

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:

SECURITIES AND EXCHANGE	:
COMMISSION,	:
	:
Plaintiff,	:
	:
v.	:
	:
WESTON CAPITAL ASSET MANAGEMENT	:
LLC, ALBERT HALLAC, and	:
KEITH WELLNER,	:
	:
Defendants,	:
	:
JEFFREY HALLAC,	:
	:
Relief Defendant.	:

COMPLAINT

Plaintiff Securities and Exchange Commission alleges:

INTRODUCTION

1. Beginning in August 2011, Weston Capital Asset Management LLC and its principal Albert Hallac perpetuated a fraud at a cost of more than \$17 million to a hedge fund they manage. Under a purported swap transaction with a consulting and investment firm known as Swartz IP Services Group Inc., they drained the Weston-managed hedge fund Wimbledon Fund SPC (“Wimbledon”) Class TT Segregated Portfolio (“TT Portfolio”).

2. Hallac authorized money transfers to Swartz IP in contravention of the investment strategy and objective of the TT Portfolio without conducting any due diligence into Swartz IP or its intended investments. Weston’s general counsel, Keith Wellner, knew about the TT Portfolio

transfers and assisted Weston and Hallac's fraudulent activities. Further, Hallac, his son Jeffrey Hallac, and Wellner collectively received \$750,000 from Swartz IP. This money was investor money dedicated to the TT Portfolio which had been transferred to Swartz IP.

3. Despite the fact that Weston and Hallac drained the TT Portfolio almost dry, TT Portfolio investors continued to receive account statements falsely reflecting their investment was performing as well, if not better, than before.

4. Through their conduct, Weston and Hallac violated Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78j(b), Exchange Act Rules 10b-5(a) and (c), 17 C.F.R. § 240.10b-5(a) and (c), and Sections 206(1), 206(2) and 206(4) of the Investment Advisers Act of 1940 ("Advisers Act"), 15 U.S.C. § 80b-6(1), (2), and (4) and Rule 206(4)-8 thereunder, 17 C.F.R. § 275.206(4)-8. Wellner aided and abetted Weston and Hallac's violations of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), Exchange Act Rules 10b-5(a) and (c), 17 C.F.R. § 240.10b-5(a) and (c), and Sections 206(1), 206(2) and 206(4) of the Advisers Act, 15 U.S.C. § 80b-6(1), (2), and (4) and Rule 206(4)-8(a)(2) thereunder, 17 C.F.R. § 275.206(4)-8(a)(2). Unless restrained and enjoined, the Defendants are reasonably likely to engage in future violations of the federal securities laws.

DEFENDANTS AND RELIEF DEFENDANT

5. Weston is a Delaware limited liability company formed in 2000 with its principal place of business in West Palm Beach, Florida. Weston registered with the Commission as an investment adviser effective September 2001. On April 1, 2013, Weston filed a Notice of Withdrawal from Registration as an Investment Adviser. Then, on June 26, 2013, Weston registered with the Commission as an Exempt Reporting Adviser.

6. Hallac, 76, is a resident of Palm Beach, Florida. He is Weston's founder and president, and at all relevant times, controlled Weston.

7. Wellner, 47, is a resident of New York, New York. He was Weston's general counsel, chief compliance officer, and chief operating officer during the relevant time period.

8. Jeffrey Hallac, 39, is a resident of West Palm Beach, Florida. He is Hallac's son and a managing director at Weston.

JURISDICTION AND VENUE

9. This Court has jurisdiction over this action pursuant to Sections 20(b), 20(d), and 22(a) of the Securities Act, 15 U.S.C. §§ 77t(b), 77t(d), and 77v(a); Sections 21(d), 21(e), and 27 of the Exchange Act, 15 U.S.C. §§ 78u(d), 78u(e), and 78aa; and Section 214 of the Advisers Act, 15 U.S.C. § 80b-14.

