

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
v.)
)
JOSHUA KONIGSBERG, LOUIS FISCHLER, and)
MEDISYS CORP.,)
)
Defendants.)
_____)

COMPLAINT

Plaintiff Securities and Exchange Commission alleges as follows:

I. INTRODUCTION

1. From October 2009 through early March 2010, Defendants Joshua Konigsberg and Louis Fischler engaged in fraudulent market manipulation schemes – replete with kickbacks and bribes – involving the securities of four different issuers. During the same time period, Defendant MediSys Corp. engaged in one of the illicit kickback schemes.

2. Konigsberg and Fischler paid illegal kickbacks to a purported employee of a pension fund to purchase restricted shares of two companies – Casino Management of America, Inc. n/k/a Crosslands Energy Corporation and MediSys. They also paid bribes to a purported corrupt broker to induce the purchase of shares of two other companies – Pavilion Energy Resources, Inc. and Xtreme Motorsports International, Inc.

3. In addition to the kickbacks, Casino and MediSys issued shares of stock in the companies, respectively, as compensation to a middleman who introduced them to the purported pension fund employee. Unbeknownst to the Defendants, the corrupt pension fund employee

was a creation of the FBI. The pension fund's purported friend who helped arrange the deals was an undercover FBI agent, and the middleman was a witness cooperating with the FBI.

4. Konigsberg and Fischler attempted to conceal the kickbacks by entering into a sham consulting agreement between a company Fischler controlled and a bogus consulting company purportedly created to receive the kickback.

5. Konigsberg and Fischler created these schemes in an effort to generate the appearance of market interest in these four companies, induce public purchases of their stock, and artificially increase the stocks' trading prices.

6. As a result of the conduct described in this Complaint, the Defendants violated Section 17(a) of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77q(a); and Section 10(b) and Rule 10b-5 of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78j(b) and 17 C.F.R. §240.10b-5. Unless restrained and enjoined, they are reasonably likely to continue to violate the securities laws.

7. The Commission respectfully requests that the Court enter: (1) a permanent injunction restraining and enjoining the Defendants from violating the federal securities laws; (2) an order directing the Defendants to pay disgorgement with prejudgment interest; (3) an order directing the Defendants to pay civil money penalties; and (4) an order barring Konigsberg and Fischler from participating in any offering of penny stock.

II. DEFENDANTS

8. Konigsberg is the president and CEO of MediSys and was also a promoter of the common stock of MediSys, Casino, Pavillion, and Xtreme. He resides in Palm Beach Gardens, Florida.

9. Fischler was a promoter of MediSys, Casino, Pavillion, and Xtreme. He resides in Delray Beach, Florida.

10. MediSys is a Delaware corporation with its principal place of business in Palm Beach Gardens, Florida. It purports to be in the business of providing medical technology solutions to physicians in the internal medicine, family practice and general practice markets. During the relevant time period, its common stock was quoted on the Pink Sheets operated by OTC Markets, Inc. ("Pink Sheets") under the symbol "MDYO." Its securities have never been registered with the Commission.

11. MediSys' stock is a "penny stock" as defined by the Exchange Act. At all times relevant to this Complaint, the stock's shares traded at, or less than, \$1 per share. During the same time period, MediSys' stock did not meet any of the exceptions to penny stock classification pursuant to Section 3(a)(51) and Rule 3a51-1 of the Exchange Act. For example, the company's stock: (1) did not trade on a national securities exchange; (2) was not an "NMS stock," as defined in 17 C.F.R. § 242.242.600(b)(47); (3) did not have net tangible assets (i.e., total assets less intangible assets and liabilities) in excess of \$5,000,000; and (4) did not have average revenue of at least \$6,000,000 for the last three years. *See* Exchange Act, Rule 3a51-1(g).

III. RELATED ISSUERS

A. Casino Management of America, Inc.

12. Casino was a Nevada corporation with its principal place of business in Lighthouse Point, Florida. The company is now known as Crosslands Energy Corp. and has its principal place of business in Fort Worth, Texas. During the relevant time period, its common stock was quoted on the Pink Sheets under the symbol "CGMA" until November 6, 2009. On

November 6, 2009, its ticker symbol changed to “CRDY.” Its securities have never been registered with the Commission.

13. Casino’s stock is a “penny stock” as defined by the Exchange Act. At all times relevant to this Complaint, the stock’s shares traded at, or less than, \$1.00 per share. During the same time period, Casino’s stock did not meet any of the exceptions to penny stock classification pursuant to Section 3(a)(51) and Rule 3a51-1 of the Exchange Act. For example, the company’s stock: (1) did not trade on a national securities exchange; (2) was not an “NMS stock,” as defined in 17 C.F.R. § 242.242.600(b)(47); (3) did not have net tangible assets (i.e., total assets less intangible assets and liabilities) in excess of \$5,000,000; and (4) did not have average revenue of at least \$6,000,000 for the last three years. *See* Exchange Act, Rule 3a51-1(g).

B. Pavillion Energy Resources, Inc.

14. Pavilion is a Delaware corporation with its principal place of business in Rancho Mirage, California. It purports to be an energy company focused on developing new wind energy capture technology. During the relevant time period, its common stock was quoted on the OTCQB – a new market tier for OTC-traded companies that are registered and reporting with the Commission – under the symbol “PVRE.” Its common stock is registered pursuant to Section 12(g) of the Exchange Act. After a four-year gap, Pavilion resumed filing reports in 2010 and currently files periodic reports with the Commission.

15. Pavilion’s stock is a “penny stock” as defined by the Exchange Act. At all times relevant to this Complaint, the stock’s shares traded at, or less than, nine cents per share.

16. During the same time period, Pavilion’s stock did not meet any of the exceptions to penny stock classification pursuant to Section 3(a)(51) and Rule 3a51-1 of the Exchange Act. For example, the company’s stock: (1) did not trade on a national securities exchange; (2) was

not an “NMS stock,” as defined in 17 C.F.R. § 242.242.600(b)(47); (3) did not have net tangible assets (i.e., total assets less intangible assets and liabilities) in excess of \$5,000,000; and (4) did not have average revenue of at least \$6,000,000 for the last three years. *See* Exchange Act, Rule3a51-1(g).

C. Xtreme Motorsports International, Inc.

17. Xtreme is a Nevada corporation with its principal place of business in Henderson, Nevada. It purports to be in the business of producing, distributing and marketing off-road vehicles of all types. Its common stock is quoted on the Pink Sheets under the symbol “XTMM.” The Commission temporarily suspended trading in the securities of Xtreme from March 3 through March 16, 2010 because of questions about the accuracy and adequacy of publicly disseminated information concerning trading in the company’s stock. The stock never resumed trading and currently trades in the “gray market.” Its securities have never been registered with the Commission under the Exchange Act.

18. Xtreme’s stock is a “penny stock” as defined by the Exchange Act. At all times relevant to this Complaint, the stock’s shares traded at, or less than, twenty cents per share.

19. During the same time period, Xtreme’s stock did not meet any of the exceptions to penny stock classification pursuant to Section 3(a)(51) and Rule 3a51-1 of the Exchange Act. For example, the company’s stock: (1) did not trade on a national securities exchange; (2) was not an “NMS stock,” as defined in 17 C.F.R. § 242.242.600(b)(47); (3) did not have net tangible assets (i.e., total assets less intangible assets and liabilities) in excess of \$5,000,000; and (4) did not have average revenue of at least \$6,000,000 for the last three years. *See* Exchange Act, Rule3a51-1(g).

III. JURISDICTION AND VENUE

20. The Court has jurisdiction over this action pursuant to Sections 20(d) and 22(a) of the Securities Act, 15 U.S.C. §§ 77t(d) and 77v(a); and Sections 21(d) and 27 of the Exchange Act, 15 U.S.C. §§ 78u(d) and 78aa.

21. This Court has personal jurisdiction over the Defendants, and venue is proper in the Southern District of Florida, because Konigsberg and Fischler reside in the District and MediSys' principal place of business is located in the District. Additionally, many of the Defendants' acts and transactions constituting violations of the Securities Act and the Exchange Act occurred in the District. For example, Konigsberg and Fischler sent numerous e-mails regarding the scheme to the cooperating witness in the District during the times relevant to the Complaint.

22. The Defendants, directly or indirectly, made use of the means or instruments of transportation or communication in interstate commerce, or of a means or instrumentality of interstate commerce, or of the mails, in connection with the conduct alleged in this Complaint.

IV. THE FRAUDULENT SCHEMES

23. Konigsberg and Fischler have worked together as stock promoters for several years and are close friends and business associates. On October 22, 2009, Konigsberg and Fischler first met in Coral Springs, Florida with the cooperating witness to discuss the possibility of engaging in various stock manipulation schemes.

24. Shortly afterwards, on October 26, 2009, Konigsberg, Fischler, and the cooperating witness met again with the FBI agent, who posed as a contact for the corrupt, fictitious pension fund employee. Later, through phone calls and emails, they formulated their manipulation schemes.

25. These schemes included two restricted stock transactions involving the securities of Casino and MediSys and two market transactions involving the securities of Pavilion and Xtreme.

A. The Casino Restricted Stock Transaction and Kickback

26. In October 2009, Konigsberg and Fischler entered into their business arrangement with the cooperating witness and the agent. The parties agreed the pension fund would purchase \$20,000 worth of Casino stock in exchange for a 40 percent kickback by Konigsberg and Fischler to the pension fund employee.

27. In addition, Konigsberg and Fischler agreed the cooperating witness, as a middleman, would receive shares of Casino for introducing the parties to the deal.

28. To conceal the kickback, Konigsberg and Fischler agreed they would pay money constituting the kickback to a bogus consulting company, and they arranged to enter into a phony consulting agreement. They understood the bogus consulting company would not be performing any actual consulting services.

29. On October 26, 2009, pursuant to a share purchase and sale agreement between the pension fund and Fischler, the pension fund agreed to purchase approximately 16,000 shares of Casino common stock for \$20,000. On that same day, the bogus consulting company entered into a consulting agreement with a company Fischler controlled.

30. The next day, the FBI wired \$20,000 to Fischler's bank account. Subsequently, on October 28, 2009, Fischler mailed a check from his company for \$8,000 – a kickback of 40 percent of the stock purchase price - to the bogus consulting company. The check contained a notation that the payment was for a “consulting retainer.”

31. On November 6, 2009, Casino issued 16,000 shares of its common stock to the pension fund and 4,000 shares to the cooperating witness.

B. The MediSys Restricted Stock Transaction and Kickback

32. In November 2009, Konigsberg and Fischler entered into another scheme with the cooperating witness and agent. They agreed the pension fund would purchase \$20,000 of MediSys restricted stock in exchange for a 40 percent kickback by Konigsberg and Fischler to the pension fund employee.

33. To conceal the kickback, Konigsberg and Fischler agreed again they would pay the money to the same bogus consulting company used in the Casino scheme, relying upon the prior consulting agreement used in the Casino transaction.

34. In addition, Konigsberg and Fischler agreed the cooperating witness, as a middleman, would receive restricted shares of MediSys for introducing the parties to the deal.

35. Konigsberg and Fischler acknowledged the illegality of their plan, as evidenced during their October 26, 2009 discussion:

Fischler:	“Not that we’re doing anything we shouldn’t...”
Konigsberg:	“Well, [laughter] no, we are.”
CW:	“We are. . . I like to call a spade a spade.”
Fischler:	“There’s nothing wrong with hiring a consultant as an advisor to a transaction...that’s all we are doing.”

36. On November 2, 2009, pursuant to a share purchase and sale agreement between the pension fund and Fischler, the pension fund agreed to purchase approximately 4,000 shares of MediSys common stock for \$20,000. That day, the FBI wired \$20,000 to Fischler’s bank account.

37. Also that same day, Fischler mailed a check from his company for \$8,000 – a kickback of 40 percent of the stock purchase price - to the bogus consulting company. The check contained a notation that the payment was for “consulting services.”

38. On November 9, 2009, MediSys issued the 4,000 restricted shares of MediSys stock to the pension fund and 1,000 restricted shares of MediSys stock to the cooperating witness.

39. Konigsberg, acting as president of MediSys, executed both stock certificates.

C. The Pavilion Market Manipulation and Bribe

40. In late October 2009, Konigsberg, Fischler, and the cooperating witness began discussing a potential “pump-and-dump” market manipulation scheme involving Pavilion’s common stock, whereby they could falsely generate the appearance of market interest in the stock.

41. Ultimately, Konigsberg agreed to pay a bribe of \$5,000 to the cooperating witness’s corrupt broker – who, in reality, did not exist - in exchange for the broker’s agreement to purchase approximately \$500,000 worth of Pavilion stock in the open market in the broker’s discretionary customer accounts.

42. Konigsberg agreed the broker would make the purchases over a period of 4 to 5 weeks to artificially inflate the stock price from 6 to 30 cents per share. They also agreed to arrange for timed press releases to be issued as the purported reason for any spikes in volume or price. The fraudulent buying would create the false impression in the market that Pavilion was developing active trading supporting a rising stock value.

43. On November 16, 2009, Konigsberg wired \$5,000 to the cooperating witness's account with the understanding the cooperating witness would then forward the money to the broker.

44. On November 18, 2009, the FBI made two purchases of 35,000 shares each of Pavilion stock in the open market for a total cost of \$4,919. These two purchases constituted approximately 47 percent of the trading volume in Pavilion for that day.

45. Shortly afterwards, the cooperating witness told Konigsberg the broker was in poor health and could not continue the arrangement. The cooperating witness returned \$4,000 to Konigsberg and advised him the broker had kept the balance for the one trade.

D. The Xtreme Market Manipulation and Bribe

46. On January 25, 2010, Konigsberg spoke by telephone with the cooperating witness to discuss the possibility of manipulating the price and trading volume of Xtreme stock.

47. Konigsberg told the cooperating witness he wanted him to purchase, or find others to purchase, \$20,000 worth of Xtreme stock before March 1, 2010.

48. Konigsberg stated he believed this level of buying would increase the stock's share price from 7 cents to 20 cents. Konigsberg also told the cooperating witness that once Xtreme's stock price hit 20 cents, he had others who would "come in" and bring the stock from 20 cents to 40 or 45 cents by the end of March.

49. In addition, Konigsberg told the cooperating witness a shareholder who owned 9 million shares of Xtreme stock was waiting for the stock price to near 40 cents before he would begin selling his shares on the open market.

50. On or about February 1, 2010, Konigsberg and the cooperating witness agreed the broker would purchase \$20,000 worth of Xtreme common stock over the course of the two

weeks immediately prior to March 1, 2010. In exchange, the broker would receive a \$6,000 bribe; half up front and half at the conclusion of trading.

51. According to the plan, Konigsberg would direct the cooperating witness as to how many shares of Xtreme stock the broker should purchase on a given day and when to place the trades, so the stock would close at a certain price.

52. On February 11, 2010, Fischler gave the \$3,000 bribe, in cash, to the cooperating witness to forward to the broker.

53. Between February 16 and 25, 2010, the FBI purchased 79,000 shares of Xtreme common stock for a total purchase price of \$9,508. During that period, Xtreme's stock price rose from 7 cents to 18 cents - an increase of 157 percent. The majority of the trading volume was the result of purchases by the FBI posing as the fictitious broker.

54. Shortly afterwards, Konigsberg told the cooperating witness he had also retained Roaringpennystocks.com to promote Xtreme. Roaringpennystocks.com is a website based out of Coral Springs, Florida that touts stocks to its on-line subscribers.

55. On February 26 and 28 and March 1, 2, and 3, 2010, Roaringpennystocks.com issued three e-mail blasts to its subscribers regarding Xtreme. In those e-mails, the website introduced Xtreme to prospective investors as its "HUGE New Pick" that "[o]n little news . . . has gained over 142% in the last 10 days."

56. Roaringpennystocks.com alerted subscribers to "[k]eep your eyes peeled because early entrants could make a killing!" and that "[t]oday [March 1, 2010] the stock is trading below their 10 day average. This could be the calm before the storm as the company prepares to release BREAKING NEWS!"

57. The e-mail blasts were designed to further artificially inflate Xtreme's stock price in accordance with Konigsberg and Fischler's scheme.

COUNT I

Fraud In Violation of Section 17(a)(1) of the Securities Act

58. The Commission realleges and incorporates paragraphs 1 through 57 of its Complaint.

59. From October 2009 through early March 2010, the Defendants directly and indirectly, by use of the means or instruments of transportation or communication in interstate commerce and by use of the mails, in the offer or sale of securities, as described in this Complaint, knowingly, willfully or recklessly employed devices, schemes or artifices to defraud.

60. By reason of the foregoing, the Defendants, directly and indirectly, violated and, unless enjoined, are reasonably likely to continue to violate, Section 17(a)(1) of the Securities Act, 15 U.S.C. §77q(a).

COUNT II

Fraud in Violation of Sections 17(a)(2) and 17(a)(3) of the Securities Act

61. The Commission realleges and incorporates paragraphs 1 through 57 of its Complaint.

62. From October 2009 through early March 2010, the Defendants, directly and indirectly, by use of the means or instruments of transportation or communication in interstate commerce and by the use of the mails, in the offer or sale of securities:

(a) obtained money or property by means of untrue statements of material facts and omissions to state material facts necessary to make the

statements made, in the light of the circumstances under which they were made, not misleading; or

(b) engaged in transactions, practices and courses of business which operated as a fraud or deceit upon purchasers and prospective purchasers of such securities.

63. By reason of the foregoing, the Defendants, directly and indirectly, have violated and, unless enjoined, are reasonably likely to continue to violate Sections 17(a)(2) and 17(a)(3) of the Securities Act, 15 U.S.C. §§ 77q(a)(2) and 77q(a)(3).

COUNT III

Fraud in Violation of Section 10(b) and Rule 10b-5 of the Exchange Act

64. The Commission realleges and incorporates paragraphs 1 through 57 of its Complaint.

65. From October 2009 through early March 2010, the Defendants, 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;

(b) made untrue statements of material facts and 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; or

(c) engaged in acts, practices and courses of business which have operated, are now operating and will operate as a fraud upon the purchasers of such securities.

66. By reason of the foregoing, the Defendants directly or indirectly violated and, unless enjoined, are reasonably likely to continue to violate, Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.

RELIEF REQUESTED

WHEREFORE, the Commission respectfully requests that the Court:

I.

Declaratory Relief

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

II.

Permanent Injunctive Relief

Issue a Permanent Injunction restraining and enjoining the Defendants, their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, and each of them, from violating Section 17(a) of the Securities Act and Section 10(b) and Rule 10b-5 of the Exchange Act, as indicated above.

III.

Disgorgement

Issue an Order directing all Defendants to disgorge all ill-gotten gains, including prejudgment interest, resulting from the acts or courses of conduct alleged in this Complaint.

IV.

Penalties

Issue an Order directing the Defendants to pay civil money penalties pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d); and Section 21(d) of the Exchange Act, 15 U.S.C. § 78(d)(3).

V.

Penny Stock Bar

Issue an Order barring Konigsberg and Fischler from participating in any offering of penny stock, pursuant to Section 20(g) of the Securities Act, 15 U.S.C. § 77t(g), and Section 21(d) of the Exchange Act, 15 U.S.C. § 78u(d), for the violations alleged in this Complaint.

VI.

Further Relief

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

VII.

Retention of Jurisdiction

Further, the Commission respectfully requests that 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.

Respectfully submitted,

December 6, 2010

By: s/ James M. Carlson

James M. Carlson
Senior Trial Counsel
Florida Bar # A5501534
Telephone: (305) 982-6328
Facsimile: (305) 536-4154
E-mail: CarlsonJa@sec.gov

Michelle I. Bougdanos
Staff Attorney
Florida Bar # 0020731
Direct Dial: (305) 982-6307
E-mail : BougdanosM@sec.gov

Trisha D. Sindler
Senior Counsel
Florida Bar # 0773492
Direct Dial: (305) 982-6352
E-mail : FuchsT@sec.gov

Attorneys for Plaintiff
**SECURITIES AND EXCHANGE
COMMISISON**
801 Brickell Avenue, Suite 1800
Miami, Florida 33131
Telephone: (305) 982-6300
Facsimile: (305) 536-4154

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.) **NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.**

I. (a) PLAINTIFFS

SECURITIES AND EXCHANGE COMMISSION

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

JAMES M. CARLSON, ESQ.
SEC, 801 BRICKELL AVENUE, SUITE 1800
MIAMI, FL 33131; TEL. (305)982-6328

DEFENDANTS

KONIGSBERG, Joshua; FISCHLER, Louis; and MEDISYS CORP.

County of Residence of First Listed Defendant **PALM BEACH**
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT
LAND INVOLVED.

Attorneys (If Known)

(d) Check County Where Action Arose: ☐ MIAMI-DADE ☐ MONROE ☒ BROWARD ☐ PALM BEACH ☐ MARTIN ☐ ST. LUCIE ☐ INDIAN RIVER ☐ OKEECHOBEE
HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or 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 and 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

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	PERSONAL INJURY <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 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 PERSONAL PROPERTY <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"/> 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 LABOR <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 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <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)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<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 <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	CIVIL RIGHTS <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	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <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		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Re-filed- (see VI below) ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S).

a) Re-filed Case ☐ YES ☒ NOb) Related Cases ☐ YES ☒ NO

(See instructions second page):

JUDGE

DOCKET NUMBER

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. §77q(a); 15 U.S.C. §78j(b), 17 C.F.R. §240.10b-5; violation of federal securities laws

LENGTH OF TRIAL via _____ days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23DEMAND \$perm. injunct. disgorgement, civ. pen. JURY DEMAND: ☐ Yes ☐ No
penny stock bar

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

SIGNATURE OF ATTORNEY OF RECORD

DATE

12/3/10

FOR OFFICE USE ONLY

AMOUNT

RECEIPT #

IFP

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

Joshua Konigsberg, Louis Fischler, and Medisys
Corporation

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Joshua Konigsberg
1811 Flower Drive
Palm Beach Gardens, FL 33410

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:

James M. Carlson, 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. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* JOSHUA KONIGSBERG
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

Joshua Konigsberg, Louis Fischler, and Medisys
Corporation

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Louis Fischler
7341 Amberly Lane, Apt. #404
Delray Beach, FL 33446

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:

James M. Carlson, 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. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* LOUIS FISCHLER
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

Joshua Konigsberg, Louis Fischler, and Medisys
Corporation

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* MEDISYS CORPORATION
Attention: Brian Gibson, Registered Agent
4701 N. Federal Hwy, #308-A3
Pompano Beach, FL 33064

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:

James M. Carlson, 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. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* MEDISYS CORPORATION
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: