
- 2) Connection Date – Date the text was received or made
- 3) Connection Time – Time text was received or made
- 4) Originating Number – Who placed the text
- 5) Terminating Number – Who received the text
- 6) IMEI Originating – Unique id to phone used to make text
- 7) IMEI Terminating – Unique id to phone used to receive text
- 8) IMSI Originating – Unique id to phone used to make text
- 9) IMSI Terminating – Unique id to phone used to receive text
- 10) Text Code – Identify text direction, or other text routing information
- 11) Text Type Code – Type of text message (sent SMS, MMS, or other)
- 12) Time Zone – Time Zone in which the call was received or placed, if applicable

For Mobile Data Usage:

- 1) Account Number
- 2) Connection Date – Date the data was received or made
- 3) Connection Time – Time data was received or made
- 4) Originating number – Number that used data
- 5) IMEI Originating – Unique id of phone that used data
- 6) IMSI Originating – Unique id of phone that used data
- 7) Data or Data codes – Identify data direction, or other data routing information
- 8) Time Zone – Time Zone in which the call was received or placed, if applicable

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

**Supplemental Information for Persons Requested to Supply
Information Voluntarily or Directed to Supply Information
Pursuant to a Commission Subpoena**

A. False Statements and Documents

Section 1001 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

[W]hoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;*
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or*
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.*

Section 1519 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States . . . , or in relation to or contemplation of any such matter.

Testimony

When your testimony is taken, you should be aware of the following:

Record. Your testimony will be transcribed by a reporter. If you desire to go off the record, please indicate this to the Commission employee taking your testimony, who will determine whether to grant your request. The reporter will not go off the record at your, or your counsel's, direction.

Counsel. You have the right to be accompanied, represented and advised by counsel of your choice. Your counsel may advise you before, during and after your testimony; question you briefly at the conclusion of your testimony to clarify any of the answers you give during testimony; and make summary notes during your testimony solely for your use. If you are accompanied by counsel, you may consult privately.

Not accompanied by counsel. If you are not accompanied by counsel, please advise the Commission employee taking your testimony if, during the testimony, you desire to be accompanied, represented and advised by counsel. Your testimony will be adjourned to give you the opportunity to arrange to be so accompanied, represented or advised.

Representation. If you are represented by counsel who also represents other persons involved in the Commission's investigation, your representation, however, presents a potential conflict of interest if one client's interests are or may be adverse to another's. If you are represented by counsel who also represents other persons involved in the investigation, the Commission will assume that you and counsel have discussed and resolved all issues concerning the investigation of interest. The choice of counsel, and the responsibility for that choice, is yours.

Availability. Rule 6 of the Commission's Rules Relating to Investigations, 17 CFR 203.6, states:

Who has submitted documentary evidence or testimony in a formal investigative proceeding may, upon written request, to procure a copy of his documentary evidence or a transcript of the testimony, upon payment of the appropriate fees: Provided, however, That in a nonpublic formal proceeding the Commission may for good cause deny such request. In any event, any person, upon proper identification, shall have the right to inspect the official transcript of the witness'

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true.

5. *Fifth Amendment and Voluntary Testimony.* Information you give may be used against you in any federal, state, local or foreign administrative, civil or criminal proceeding brought by the Commission or any other agency.

You may refuse, in accordance with the rights guaranteed to you by the Fifth Amendment to the Constitution of the United States, to give any information that may tend to incriminate you.

If your testimony is not pursuant to subpoena, your appearance to testify is voluntary, you need not answer any question, and you may leave whenever you wish. Your cooperation is, however, appreciated.

6. *Formal Order Availability.* If the Commission has issued a formal order of investigation, it will be shown to you during your testimony, at your request. If you desire a copy of the formal order, please make your request in writing.

C. Submissions and Settlements

Rule 5(c) of the Commission's Rules on Informal and Other Procedures, 17 CFR 202.5(c), states:

Persons who become involved in . . . investigations may, on their own initiative, submit a written statement to the Commission setting forth their interests and position in regard to the subject matter of the investigation. Upon request, the staff, in its discretion, may advise such persons of the general nature of the investigation, including the indicated violations as they pertain to them, and the amount of time that may be available for preparing and submitting a statement prior to the presentation of a staff recommendation to the Commission for the commencement of an administrative or injunction proceeding. Submissions by interested persons should be forwarded to the appropriate Division Director or Regional Director with a copy to the staff members conducting the investigation and should be clearly referenced to the specific investigation to which they relate. In the event a recommendation for the commencement of an enforcement proceeding is presented by the staff, any submissions by interested persons will be forwarded to the Commission in conjunction with the staff memorandum.

The staff of the Commission routinely seeks to introduce submissions made pursuant to Rule 5(c) as evidence in Commission enforcement proceedings, when the staff deems appropriate.

Rule 5(f) of the Commission's Rules on Informal and Other Procedures, 17 CFR 202.5(f), states:

In the course of the Commission's investigations, civil lawsuits, and administrative proceedings, the staff, with appropriate authorization, may discuss with persons involved the disposition of such matters by consent, by settlement, or in some other manner. It is the policy of the Commission, however, that the disposition of any such matter may not, expressly or impliedly, extend to any criminal charges that have been, or may be, brought against any such person or any recommendation with respect thereto. Accordingly, any person involved in an enforcement matter before the Commission who consents, or agrees to consent, to any judgment or order does so solely for the purpose of resolving the claims against him in that investigative, civil, or administrative matter and not for the purpose of resolving any criminal charges that have been, or might be, brought against him. This policy reflects the fact that neither the Commission nor its staff has the authority or responsibility for instituting, conducting, settling, or otherwise disposing of criminal proceedings. That authority and responsibility are vested in the Attorney General and representatives of the Department of Justice.

D. Freedom of Information Act

The Freedom of Information Act, 5 U.S.C. 552 (the "FOIA"), generally provides for disclosure of information to the public. Rule 83 of the Commission's Rules on Information and Requests, 17 CFR 200.83, provides a procedure by which a person can make a written request that information submitted to the Commission not be disclosed under the FOIA. That rule states that no determination as to the validity of such a request will be made until a request for disclosure of the information under the FOIA is received. Accordingly, no response to a request that information not be disclosed under the FOIA is necessary or will be given until a request for disclosure under the FOIA is received. If you desire an acknowledgment of receipt of your written request that information not be disclosed under the FOIA, please provide a duplicate request, together with a stamped, self-addressed envelope.

E. Authority for Solicitation of Information

Persons Directed to Supply Information Pursuant to Subpoena. The authority for requiring production of information is set forth in the subpoena. Disclosure of the information to the Commission is mandatory, subject to the valid assertion of any legal right or privilege you might have.

Persons Requested to Supply Information Voluntarily. One or more of the following provisions authorizes the Commission to solicit the information requested: Sections 19 and/or 20 of the Securities Act of 1933; Section 21 of the Securities Exchange Act of 1934; Section 321 of the Trust Indenture Act of 1939; Section 42 of the Investment

Company Act of 1940; Section 209 of the Investment Advisers Act of 1940; and 17 CFR 202.5. Disclosure of the requested information to the Commission is voluntary on your part.

F. Effect of Not Supplying Information

Persons Directed to Supply Information Pursuant to Subpoena. If you fail to comply with the subpoena, the Commission may seek a court order requiring you to do so. If such an order is obtained and you thereafter fail to supply the information, you may be subject to civil and/or criminal sanctions for contempt of court. In addition, Section 21(c) of the Securities Exchange Act of 1934, Section 42(c) of the Investment Company Act of 1940, and Section 209(c) of the Investment Advisers Act of 1940 provide that fines and terms of imprisonment may be imposed upon any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry, or to produce books, papers, correspondence, memoranda, and other records in compliance with the subpoena.

Persons Requested to Supply Information Voluntarily. There are no direct sanctions and thus no direct effects for failing to provide all or any part of the requested information.

G. Principal Uses of Information

The Commission's principal purpose in soliciting the information is to gather facts in order to determine whether any person has violated, is violating, or is about to violate any provision of the federal securities laws or rules for which the Commission has enforcement authority, such as rules of securities exchanges and the rules of the Municipal Securities Rulemaking Board. Facts developed may, however, constitute violations of other laws or rules. Information provided may be used in Commission and other agency enforcement proceedings. Unless the Commission or its staff explicitly agrees to the contrary in writing, you should not assume that the Commission or its staff acquiesces in, accedes to, or concurs or agrees with, any position, condition, request, reservation of right, understanding, or any other statement that purports, or may be deemed, to be or to reflect a limitation upon the Commission's receipt, use, disposition, transfer, or retention, in accordance with applicable law, of information provided.

H. Routine Uses of Information

The Commission often makes its files available to other governmental agencies, particularly United States Attorneys and state prosecutors. There is a likelihood that information supplied by you will be made available to such agencies where appropriate. Whether or not the Commission makes its files available to other governmental agencies is, in general, a confidential matter between the Commission and such other governmental agencies.

Set forth below is a list of the routine uses which may be made of the information furnished.

1. To appropriate agencies, entities, and persons when (1) the SEC suspects or has confirmed that there has been a breach of the system of records, (2) the SEC has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the SEC (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the SEC's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
2. To other Federal, state, local, or foreign law enforcement agencies; securities self-regulatory organizations; and foreign financial regulatory authorities to assist in or coordinate regulatory or law enforcement activities with the SEC.
3. To national securities exchanges and national securities associations that are registered with the SEC, the Municipal Securities Rulemaking Board; the Securities Investor Protection Corporation; the Public Company Accounting Oversight Board; the Federal banking authorities, including, but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation; state securities regulatory agencies or organizations; or regulatory authorities of a foreign government in connection with their regulatory or enforcement responsibilities.
4. By SEC personnel for purposes of investigating possible violations of, or to conduct investigations authorized by, the Federal securities laws.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission, or past or present members of its staff, is a party or otherwise involved in an official capacity.
6. In connection with proceedings by the Commission pursuant to Rule 102(e) of its Rules of Practice, 17 CFR 201.102(e).
7. To a bar association, state accountancy board, or other Federal, state, local, or foreign licensing or oversight authority; or professional association or self-regulatory authority to the extent that it performs similar functions (including the Public Company Accounting Oversight Board) for investigations or possible disciplinary action.
8. To a Federal, state, local, tribal, foreign, or international agency, if necessary to obtain information relevant to the SEC's decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit.
9. To a Federal, state, local, tribal, foreign, or international agency in response to its request for information concerning the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the

requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. To produce summary descriptive statistics and analytical studies, as a data source for management information, in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be used to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act.
11. To any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)) or pursuant to the Commission's Rules of Practice, 17 CFR 201.100 through 900 or the Commission's Rules of Fair Fund and Disgorgement Plans, 17 CFR 201.1100 through 1106, or otherwise, where such trustee, receiver, master, special counsel, or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice or the Rules of Fair Fund and Disgorgement Plans.
12. To any persons during the course of any inquiry, examination, or investigation conducted by the SEC's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.
13. To interns, grantees, experts, contractors, and others who have been engaged by the Commission to assist in the performance of a service related to this system of records and who need access to the records for the purpose of assisting the Commission in the efficient administration of its programs, including by performing clerical, stenographic, or data analysis functions, or by reproduction of records by electronic or other means. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a.
14. In reports published by the Commission pursuant to authority granted in the Federal securities laws (as such term is defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)), which authority shall include, but not be limited to, section 21(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(a).
15. To members of advisory committees that are created by the Commission or by Congress to render advice and recommendations to the Commission or to Congress, to be used solely in connection with their official designated functions.
16. To any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 200.735-1 through 200.735-18, and who assists in the investigation by the Commission of possible violations of the Federal securities laws (as such term is defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.
17. To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.
18. To members of Congress, the press, and the public in response to inquiries relating to particular Registrants and their activities, and other matters under the Commission's jurisdiction.
19. To prepare and publish information relating to violations of the Federal securities laws as provided in 15 U.S.C. 78c(a)(47)), as amended.
20. To respond to subpoenas in any litigation or other proceeding.
21. To a trustee in bankruptcy.
22. To any governmental agency, governmental or private collection agent, consumer reporting agency or commercial reporting agency, governmental or private employer of a debtor, or any other person, for collection, including collection by administrative offset, Federal salary offset, tax refund offset, or administrative wage garnishment, of amounts owed as a result of Commission civil or administrative proceedings.
23. To another Federal agency or Federal entity, when the SEC determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

* * * * *

Small Business Owners: The SEC always welcomes comments on how it can better assist small businesses. If you would like more information, or have questions or comments about federal securities regulations as they affect small businesses, please contact the Office of Small Business Policy, in the SEC's Division of Corporation Finance, at 202-

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551-3460. If you would prefer to comment to someone outside of the SEC, you can contact the Small Business Regulatory Enforcement Ombudsman at <http://www.sba.gov/ombudsman> or toll free at 888-REG-FAIR. The Ombudsman's office receives comments from small businesses and annually evaluates federal agency enforcement activities for their responsiveness to the special needs of small business.

Direct. UPS Next DaySM ExpressSM

**DECLARATION OF [Insert Name] CERTIFYING RECORDS
OF REGULARLY CONDUCTED BUSINESS ACTIVITY**

I, the undersigned, [insert name], pursuant to 28 U.S.C. § 1746, declare that:

1. I am employed by _____ as [insert position] and by reason of my position am authorized and qualified to make this declaration. [if possible supply additional information as to how person is qualified to make declaration, e.g., I am custodian of records, I am familiar with the company's recordkeeping practices or systems, etc.]
2. I further certify that the documents [attached hereto or submitted herewith] and stamped [insert bates range] are true copies of records that were:
 - (a) made at or near the time of the occurrence of the matters set forth therein, by, or from information transmitted by, a person with knowledge of those matters;
 - (b) kept in the course of regularly conducted business activity; and
 - (c) made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct. Executed on [date].

[Name]

Exhibit “I”



SUBPOENA

UNITED STATES OF AMERICA SECURITIES AND EXCHANGE COMMISSION

In the Matter of J&J Consulting Services, Inc., SL-02855

To: U.S. Bank National Association
800 Nicollet Mall
BC-MN-H21P
Minneapolis, MN 55402

YOU MUST PRODUCE everything specified in the Attachment to this subpoena to officers of the Securities and Exchange Commission, at the place, date and time specified below:

ENF-CPU, U.S. Securities and Exchange Commission, 14420 Albemarle Point Place, Suite 102
Chantilly, VA 20151-1750, no later than April 8, 2022 at 5:00 p.m.

YOU MUST TESTIFY before officers of the Securities and Exchange Commission, at the place, date and time specified below:

FEDERAL LAW REQUIRES YOU TO COMPLY WITH THIS SUBPOENA.

If you do not comply with this subpoena, the SEC may bring an action in Federal Court to enforce this subpoena. Failure to comply with a court order enforcing this subpoena may result in the court imposing a fine, imprisonment, or both.

By: Tanya G. Beard
Tanya G. Beard, Acting Regional Director
U.S. Securities and Exchange Commission
Salt Lake Regional Office
351 S. West Temple Street, Suite 6.100
Salt Lake City, UT 84101

Date: March 25, 2022

I am an officer of the U.S. Securities and Exchange Commission authorized to issue subpoenas in this matter. The Securities and Exchange Commission has issued a formal order authorizing this investigation under Section 20(a) of the Securities Act of 1933 and Section 21(a) of the Securities Exchange Act of 1934.

NOTICE TO WITNESS: If you claim a witness fee or mileage, submit this subpoena with the claim voucher.

SUBPOENA ATTACHMENT FOR U.S. BANK NATIONAL ASSOCIATION
In the Matter of J&J Consulting Services, Inc., SL-02855

March 25, 2022

Definitions

As used in this subpoena, the words and phrases listed below shall have the following meanings:

1. "U.S. Bank National Association" means the entity doing business under the name "U.S. Bank National Association" ("U.S. Bank"), including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing.
2. "Document" shall include, but is not limited to, any written, printed, or typed matter including, but not limited to all drafts and copies bearing notations or marks not found in the original, letters and correspondence, interoffice communications, slips, tickets, records, worksheets, financial records, accounting documents, bookkeeping documents, memoranda, reports, manuals, telephone logs, facsimiles, messages of any type, telephone messages, text messages, voice mails, tape recordings, notices, instructions, minutes, summaries, notes of meetings, file folder markings, and any other organizational indicia, purchase orders, information recorded by photographic process, including microfilm and microfiche, computer printouts, spreadsheets, and other electronically stored information, including but not limited to writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations that are stored in any medium from which information can be retrieved, obtained, manipulated, or translated.
3. "Communication" means any correspondence, contact, discussion, e-mail, instant message, or any other kind of oral or written exchange or transmission of information (in the form of facts, ideas, inquiries, or otherwise) and any response thereto between two or more Persons or entities, including, without limitation, all telephone conversations, face-to-face meetings or conversations, internal or external discussions, or exchanges of a Document or Documents.
4. "Concerning" means directly or indirectly, in whole or in part, describing, constituting, evidencing, recording, evaluating, substantiating, concerning, referring to, alluding to, in connection with, commenting on, relating to, regarding, discussing, showing, describing, analyzing or reflecting.
5. The term "you" and "your" means the Person to whom or entity to which this subpoena was issued.
6. To the extent necessary to bring within the scope of this this subpoena any information or Documents that might otherwise be construed to be outside its scope:

- a. the word "or" means "and/or";
 - b. the word "and" means "and/or";
 - c. the functional words "each," "every" "any" and "all" shall each be deemed to include each of the other functional words;
 - d. the masculine gender includes the female gender and the female gender includes the masculine gender; and
 - e. the singular includes the plural and the plural includes the singular.
7. "Relevant Period" means the time period beginning January 1, 2016, and continuing to the present, unless otherwise specified.

Instructions

1. Unless otherwise specified, this subpoena calls for production of the original Documents and all copies and drafts of same. Documents responsive to this subpoena may be in electronic or paper form. Electronic Documents such as email should be produced in accordance with the attached Document entitled SEC Data Delivery Standards. All responsive electronic Documents, including all metadata, should also be produced in their native software format.
2. For Documents in paper format, you may send the originals, or, if you prefer, you may send copies of the originals. If you are sending copies, the staff requests that you scan (rather than photocopy) hard copy Documents and produce them in an electronic format consistent with the SEC Data Delivery Standards. Alternatively, you may send us photocopies of the Documents in paper format. If you choose to send copies, you must secure and retain the originals and store them in a safe place. The staff may later request or require that you produce the originals.
3. Whether you scan or photocopy Documents, the copies must be identical to the originals, including even faint marks or print. Also, please note that if copies of a Document differ in any way, they are considered separate Documents and you must send each one. For example, if you have two copies of the same letter, but only one of them has handwritten notes on it, you must send both the clean copy and the one with notes.
4. In producing a photocopy of an original Document that contains post-it(s), notation flag(s), or other removable markings or attachments which may conceal all or a portion of the markings contained in the original Document, photocopies of the original Document both with and without the relevant post-it(s), notation flag(s), or removable markings or attachments should be produced.
5. Documents should be produced as they are kept in the ordinary course of business or be organized and labeled to correspond with the categories in this request. In that regard, Documents should be produced in a unitized manner, i.e., delineated with staples or paper clips to identify the Document boundaries.

6. Documents should be labeled with sequential numbering (bates-stamped).
7. You must produce all Documents created during, or Concerning, the period from January 1, 2016 to the date of this subpoena, unless otherwise specified.
8. The scope of any given request should not be limited or narrowed based on the fact that it calls for Documents that are responsive to another request.
9. You are not required to produce exact duplicates of any Documents that have been previously produced to the Securities and Exchange Commission staff in connection with this matter. If you are not producing Documents based upon a prior production, please identify the responsive Documents that were previously produced.
10. For any Documents that qualify as records of regularly conducted activities under Federal Rule of Evidence 902(11), please complete a business records certification (a sample of which is enclosed) and return it with the Document production.
11. This subpoena covers all Documents in or subject to your possession, custody or control, including all Documents that are not in your immediate possession but that you have the effective ability to obtain, that are responsive, in whole or in part, to any of the individual requests set forth below. If, for any reason – including a claim of attorney-client privilege – you do not produce something called for by the request, you should submit a list of what you are not producing. The list should describe each item separately, noting:
 - a. its author(s);
 - b. its date;
 - c. its subject matter;
 - d. the name of the Person who has the item now, or the last Person known to have it;
 - e. the names of everyone who ever had the item or a copy of it, and the names of everyone who was told the item's contents;
 - f. the basis upon which you are not producing the responsive Document;
 - g. the specific request in the subpoena to which the Document relates;
 - h. the attorney(s) and the client(s) involved; and
 - i. in the case of the work-product doctrine, the litigation for which the Document was prepared in anticipation.
12. If Documents responsive to this subpoena no longer exist because they have been lost, discarded, or otherwise destroyed, you should identify such Documents and give the date on which they were lost, discarded or destroyed.

Documents to be Produced

Produce all Documents identified below (electronically, pursuant to the Commission's Data Delivery Standards) for the Relevant Period concerning any account in the name of (including, but not limited to, any known account numbers listed below):

- Jennifer Judd (SSN: [REDACTED]) and/or Preston A. Judd (SSN: [REDACTED]) and/or Kennedy Allison Judd (680-28-3366) and/or Parker Judd ([REDACTED]) and/or Khloe Judd, account numbers *may* include: [REDACTED] [REDACTED] [REDACTED].

1. Electronic file of all account transaction data in either MS Excel spreadsheet file format or in a Delimited Text file format with a preferred delimiter of a vertical bar “|”.
2. Electronic image of all account opening and authority information, including, but not limited to, new account applications and attachments or exhibits thereto, corporate or partnership resolutions, and all signature cards, regardless of when created, prepared, received, or otherwise obtained;
3. Electronic image of all monthly account statements;
4. Electronic image of all supporting documents for all account transactions in the monthly account statements including, but not limited to, the following: canceled checks (front and back); deposit slips and copies of the deposit items listed on the deposit slips; debit and credit notices; drafts of all manner; cashier’s checks; official checks; money orders; certified checks; electronic fund transfer notices; wire transfer advices/notices and wire transfer instructions (including authorizations, memoranda, and confirmations);
5. All Documents sufficient to identify all extensions of credit information including, but not limited to, the following: promissory notes; loan applications or agreements (including bank card and overdraft applications or agreements); guarantees; letters of credit; financial statements; security agreements; and collateral pledges.
6. All Documents sufficient to identify safety deposit boxes.
7. All Documents and Communications (including emails) between bank personnel and the account holder(s) or signatories concerning the accounts above.

Provided, however, that there shall not be produced in response to this subpoena any original of, copy of, or information known to have been derived from any record maintained by U.S. Bank National Association in relation to an account in the name of a “customer” other than Jennifer Judd, Preston Judd, Kennedy Judd, Khloe Judd, or Parker Judd . The term “customer” is limited to any individual, sole proprietorship, or partnership of five or fewer individuals, or authorized representative of that individual, sole proprietorship, or partnership, who utilized or is utilizing any service of U.S. Bank National Association, or for whom U.S. Bank National Association is acting or has acted as a fiduciary, in relation to an account maintained in such individual's, sole proprietorship's, or partnership's name. The term “customer” does not include (i) any trust or corporation; (ii) any partnership that has more than five members or that has as a member any trust or corporation; (iii) any person that holds an account jointly with any person whose records are otherwise called for by this

subpoena; nor (iv) any other person, with respect to any records (including cashier's checks, money orders and documents maintained in relation to the issuance thereof) not maintained in relation to an account in the name of that person.

Exhibit “J”



SALT LAKE
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
351 S. WEST TEMPLE, SUITE 6.100
SALT LAKE CITY, UT 84101

DIVISION OF ENFORCEMENT

Tanya G. Beard
Acting Regional Director
(801) 524-3418
beardt@sec.gov

CUSTOMER NOTICE

March 25, 2022

Kennedy A. Judd
9 Sky Arc Court
Henderson, NV 89102

Re: In the Matter of J&J Consulting Services, Inc., SL-02855

Dear Ms. Judd:

Records or information concerning your transactions held by the financial institution named in the attached subpoena are being sought by the United States Securities and Exchange Commission (the "Commission") in accordance with the Right to Financial Privacy Act of 1978, 12 U.S.C. 3401-22. On December 11, 2020 the Commission entered a formal order of investigation, "In the matter of J&J Consulting Services, Inc." The attached subpoena was issued pursuant to the formal order of investigation, and the information sought is to assist the Commission in determining the issues set forth in the formal order of investigation. That order states that the Commission deems certain acts and practices to be in possible violation of: Sections 5(a), 5(c), and/or 17(a) of the Securities Act; Sections 10(b) and/or 15(a)(1) of the Exchange Act; and/or Exchange Act Rule 10b-5. You may arrange to review a copy of the formal order, if you have not already done so, by contacting me.

The authority for this investigation is: Section 20(a) of the Securities Act of 1933 and Section 21(a) of the Securities Exchange Act of 1934. If you desire a copy of the authority for this investigation, please contact me.

If you desire that such records or information not be made available to the Commission in response to the subpoena, you must:

- (1) Fill out the accompanying motion paper and sworn statement or write one of your own, stating that you are the customer whose records are being requested by the Commission, and giving either the reasons you believe that the records are not relevant to the legitimate law enforcement inquiry stated in this notice or any other legal basis for objecting to the release of the records.

(2) File the motion and sworn statement (together with the applicable filing fee) by mailing or delivering them to the Clerk of any one of the following United States District Courts:

- a. District of Utah
- b. The District Court with jurisdiction over the financial institution.
- c. The District Court with jurisdiction over your place of residence.
- d. Any other District Court that is appropriate under 28 U.S.C. 1391(e).

(It would simplify the proceeding if you would include with your motion and sworn statement a copy of the attached subpoena, as well as a copy of this notice.)

(3) Serve the Commission by mailing (by registered or certified mail) or by delivering a copy of your motion and sworn statement to:

Tanya G. Beard
Acting Regional Director
Salt Lake Regional Office
Securities and Exchange Commission
351 S. West Temple Street, Suite 6.100
Salt Lake City, UT 84101

and

Melinda Hardy, Esq.
Associate General Counsel
Securities and Exchange Commission
100 F St., N.E.
Washington, D. C. 20549

- (4) Be prepared to come to court and present your position in further detail.
- (5) You do not need to have a lawyer, although you may wish to employ one to represent you and protect your rights.

If you do not follow the above procedures, upon the expiration of the earlier of ten days from the date of service or fourteen days from the mailing of this notice, the records or information requested therein will be made available to the Commission. These records may be transferred to other government authorities for legitimate law enforcement inquiries, in which event (except as provided by law), you will be notified after the transfer.

Providing this notice to you shall not be construed as a waiver by the Commission of any right it may have to assert that the provisions of the Right to Financial Privacy Act of 1978 do not require such a notice.

Very truly yours,

Tanya G. Beard

Tanya G. Beard
Acting Regional Director
Division of Enforcement

Enclosures:

Subpoena
Instructions
Motion Form
Certificate of Service
Sworn Statement Form

Exhibit “K”



SALT LAKE
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
351 S. WEST TEMPLE, SUITE 8.100
SALT LAKE CITY, UT 84101

DIVISION OF ENFORCEMENT

Tanya G. Beard
Acting Regional Director
(801) 524-3418
beardt@sec.gov

CUSTOMER NOTICE

March 25, 2022

Parker Judd
9 Sky Arc Court
Henderson, NV 89102

Re: In the Matter of J&J Consulting Services, Inc., SL-02855

Dear Ms. Judd:

Records or information concerning your transactions held by the financial institution named in the attached subpoena are being sought by the United States Securities and Exchange Commission (the "Commission") in accordance with the Right to Financial Privacy Act of 1978, 12 U.S.C. 3401-22. On December 11, 2020 the Commission entered a formal order of investigation, "In the matter of J&J Consulting Services, Inc." The attached subpoena was issued pursuant to the formal order of investigation, and the information sought is to assist the Commission in determining the issues set forth in the formal order of investigation. That order states that the Commission deems certain acts and practices to be in possible violation of: Sections 5(a), 5(c), and/or 17(a) of the Securities Act; Sections 10(b) and/or 15(a)(1) of the Exchange Act; and/or Exchange Act Rule 10b-5. You may arrange to review a copy of the formal order, if you have not already done so, by contacting me.

The authority for this investigation is: Section 20(a) of the Securities Act of 1933 and Section 21(a) of the Securities Exchange Act of 1934. If you desire a copy of the authority for this investigation, please contact me.

If you desire that such records or information not be made available to the Commission in response to the subpoena, you must:

- (1) Fill out the accompanying motion paper and sworn statement or write one of your own, stating that you are the customer whose records are being requested by the Commission, and giving either the reasons you believe that the records are not relevant to the legitimate law enforcement inquiry stated in this notice or any other legal basis for objecting to the release of the records.

(2) File the motion and sworn statement (together with the applicable filing fee) by mailing or delivering them to the Clerk of any one of the following United States District Courts:

- a. District of Utah
- b. The District Court with jurisdiction over the financial institution.
- c. The District Court with jurisdiction over your place of residence.
- d. Any other District Court that is appropriate under 28 U.S.C. 1391(e).

(It would simplify the proceeding if you would include with your motion and sworn statement a copy of the attached subpoena, as well as a copy of this notice.)

(3) Serve the Commission by mailing (by registered or certified mail) or by delivering a copy of your motion and sworn statement to:

Tanya G. Beard
Acting Regional Director
Salt Lake Regional Office
Securities and Exchange Commission
351 S. West Temple Street, Suite 6.100
Salt Lake City, UT 84101

and

Melinda Hardy, Esq.
Associate General Counsel
Securities and Exchange Commission
100 F St., N.E.
Washington, D. C. 20549

- (4) Be prepared to come to court and present your position in further detail.
- (5) You do not need to have a lawyer, although you may wish to employ one to represent you and protect your rights.

If you do not follow the above procedures, upon the expiration of the earlier of ten days from the date of service or fourteen days from the mailing of this notice, the records or information requested therein will be made available to the Commission. These records may be transferred to other government authorities for legitimate law enforcement inquiries, in which event (except as provided by law), you will be notified after the transfer.

Providing this notice to you shall not be construed as a waiver by the Commission of any right it may have to assert that the provisions of the Right to Financial Privacy Act of 1978 do not require such a notice.

Very truly yours,

Tanya G. Beard
Tanya G. Beard
Acting Regional Director
Division of Enforcement

Enclosures:

Subpoena
Instructions
Motion Form
Certificate of Service
Sworn Statement Form

Exhibit “L”



SALT LAKE
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
351 S. WEST TEMPLE, SUITE 8.100
SALT LAKE CITY, UT 84101

DIVISION OF ENFORCEMENT

Tanya G. Beard
Acting Regional Director
(801) 524-3418
beardt@sec.gov

CUSTOMER NOTICE

March 25, 2022

Jennifer Judd
9 Sky Arc Court
Henderson, NV 89102

Re: In the Matter of J&J Consulting Services, Inc., SL-02855

Dear Ms. Judd:

Records or information concerning your transactions held by the financial institution named in the attached subpoena are being sought by the United States Securities and Exchange Commission (the "Commission") in accordance with the Right to Financial Privacy Act of 1978, 12 U.S.C. 3401-22. On December 11, 2020 the Commission entered a formal order of investigation, "In the matter of J&J Consulting Services, Inc." The attached subpoena was issued pursuant to the formal order of investigation, and the information sought is to assist the Commission in determining the issues set forth in the formal order of investigation. That order states that the Commission deems certain acts and practices to be in possible violation of: Sections 5(a), 5(c), and/or 17(a) of the Securities Act; Sections 10(b) and/or 15(a)(1) of the Exchange Act; and/or Exchange Act Rule 10b-5. You may arrange to review a copy of the formal order, if you have not already done so, by contacting me.

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(2) File the motion and sworn statement (together with the applicable filing fee) by mailing or delivering them to the Clerk of any one of the following United States District Courts:

- a. District of Utah
- b. The District Court with jurisdiction over the financial institution.
- c. The District Court with jurisdiction over your place of residence.
- d. Any other District Court that is appropriate under 28 U.S.C. 1391(e).

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Tanya G. Beard
Acting Regional Director
Salt Lake Regional Office
Securities and Exchange Commission
351 S. West Temple Street, Suite 6.100
Salt Lake City, UT 84101

and

Melinda Hardy, Esq.
Associate General Counsel
Securities and Exchange Commission
100 F St., N.E.
Washington, D. C. 20549

- (4) Be prepared to come to court and present your position in further detail.
- (5) You do not need to have a lawyer, although you may wish to employ one to represent you and protect your rights.

If you do not follow the above procedures, upon the expiration of the earlier of ten days from the date of service or fourteen days from the mailing of this notice, the records or information requested therein will be made available to the Commission. These records may be transferred to other government authorities for legitimate law enforcement inquiries, in which event (except as provided by law), you will be notified after the transfer.

Providing this notice to you shall not be construed as a waiver by the Commission of any right it may have to assert that the provisions of the Right to Financial Privacy Act of 1978 do not require such a notice.

Very truly yours,

Tanya G. Beard
Tanya G. Beard
Acting Regional Director
Division of Enforcement

Enclosures:

Subpoena
Instructions
Motion Form
Certificate of Service
Sworn Statement Form

Exhibit “M”



SALT LAKE
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
351 S. WEST TEMPLE, SUITE 6.100
SALT LAKE CITY, UT 84101

DIVISION OF ENFORCEMENT

Tanya G. Beard
Acting Regional Director
(801) 524-3418
beardt@sec.gov

CUSTOMER NOTICE

March 25, 2022

Preston A. Judd
9 Sky Arc Court
Henderson, NV 89102

Re: In the Matter of J&J Consulting Services, Inc., SL-02855

Dear Ms. Judd:

Records or information concerning your transactions held by the financial institution named in the attached subpoena are being sought by the United States Securities and Exchange Commission (the "Commission") in accordance with the Right to Financial Privacy Act of 1978, 12 U.S.C. 3401-22. On December 11, 2020 the Commission entered a formal order of investigation, "In the matter of J&J Consulting Services, Inc." The attached subpoena was issued pursuant to the formal order of investigation, and the information sought is to assist the Commission in determining the issues set forth in the formal order of investigation. That order states that the Commission deems certain acts and practices to be in possible violation of: Sections 5(a), 5(c), and/or 17(a) of the Securities Act; Sections 10(b) and/or 15(a)(1) of the Exchange Act; and/or Exchange Act Rule 10b-5. You may arrange to review a copy of the formal order, if you have not already done so, by contacting me.

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351 S. West Temple Street, Suite 6.100
Salt Lake City, UT 84101

and

Melinda Hardy, Esq.
Associate General Counsel
Securities and Exchange Commission
100 F St., N.E.
Washington, D. C. 20549

- (4) Be prepared to come to court and present your position in further detail.
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Very truly yours,

Tanya G. Beard
Tanya G. Beard
Acting Regional Director
Division of Enforcement

Enclosures:

Subpoena
Instructions
Motion Form
Certificate of Service
Sworn Statement Form

Exhibit “N”



SALT LAKE
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
351 S. WEST TEMPLE, SUITE 6.100
SALT LAKE CITY, UT 84101

DIVISION OF ENFORCEMENT

Tanya G. Beard
Acting Regional Director
(801) 524-3418
beardt@sec.gov

CUSTOMER NOTICE

March 25, 2022

Khloe Judd
9 Sky Arc Court
Henderson, NV 89102

Re: In the Matter of J&J Consulting Services, Inc., SL-02855

Dear Ms. Judd:

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Very truly yours,

Tanya G. Beard

Tanya G. Beard
Acting Regional Director
Division of Enforcement

Enclosures:

Subpoena
Instructions
Motion Form
Certificate of Service
Sworn Statement Form

Exhibit “O”

Home / News / Best States / Nevada News / Vegas Lawyer Shot by FBI Allegedly Headed \$300M Ponzi Scheme

Vegas Lawyer Shot by FBI Allegedly Headed \$300M Ponzi Scheme

Federal authorities allege that a Las Vegas attorney who was shot and wounded before his arrest by FBI agents last week headed a \$300 million Ponzi scheme that bilked investors from Nevada, Utah and California.

By [Associated Press](#) | March 9, 2022, at 1:18 p.m.

By KEN RITTER, Associated Press

LAS VEGAS (AP) — Federal authorities allege that a Las Vegas attorney who was shot and wounded before his arrest by FBI agents last week headed a \$300 million Ponzi scheme that bilked investors from Nevada, Utah and California.

Matthew Wade Beasley, 49, made an initial appearance by videoconference Tuesday in U.S. District Court in Las Vegas and pleaded not guilty to a charge of assault on a federal officer following a standoff Thursday at his home, prosecutors and his defense attorney said.

Beasley's attorney, Robert Draskovich, said Wednesday his client remained in federal custody, is recovering from shoulder and chest wounds, and that agents went to his house as part of an investigation alleging that Beasley enlisted investors in a company that offered short-term loans to clients.

"Right now, he's facing a single charge," Draskovich said. "But based on the government's representations, he'll likely face additional charges." Draskovich said Beasley will fight additional charges if they are filed.

Assistant U.S. Attorney Tony Lopez told U.S. Magistrate Judge Elayna Youchah that the alleged Ponzi scheme dated to 2017, and that Beasley told FBI negotiators who were called to his home after he was wounded that he expected investigators because they had earlier interviewed an associate, the Las Vegas Review-Journal reported.

A statement from Acting U.S. Attorney Christopher Chiou said that after an agent displayed his FBI identification, Beasley stepped into view behind his glass front door pointing a gun at own head.

"When agents instructed Beasley to drop the gun, Beasley instead pointed it at the agents in a sweeping motion — causing one or more agents to discharge their firearm," the statement said.

The FBI in Las Vegas has not identified the three agents who went to Beasley's house.

Lopez said that during a four-hour standoff, Beasley "repeatedly confessed" to his involvement in the investment scheme and admitted orchestrating it, the Review-Journal said. Beasley remained in the house until FBI SWAT agents entered.

The FBI posted an online form outlining elements of what it called the "Slip-and-Fall Ponzi Scheme," inviting potential victims to fill out a questionnaire about their experience.

Beasley is due again in court on March 22.

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Tags: [Associated Press](#), [business](#), [Utah](#), [crime](#), [Nevada](#), [California](#)

PROOF OF SERVICE

I, Maureen Jaroscak, am an attorney at law. I am over the age of 18 and not a party to the within action. My business address is 1440 Harbor Boulevard, Suite 900, Fullerton, CA 92835.

On December 22, 2022, I served the following document described as:

THIRD PARTY KAMILLE DEAN’S REPLY TO SECURITIES EXCHANGE COMISSIONS
OPPOSITION TO MS. DEAN’S OBJECTION AND REQUEST FOR TRIAL DE NOVO

on all interested parties in this action by serving a true copy through electronic service by gmail.com on the email addresses and parties indicated below. The machine indicated the electronic transmission was successfully completed as follows:

SEE ATTACHED SERVICE LIST:

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on December 22, 2022 , at Fullerton, California.

/s/ Maureen Jaroscak

Maureen Jaroscak

SERVICE LIST

court@gtogata.com,
ggarman@gtg.legal,
bknotices@gtg.legal,
hendricksk@gtlaw.com,
escobargaddie@gtlaw.com,
flintza@gtlaw.com,
lvlitdock@gtlaw.com,
neyc@gtlaw.com,
rabe@gtlaw.com,
sheffieldm@gtlaw.com
mdonohoo@fabianvancott.com,
sburdash@fabianvancott.com,
kbc@cjmlv.com,
lance@maningolaw.com,
kelly@maningolaw.com,
yasmin@maningolaw.com,
mcook@bckltd.com,
sfagin@bckltd.com,
mrawlins@smithshapiro.com,
jbidwell@smithshapiro.com,
pete@christiansenlaw.com,
ab@christiansenlaw.com,
chandi@christiansenlaw.com,
hvasquez@christiansenlaw.com,
jcrain@christiansenlaw.com,
keely@christiansenlaw.com,
kworks@christiansenlaw.com,
tterry@christiansenlaw.com,
wbarrett@christiansenlaw.com,
rkinas@swlaw.com,
credd@swlaw.com,
docket_las@swlaw.com,
jmath@swlaw.com,
mfull@swlaw.com,
nkanute@swlaw.com,
sdugan@swlaw.com,
louis@palazzolawfirm.com,
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shicks@mcguirewoods.com,
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kelly@lkpfirm.com,
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twaite@fabianvancott.com,
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lvdocket@ballardspahr.com,
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FronkC@sec.gov,
#slro-docket@sec.gov,
combst@sec.gov, #slro-docket@sec.gov
jgwent@hollandhart.com,
Intaketeam@hollandhart.com,

blschroeder@hollandhart.com,
ostlerj@sec.gov,
dzaro@allenmatkins.com,
mdiaz@allenmatkins.com,
mphan@allenmatkins.com,
mdiaz@allenmatkins.com,
ddh@scmlaw.com,
david@secdefenseattorney.com,
Kamille@kamilledean.com,

Notice has been delivered placing a copy of the documents in a sealed envelope, first class and affixed thereto, deposited into the US. Mail, at Los Angeles, California, addressed as follows:

Celiza P. Braganca
Braganca Law LLC
5250 Old Orchard Road, Suite 300
Skokie, IL 60077

David Baddley
Securities and Exchange Commission
950 East Paces Ferry Road NE, Suite 900
Atlanta, GA 30326-1382

David C. Clukey
JACKSON WHITE, PC
40 North Center, Suite 200
Mesa, AZ 85201

Jason M. Jongeward
3084 Regal Court
Washington, UT 84780

Nick Oberheiden
OBERHEIDEN, P.C
440 Louisiana St., Suite 200
Houston, TX 77002

Ori Katz
Sheppard, Mullin, Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CA 94111