10. This Court has personal jurisdiction over the Defendants and venue is proper in the Southern District of Florida because the Defendants' acts, transactions, practices, and courses of conduct giving rise to the violations alleged in this Complaint occurred in the Southern District of Florida. In addition, Weston's principal place of business during the relevant time period was in the Southern District of Florida, and the individual Defendants currently reside and/or resided during the relevant time period in the Southern District of Florida.

11. The Defendants, directly and indirectly, have made use of the means and instrumentalities of interstate commerce, the means and instruments of transportation and communication in interstate commerce, and the mails, in connection with the acts, transactions, practices, and courses of conduct set forth in this Complaint.

FACTUAL ALLEGATIONS

I. Background

12. As a registered investment adviser, Weston provided discretionary investment management and sub-advisory services to domestic and foreign private investment funds, as well as domestic and foreign institutions and high net worth individuals. In the beginning of 2011, Weston managed over a dozen unregistered hedge funds with combined total assets of approximately \$230 million.

13. One of the funds Weston managed was Wimbledon, which was segregated into five separate classes of investment portfolios. Pursuant to the Management Agreement between Weston and Wimbledon, Weston's authority as to each Segregated Portfolio was:

To direct the investment, reinvestment, allocation and reallocation and otherwise manage the Assets of each Segregated Portfolio, both directly and indirectly, consistent with the investment objectives, strategies and policies of each Segregated Portfolio, as set forth in the Memorandum and the applicable Explanatory Memorandum; and to enter into any agreement and to do any and all acts and things for the preservation, protection, improvement and enhancement in the value of the Assets.

14. Weston's obligations under the Management Agreement included "undertak[ing] to give each Segregated Portfolio the benefit of its best judgment, efforts, and facilities in rendering its services."

15. One of the five investment portfolios in Wimbledon was the TT Portfolio, which required a minimum \$100,000 investment. Under the TT Portfolio's mandate in its Explanatory Memorandum, the TT Portfolio invested all of its investor monies either directly or notionally in the Tewksbury Investment Fund Ltd. ("Tewksbury"). The TT Portfolio's Explanatory Memorandum provides:

All of the assets attributable to the Class TT Shares (the “Class TT Assets”) are invested, either directly or notionally (through the acquisition of a leveraged, structured, over-the-counter option), in [Tewksbury] (the “Class TT Portfolio”).

* * *

The success of the class TT Segregated Portfolio is dependent upon the expertise of [Tewksbury]. Because all of the Class TT Assets are invested, directly or notionally, in [Tewksbury], the principals of [Tewksbury] either personally manage, or delegate to trading advisors [] the trading decisions of [Tewksbury]...

16. Tewksbury is a multi-billion dollar hedge fund that was established in approximately 1988, and has been closed to new investments since approximately 1994. The TT Portfolio’s Explanatory Memorandum promoted Tewksbury’s diversified investment approach, which included: (i) proprietary securities trading under Tewksbury’s direct control; (ii) investments made through chosen outside investment managers; and (iii) interest income from “funds invested in short-term, low risk interest bearing accounts and U.S. Treasury Bills.”

17. Tewksbury’s capital allocation routinely included approximately 30% in U.S. Treasury bills. In 2011, Tewksbury had liquidity and was producing monthly returns of approximately 0.36%. From its inception until November 2011, the TT Portfolio was invested entirely in Tewksbury, either directly or notionally.

II. Weston and Hallac’s Wrongful Transfer of TT Portfolio Monies to Swartz IP

18. Despite the clear mandates of the Management Agreement and the Explanatory Memorandum, Weston and Hallac effected the TT Portfolio’s redemption of its investment in Tewksbury and misappropriated TT Portfolio money in connection with a transaction that went against the TT Portfolio’s stated strategy.

19. Specifically, Weston and Hallac effected the TT Portfolio's redemption of approximately \$12.5 million of its investment in Tewksbury in two transactions of \$10 million and \$2.5 million, in August and September, 2011, respectively.

20. During this same time, Hallac and Weston solicited and received investments for the TT Portfolio, knowing these investment funds would not be invested in Tewksbury. Hallac and Weston did not disclose this intended shift to investors.

21. On October 21, 2011, in contravention of the TT Portfolio's Explanatory Memorandum, Weston and Hallac authorized a wire transfer from the TT Portfolio for this \$12.5 million to a Swartz IP bank account, which ultimately received the funds on November 17, 2011. Weston did not conduct any due diligence on Swartz IP prior to entering into this transaction.

22. As soon as Swartz IP received the \$12.5 million, it disbursed the funds, primarily to a special purpose entity ("SPE") created to support and finance varying medically related business ventures. Swartz IP also disbursed the funds to support another fund under Weston's management.

23. In December 2011, Weston and Hallac, after an additional redemption out of Tewksbury, wired approximately an additional \$5 million of TT Portfolio monies to Swartz IP. Again, Swartz IP disbursed the money primarily to support the SPE and also for the other fund under Weston's management. These transactions were not direct or notional investments in Tewksbury, as required under the Management Agreement.

24. Each of these three transactions was accomplished with Weston, Hallac, and Wellner's knowledge and consent. Weston, Hallac and Wellner participated in multiple conference calls and engaged in multiple email communications with Swartz IP to negotiate and coordinate the TT Portfolio's redemption of the \$17.5 million out of Tewksbury for the benefit

of Swartz IP. Weston, Hallac and Wellner knew that such redemptions for the benefit of Swartz IP were in contravention of the TT Portfolio's Explanatory Memorandum's proscriptions.

25. In addition to diverting money to unauthorized investments, Hallac, Wellner, and Jeffrey Hallac collectively received \$750,000 from Swartz IP. Approximately one week after Swartz IP received the \$12.5 million from the TT Portfolio, Hallac opened a bank account in the name of Purplebox LLC ("Purplebox"). Hallac formed this entity, with himself, his son, and Wellner all being members. Swartz IP wired \$750,000 of TT Portfolio monies to the Purplebox account. Hallac then received \$240,000 and J. Hallac and Wellner each received \$120,000 from Purplebox into their personal accounts.

III. Masking TT Portfolio's Tewksbury Exit to Investors

26. To formalize the TT Portfolio's transfer of money to Swartz IP, approximately one month after Weston and Hallac authorized the \$12.5 million of TT Portfolio money to be wired to Swartz IP, the parties entered into a written agreement purporting to represent a swap transaction. On or around November 14, 2011, Swartz IP and the TT Portfolio entered into a Note Purchase Agreement ("Agreement"). Wellner edited the Agreement into its final form.

27. The Agreement provided Swartz IP would issue reference notes in the principal amount of up to \$25 million, starting with a first tranche of notes in the principal amount of \$12.5 million. Under the terms of the Agreement, the principal amount of the notes would either be decreased or increased each month to reflect the performance increase or decrease in the monthly net asset value ("NAV") of Tewksbury, plus an additional one percent.

28. The Agreement also provided, effective December 1, 2011, when an investor made a redemption request to the TT Portfolio, Swartz IP, upon 30 days written notice from the

TT Portfolio, would repay a portion of the principal amount of the Swartz IP Notes equal to 50% of the requested redemption amount set forth in the notice.

29. Despite the fact the TT Portfolio began to lose value immediately upon its withdrawal from Tewksbury and transfer to Swartz IP, Weston and Hallac continued to authorize and prepare a reporting document to the TT Portfolio's administrators for the issuance of account statements to investors that reflected the TT Portfolio's investments were performing as well as they had in the past, if not better.

30. Indeed, from October 2011 through at least July 2012, investors' monthly statements indicated the NAV of their shares was equal to Tewksbury's NAV plus the 1% as required in the Agreement, amortized over 12 months. These statements were false, as the true value of the TT Portfolio — increasingly and then almost exclusively tied to the value of the Swartz IP notes — was plummeting.

31. By July 2012, only \$15,000 in cash remained the Swartz IP's bank and brokerage accounts of the \$17.7 million it received from Weston in 2011. Indeed, by July 2012, investments in the SPE and other entities by Swartz IP had resulted in net losses of more than \$12 million.

32. Weston never informed investors of its intent to have the TT Portfolio wire funds to Swartz IP, and did not tell investors when their money was redeemed out of Tewksbury and transferred to Swartz IP. Consequently, from the time prior to the initial Swartz IP transaction through July 2012, the monthly account statements for TT Portfolio investors misrepresented the true value of the investors' shares.

33. With the true value of the Swartz IP reference notes having been decimated, when investors attempted to redeem their funds out of the TT Portfolio, Swartz IP was unable to satisfy

its obligation to prepay a principal amount of the Notes equal to 50% of the redemption amount as noticed by the TT Portfolio on behalf of its investors.

COUNT I

VIOLATIONS OF SECTION 10(b) AND RULES 10b-5(a) AND (c)
OF THE EXCHANGE ACT
(As to Defendants Weston and Hallac)

34. The Commission repeats and realleges paragraphs 1 through 33 of its Complaint.

35. Starting no later than August 2011, Weston and Hallac, directly and indirectly, by use of the means and instrumentality of interstate commerce, and of the mails in connection with the purchase or sale of securities, knowingly, willfully or recklessly: (a) employed devices, schemes or artifices to defraud; and (b) engaged in acts, practices and courses of business which have operated, are now operating or will operate as a fraud upon the purchasers of such securities.

36. By reason of the foregoing, Weston and Hallac have directly or indirectly violated and, unless enjoined, are reasonable likely to continue to violate Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rules 10b-5(a) and (c), 17 C.F.R. § 240.10b-5(a) and (c).

COUNT II

AIDING AND ABETTING WESTON AND HALLAC'S VIOLATIONS OF SECTION
10(b) AND RULES 10b-5(a) AND (c) OF THE EXCHANGE ACT
(As to Defendant Wellner)

37. The Commission repeats and realleges paragraphs 1 through 33 of its Complaint.

38. Starting no later than August 2011, Weston and Hallac, directly and indirectly, by use of the means and instrumentality of interstate commerce, and of the mails in connection with the purchase or sale of securities, knowingly, willfully or recklessly employed devices, schemes or artifices to defraud and engaged in acts, practices and courses of business which have

operated, are now operating or will operate as a fraud upon the purchasers of such securities in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rules 10b-5(a) and (c), 17 C.F.R. § 240.10b-5(a) and (c).

39. Wellner, directly and indirectly, from at least August 2011 through June 2012, aided and abetted Weston and Hallac's violations of Section 10(b) of the Exchange Act and Rules 10b-5(a) and (c).

40. By reason of the foregoing, Wellner directly or indirectly violated, and unless restrained and enjoined is reasonably likely to continue to violate, Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rules 10b-5(a) and (c) thereunder, 17 C.F.R. § 240.10b-5(a) and (c).

COUNT III

VIOLATIONS OF SECTIONS 206(1) AND 206(2) **OF THE ADVISERS ACT** **(As to Defendants Weston and Hallac)**

41. The Commission repeats and realleges paragraphs 1 through 33 of its Complaint.

42. Starting no later than August 2011, Weston and Hallac, directly or indirectly, by use of the mails or means or instrumentalities of interstate commerce, and while engaged in the business of advising others for compensation as to the advisability of investing in, purchasing, or selling securities: (a) with scienter employed devices, schemes, and artifices to defraud clients or prospective clients; and (b) engaged in acts, practices and courses of business which operated or would operate as a fraud or deceit upon clients or prospective clients.

43. By reason of the foregoing, Weston and Hallac have violated, and unless enjoined, are reasonably likely to continue to violate Sections 206(1) and (2) of the Advisers Act, 15 U.S.C. § 80b-6(1) and (2).

COUNT IV

VIOLATIONS OF SECTION 206(4) AND RULE 206(4)-8
OF THE ADVISERS ACT
(As to Defendants Weston and Hallac)

44. The Commission repeats and realleges paragraphs 1 through 33 of its Complaint.

45. Starting no later than August 2011, Weston and Hallac, while acting as investment advisers, directly or indirectly, by use of the mails or means or instrumentalities of interstate commerce, engaged in acts, practices, or courses of business that were fraudulent, deceptive, or manipulative.

46. By their conduct, Weston and Hallac, while acting as investment advisers to a pooled investment vehicle: (a) made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, to investors in the pooled investment vehicle; and (b) engaged in acts, practices and courses of business that were fraudulent, deceptive, or manipulative with respect to investors in the pooled investment vehicle.

47. By reason of the foregoing, Weston and Hallac have violated, and unless enjoined, are reasonably likely to continue to violate Section 206(4) of the Advisers Act, 15 U.S.C. § 80b-6(4), and Rule 206(4)-8, 17 C.F.R. § 275.206(4)-8.

COUNT V

AIDING AND ABETTING WESTON AND HALLAC'S VIOLATIONS OF SECTIONS
206(1) AND (2) OF THE ADVISERS ACT
(As to Defendant Wellner)

48. The Commission repeats and realleges paragraphs 1 through 33 of its Complaint.

49. Starting no later than August 2011, Weston and Hallac, directly or indirectly, by use of the mails or means or instrumentalities of interstate commerce, and while engaged in the

business of advising others for compensation as to the advisability of investing in, purchasing, or selling securities: (a) with scienter employed devices, schemes, and artifices to defraud clients or prospective clients; and (b) engaged in acts, practices and courses of business which operated or would operate as a fraud or deceit upon clients or prospective clients.

50. Wellner, from at least August 2011 through June 2012, aided and abetted Weston and Hallac's violations of Sections 206(1) and (2) of the Advisers Act.

51. By reason of the foregoing, Wellner violated, and unless enjoined, is reasonably likely to continue to violate Sections 206(1) and (2) of the Advisers Act, 15 U.S.C. § 80b-6(1) and (2).

COUNT VI

AIDING AND ABETTING WESTON AND HALLAC'S VIOLATIONS OF SECTION 206(4) AND RULE 206(4)-8(a)(2) OF THE ADVISERS ACT **(As to Defendant Wellner)**

52. The Commission repeats and realleges paragraphs 1 through 33 of its Complaint.

53. Starting no later than August 2011, Weston and Hallac, while acting as investment advisers, directly or indirectly, by use of the mails or means or instrumentalities of interstate commerce, engaged in acts, practices, or courses of business that were fraudulent, deceptive, or manipulative.

54. By their conduct, Weston and Hallac, while acting as investment advisers to a pooled investment vehicle engaged in acts, practices and courses of business that were fraudulent, deceptive, or manipulative with respect to investors in the pooled investment vehicle.

55. Wellner, from at least August 2011 through June 2012, aided and abetted Weston and Hallac's violations of Section 206(4) of the Advisers Act and Rule 206(4)-8(a)(2).

56. By reason of the foregoing, Wellner violated, and unless enjoined, is reasonably likely to continue to violate Section 206(4) of the Advisers Act, 15 U.S.C. § 80b-6(4), and Rule 206(4)-8(a)(2), 17 C.F.R. § 275.206(4)-8(a)(2).

RELIEF REQUESTED

WHEREFORE, the Commission respectfully requests that the Court:

Declaratory Relief

Declare, determine and find the Defendants committed the violations of the federal securities laws alleged in this Complaint.

Permanent Injunctive Relief

Issue a Permanent Injunction, restraining and enjoining Defendants Weston and Hallac, their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, and each of them, from violating Section 10(b) of the Exchange Act and Exchange Act Rules 10b-5(a) and (c), and Sections 206(1), (2) and (4) of the Advisers Act and Rule 206(4)-8 thereunder; and restraining and enjoining Defendant Wellner, his officers, agents, servants, employees, attorneys, and all persons in active concert or participation with him, and each of them, from aiding and abetting violations of Sections 206(1), (2), and (4) of the Advisers Act and Rule 206(4)-8(a)(2) thereunder, and Section 10(b) of the Exchange Act and Rules 10b-5(a) and (c) thereunder.

Disgorgement and Prejudgment Interest

Issue an Order requiring each Defendant and Relief Defendant to disgorge all ill-gotten gains, including prejudgment interest, resulting from the acts or courses of conduct alleged in this Complaint.

Civil Money Penalties

Issue an Order directing each Defendant to pay civil money penalties pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d); Section 21(d) of the Exchange Act, 15 U.S.C. § 78u(d); and Section 209(e) of the Advisers Act, 15 U.S.C. § 80b-9(e).

Further Relief

Grant such other and further relief as may be necessary and appropriate.

Retention of Jurisdiction

Further, the Commission respectfully requests the Court retain jurisdiction over this action in order to implement and carry out the terms of all orders and decrees that it may enter, or to entertain any suitable application or motion by the Commission for additional relief within the jurisdiction of this Court.

Dated: June 23, 2014

Respectfully submitted,

By: /s/ Russell Koonin
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JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<p>I. (a) PLAINTIFFS Securities and Exchange Commission</p> <p>(b) County of Residence of First Listed Plaintiff _____ (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number) Russell Koonin, S.E.C., 801 Brickell Ave., Suite 1800, Miami, FL 33131, (305) 982-6385</p>	<p>DEFENDANTS Weston Capital Asset Management LLC; HALLAC, Albert, and WELLNER, Keith (Defs); HALLAC, Jeffrey (Relief Def.)</p> <p>County of Residence of First Listed Defendant <u>Palm Beach</u> (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input checked="" type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated <i>or</i> Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated <i>and</i> Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated <i>or</i> Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated <i>and</i> Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p>PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p>PERSONAL PROPERTY</p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <p>PROPERTY RIGHTS</p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <p>LABOR</p> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <p>LABOR</p> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <p>IMMIGRATION</p> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input checked="" type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	FEDERAL TAX SUITS
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <p>Habeas Corpus:</p> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding

2 Removed from State Court

3 Remanded from Appellate Court

4 Reinstated or Reopened

5 Transferred from another district (specify)

6 Multidistrict Litigation

7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. §§ 78j(b), 15 U.S.C. § 80b-6, 17 C.F.R. §§ 240.10b-5, 275.206(4)-8

Brief description of cause:
violation of federal securities laws

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ _____

Perm Inj, Disg, Civ. Pen

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE: June 23, 2014

SIGNATURE OF ATTORNEY OF RECORD: s/Russell Koonin

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

Securities and Exchange Commission

Plaintiff(s)

v.

Weston Capital Asset Management LLC, et al.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Weston Capital Asset Management LLC
c/o United Corporate Services, Inc., its Registered Agent
9200 South Dadeland Blvd., Suite 508
Miami, FL 33156

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Russell Koonin, Esq. Senior Trial Counsel Securities and Exchange Commission 801 Brickell Avenue, Suite 1800 Miami, FL 33131

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

Securities and Exchange Commission

Plaintiff(s)

v.

Weston Capital Asset Management LLC, et al.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Albert Hallac
8665 Falcon Green Drive
West Palm Beach, FL 33412

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Russell Koonin, Esq. Senior Trial Counsel Securities and Exchange Commission 801 Brickell Avenue, Suite 1800 Miami, FL 33131

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

Securities and Exchange Commission

Plaintiff(s)

v.

Weston Capital Asset Management LLC, et al.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Keith Wellner
360 E. 72nd Street
Apt. B509
New York, NY 10021

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Russell Koonin, Esq.
Senior Trial Counsel
Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

Securities and Exchange Commission

Plaintiff(s)

v.

Weston Capital Asset Management LLC, et al.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Jeffrey Hallac
1551 N. Flagler Drive, Apt 1111
West Palm Beach, FL 33401

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Russell Koonin, Esq. Senior Trial Counsel Securities and Exchange Commission 801 Brickell Avenue, Suite 1800 Miami, FL 33131

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk