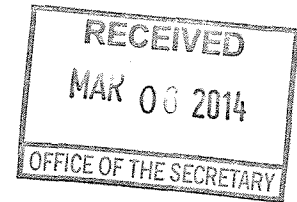


UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
ADMINISTRATIVE PROCEEDING
File No. 3-15628



In the Matter of
DANIEL IMPERATO,

MOTION OPPOSITION due march 7th 014

In accordance with the Order entered in this matter on January 10, 2014, that IMPERATO submits this opposition to any Summary Disposition and dismissal would respectfully show as follows: (see exhibits op 1-78), (exhibits p 17-36/case laws ,rules (de 179)

Opposition

THE ENFORCEMENT HAS FAILED TO MAKE ANY CASE OUT OF THIS PROCEEDINGS AND IT SHOULD BE VACATED . NO BARR SHOULD BE APPLIED BASED ON NO EVIDENCE OF IMPERATO ACTING AS A BROKER DEALER BUYING AND SELLING IMPERIALI STOCKS.(NO PUBLIC MARKET, SUB DOCS WITH PRIVATE PLACEMENT,(PREPARED AND PAID LAURA ANTHONY ESQ.) AND SOLD BY OTHER COVERED PERSONS NOT IMPERATO.) PURSUANT TO THE FIRST ORDER OF PROCEEDINGS ITS STATED THAT IMPERATO WOULD HAVE A CHANCE TO DEFEND THE ALLEGED CLAIMS AGAINST HIM CONCERNING THE ENTIRE FEDERAL CASE SINCE THE LOWER COURT MAGISTRATE ERRED BASED ON NON CONSENT AND ARBITRARY RECOMMENDATIONS AND ORDERS SIGNED BY Ryskamp without evidentiary hearings and no trial by jury of peers which is repugnant to the united states constitution and void as a matter of law and procedure setting bad precedence for the entire judicial federal system

Sec . v IMPERATO (ap 13-14809ff)

RSVP RELEASE 1270 dismissal order demanded by respondent based on the merits.

See NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 150-52 (1975); Fannie Mae Sec. Litig., Civ. Action No. 04-01639 (D.D.C.), Exchange Act Release No. 60772 (Oct. 2, 2009), 96 SEC Docket 21176, 21180, 21183-84; David J. Checkosky, 50 S.E.C. 1180, 1183-84 (1992), remanded on other grounds, 23 F.3d 452 (D.C. Cir. 1994).

THE (OIP) IS CORRECT IN SO FAR AS THEY HAVE NO JURISDICTION CONCERNING THE MATTER OF IMPERIALI INC STATED IN THE FILE NO 3-15628, BECAUSE THERE IS AN APPEAL IN PROCESS.

THANK YOU FOR YOUR CLARIFICATION CONCERNING YOUR JURISDICTION ONLY BEING THE CONCERN OF 15 (B) OF WHICH NO EVIDENCE HAS BEEN PRESENTED BY THE COMMISSION CONCERNING ANY VIOLATION OF 15 (B) CONCERNING IMPERIALI INC THAT THIS

ADMIN. PROC HAS NO JURISDICTION OVER .per Judge Elliot

CORRECTION IS THAT THE APPEAL IS NOT CONCERNING IMPERIALI INC AT THIS TIME BECAUSE IN FEDERAL COURT IMPERIALI INC HAS NO LEGAL CONSUL AND HAS NO APPEAL. IN FACT THE APPEAL IS CONCERNING (IMPERATO ONLY) WHICH IN ACCORDANCE WITH the ORDER THE ADMIN.PROC. HAS NO JURISDICTION OVER BECAUSE ITS IMPERATO THAT IS UNDER APPEAL. IMPERIALI INC IS NOT UNDER APPEAL AND THE FIRST ORDERED WAS WRITTEN CONCERNING THE ENTIRE IMPERIALI INC CASE OF WHICH ANY EVIDENCE FROM TH E lower court CASE IS NOT PERMITTED BASED ON YOUR Clarification concerning appeal process and jurisdiction .

But IMPERATO is the appellant not imperiali so you have no jurisdiction over the same and no charges concerning 15 (b) have been brought against IMPERATO nor has he ever been noticed properly as well as the (ALL) claims are filed past the statues of limitations.(march 06).

You in fact you have no jurisdiction over IMPERATO except for new charges of 15 (b) and can not use any evidence in the appeal concerning IMPERATO .

The hast for filings of false charges effectuate the aggrieved persons rights and demands for damages to be paid the respondent for such false charges because no new evidence has been presented to the admin. Proc. Concerning 15 (b) and IMPERATO . This clearly shows (oip) tried to bring evidence from the appeal into these proceedings which you stated you have no jurisdiction over.

Imperato is a person under appeal and you cant sight that case per your order , ,imperiali inc is a corporation and based on your grateful clarification .

PLEASE DISMISS THESE PROCEEDINGS BASED ON NO new EVIDENCE (evidence provided feb. 18th not allowed under appeal) PROVIDED BY THE ENFORCEMENT UNDER AND CONCERNING 15 (B) ALLEGED FALSE CHARGES STATED IN THIS PROCEEDINGS prove it or dismiss it. The only piece of evidence submitted to me concerning the original order was and is thhe lower court IMPERATO case under appeal . Since the IMPERATO case is under appeal the evidence proved in the (oip) motion for summary disposition is insufficient evidence based on the honorable Judge Elliot's order.

opposition

a. no notice of such proceedings and past the statutes of limitations with no evidence other then an appealed illegal judgments entered and ordered arbitrary with no evidentiary hearings by and un consented magistrate with no evidentiary hearings and genuine disputed factual disputed claims .

b. This proceeding is a waist of time (interfering and duplicating case work and loads, over burdensome with willful intent and deceit)and was ordered against me to continue to file false claims and continue to violate my 4th amendment rights and run up costs and take

my time as well as violate my constitutional rights .

c. An aggrieved party deserves remuneration for the costs associated with this false proceeding (OBSTRUCTION OF JUSTICE WHEN APPEAL IS IN PROCESS) concerning IMPERATO acting as a broker with and original ordered stating the whole case is being reviewed now bated and switched. This is a disgrace to the commissioners and the justice system as a whole .

d. Motion by plaintiff has erroneous filings which dates filed were not the dates signed and were not signed by IMPERATO . Imperato never filed one Edgar report in his life nor did he authorize brad hacker to sign his name, as well as fiscina who signed all previous filings and Ferguson never IMPERATO ,until hacker was cfo and the responsible person. Read the attached and review the dates . Imperato was not in control (nov 2007) of the company and its management on nov. 28th 2007 . Eric skies and his management were in control and hacker error in use of my name violating e sign laws. see all edger filings from aug 2006 when IMPERATO left the board until after fiscina was fired due to the commission request for fiscina errors and then chaplics police reported shreed of documents.

e. See also all the correspondences the company received prior to nov 2007 with fiscian and chaplic which all was responded to and no cease and desist or no admin. Hearing was ever scheduled . Gust requests were from 2006 till aug 07 and frank donates questions aug 1st and prior to fiscina.(all responded to properly . Then see the letter from mr donaty that there were no more questions concerning filings ks and q s dec. 09 . See (appeal vol. 1 response to questions) (have the commission deliver copies from the responses ,which they denied me of) Now a case was filed past the statute of limitations. Period please dismiss this case at one.

f. Imperato was not involved in the aug.31 2007 balance sheest they were done by fiscian and chaplic as disclosed and the filed 90 days later since we had no cfo to file them and hacker then accountant and became cfo and responsible just before the filing that he is responsible for . The assets are correct and the values as well . The assets existed the company was no shell and the assets were and are today valuable if the sec. didn't destroy the insurance claims and then shut down the company with false claims) just read front page of the complaint its erroneous ,false and impossible to have occurred.)

g. (See edgar filings attached) (Imperato was trying to correct errors period)

Imperato awaits public hearing and will proved all back up hard copy of documents so the public and hear what abusive tactics and false claims where made against him as well as a trail like jury to hand down their ruling. Imperato doesn't break the laws and tried to save his company not harm the shareholders since he was the biggest one.

Opposition

The enforcement has presented one q that has my unauthorized signature and has not provided the dozens of q s and ks filed by fiscina prior to the events . The statutes past (clearly the case in question was between march 2006 and aug 2007) see attached. and this case was filed after the statutes when the requests clearly show the start date in march of 2006. The ppm that was exempt and blue skies as well as the responses to the commission to their questions during 2006 - 2007 were replied to by profession securities persons, lawyers and accountants as well as the fact that no question existed about the assets because they are real and proven such with affidavits ,public search rankings ,and proper valuation . The unregistered securities is a non starter sold by covered persons not IMPERATO sated by letter from the very investors on exhibit a filed by the enforcement.

The very judgments ordered by a un consented magistrate then with out evidentiary hearings illegal to the court and fraud which were received by mc cole as prejudice and passion and academic have not been proven by a proper and legal court of law in front of a jury of peers because the enforcement had to violate the court rules in order to obtain false judgments with out jury trail because all the physical evidence is available to prove to a jury that the claims are false and the assetts are real and valued in accordance with the 34 40 acts properly .

The motion by the enforcement is not supported by(un bias , and cross examined evidence) or any factual proven evidence , and is not supported by evidence in the attached Appendix because the case laws are invalid because the claims have not been substantiated in accordance with the laws ,rules and procedures of the court as well as the Edgar filing was not authorized to use Imperato name stated in the 2008 wells interview voluntary by imperato request not the commission request.

1. Since the proceedings concerning 15 (b) of which is not part of the original case ,then when did this case begin. The evidence provide has not proven any thing since the judgments were entered by Ryskamp but based on the no consented recommendations by the magistrate with no evidentiary hearings and plenty of genuine material factual evidence of dispute that will be proven at the appellate court where Imperato constitutional rights were violated (see dockets.) The dockets are clear that the case was closed and all schedules were vacated(terminated by the court (see the attached)

a. past the statutes and with out any genuine material evidence of any kind that meets the standards for any scienter or any fraud concerning financial statements or valuations .

b. the financials were completed by professionals of which in fact fiscana settle theses matter's on () see settlement page and filings attached . No filings during the periods in question concerning the attached ltrs and the Edgar filings were completed by IMPERATO.

c. Imperato could have no mindset of any deceit willful or other because he has 0000 education concerning balance sheets ,valuations and financials and accounting.

d. the company relied on it professional lawyers ,accountants , cpas of which . John chaplic and Charles fiscina both cpa s and Larry O'Donnell auditor as well as brad hacker auditor and Laura Anthony esq. Greenburg traug esq. so IMPERATO was not any scienter of any fraud nor did he act as a broker buying and selling imperaili stocks.

f. as stated in 2008 brad hacker signed IMPERATO name to Edgar with out Imperato knowledge or authorization ,just look at all the others filings prior and see who filed such . The scienters were Charles fiscina ,john chaplic and dan mangru. Not Imperato he was secondary and not in office nor was he a director after aug 2006. And he did not sell securities and contact the 26 investors which has been proven to the commission.

2. The only deceitful will full and illegal mind sets and scienters are timothy mc cole esq. whom denied discovery and never had one evidentiary hearing in a court room with IMPERATO face to face and the only hearing with the magistrate when the magistrate was caught signing orders he did not even know about and lied about(see transcript) mc ole then arbitrarily signed a settlement agreement with deceit and intent never to file it in court after he received my financials and tax returns and said he did not.(see transcript).

3. The conspiracy and concealment of discovery concerning possible fraud and manipulation will be left for my government to order a criminal investigation concerning this matter and my rights being violated as in the United States Constitution and court procedural laws. When a magistrate must be consented to by both parties (please provide the consent) or his recommendations are void as a matter of law as well as the judgments of passion and prejudice stemming from McColes' false claims and false statements to the court and denial of jury trial by peers by using and stating falsehoods to the court as in he never received my financial statements which were filed in the court and sent to him as well as the tax returns proved at the settlement day which has been vacated by the commission but yet settled with Fiscina and O'Donnell whom never entered one response to the court as in O'Donnell and Fiscina who settled 6 months prior and was added to the case after settlement was known and greed which is illegal.

4. Imperato is the aggrieved party and wants damages to be paid to him and reserves the rights to cooperate with the justice department for criminal investigation as well as counter suit for this frivolous claims and waste of the Honorable Judge Elliot's time and tax payers money.

THE (EVIDENCE of enforcement) DOES NOT MEET THE STANDARD OF BURDEN OF PROOF (sec.v Texas financial group NOR DOES NOT MEET THE REQUIREMENTS OF THE JUDGES ORDERS (1 If Imperato fails to timely show cause, no sanctions will be imposed until after the Division of Enforcement files a motion requesting relief, which should **include sufficient evidence consistent with Rapoport v. SEC, 682 F.3d 98 (D.C. Cir. 2012).**) . nor can IMPERATO be blamed for other professionals work and competence which never was questioned or noticed by cease and desist concerning the companies filings during their tenure.

opposition

The respondent didn't sell unregistered securities AS A BROKER nor was the company trading or effective as well as the bills submitted by the layers Laura Anthony prove that the offering was blue skied and legal under exempt for registration rules of the sec.

The company abided by 34 ,40 acts and the commission failed to prosecute in 2007 because there was no findings of fraud(third tier) . There was an issue with the balance sheets due to Fiscina errors in filing as a bdc . Imperato stepped in as interim ceo and tried to fix what was already wrong by error .IMPERATO was not any sienter of any illegal gains or profits and the enforcement has not met any standard of burden of proof to prove such.

See de (184) , de (179,171). And all responses

The genuine material factual evidence is physical as well as statutory and rules of the commission and the court which have been broken and ignored by the enforcement division.

Imperato was not involved day to day since sept 2006 when he resigned as board member.

1. The Edgar filings since 2006 until the filing submitted as evidence were completed and filed by the cfo Charles Fiscina and John Chaplic cco and Dan Magru

,whom were the responsible persons.

2. After they messed up the filings a s bdc and used sb forms to register the company as a public company that was done wrong by them not IMPERATO.

3. The company never traded on any public market .

4. The Edgar filing shown with IMPERATO signature was done electronically and with out IMPERATO approval , this filing was completed by brad hacker and auditor and cfo of the company ,in fact IMPERATO turned over control to Kaiser himmel corporation at that time and was not in control.

5. Imperato was did not respond to Sheila stout and or mike gunst until such time he was noticed by hong may in aug of 07 of fiscinas, chaplic and mangru cover up of the filings and correspondence with the sec.

a. this is sated in statements made by hong may the secretary.

6. After mike gunst asked how to punish fascina we fire him and chaplic then quick and he shredded documents.

a. this is in police reports

7. Imperato came in as a white nigh on interim basis for 2 months when Ferguson and Feldman did all the responses to the questions concerning the sec.

a. IMPERATO thought they answered all questions properly with new cfo brad hacker who violated federal law and e signatures by signing my name to Edgar.

b. IMPERATO did not file that report on nov 28th 07 and unless sec can provide such to imperators filing then it is fact IMPERATO did not file that documents.

8. Imperato names was used on one filing.

a. all prior filings signed by fascina not IMPERATO.

9. Funds raised where raised in 05 to 06 with little in o7 and the ppm used did not reflect the assets in question or used to raise funds from the ppm. The company was advisory company with future plans.

a. the companies assets were real and are real and have been verified by comparative analysis and valuation reports submitted to the sec. back in 07 and 08 .

10. All was stated in the wells interview.

11. This suit was and is a which hunt and there is no way on this earth Imperato assets were false and the company was a shell.

a. nor did IMPERATO sell or broker securities proven by the letters from over 40 investors .

b. the assets and the valuation s were proper but booked wrong and IMPERATO stepped in in sept 07 to help and then sold the company in oct 07 2 months later and all assets were verified and working with contacts and search rakings on way back machines and technical specifications as well as affidavits to [prove the assets were and are real .

c. the valuation supported by contracts and former sec.inquiry on the telecom project.

Imperato was victim of bad management and bad professional persons as well as then a crime with a conviction of Eric skies .

12. Imperato did not defraud any one and did not willfully deceitfully earn any ill begotten gains , in fact the majority of the funds built the very assets and paid for the person and global search links and partners world wide as well as the telecom partners world wide in order to reach such justifiable valuations.\(see edgar filings disclosures)

a. IMPERATO personally didn't earn no 2 mm dollars period. Fact is fact.

Innocent until proven guilty by a jury trial and genuine material factual physical evidence of disputed facts was presented and ignores and the enforcement with the un consented magistrate arbitrarily reopen a closed case with no jurisdiction and appeal forfeited when case was settled ,then arbitrarily with out evidentiary hearings obtained and illegal unjustified summary judgment of passion and prejudice and the recommended that final summary judgment taking away my rights to a jury trial and hang it on Ryskamp who never even heard the case and the judgments were enter on the false illegal recommendations and report by and un consented magistrate which is illegal and repugnant to these united states constitution.

ALL PHYSICAL EVIDENCE ARE AVAILABLE IN THE ON SITE AND IN THE COURT FILES AND SEC. FILES .

FULL COURT REVIEW WILL FIND ALL FACTUAL GENUINE MATERIAL EVIDENCES DISPUTING ALL THE ENFORCEMENTS CLAIMS.

THE RESPONDENT DID NOT RECEIVE THE MAJORITY OF THE FUNDS IN QUESTION AND THAT'S IS FACT PROVEN BY HIS PERSONAL INCOME TAXES (see settlement agreement attached , and get taxes from mc cole.)SUBMITTED AS WELL AS THE RESPONDENT IS FINANCIALLY INSOLVENT AND BROKEN BECAUSE OF THESE FALSE CLAIMS AND DEFORMATIONS OF HIS CHARACTER WHICH ALLOWS HIM AN AGGRIEVED PARTY CLAIMS AND RECOVERY OF DAMAGES . THE ABUSE OF DISCRETION Y THE Enforcement AND THE COURT ,IS CLEAR AS DAY , THE MOTIVE HAS BEEN ESTABLISHED BY THE DEFENDANT BASED ON THE SETTLEMENT AGREEMENT WITH Facsina 6 MOTHS PRIOR TO THE CASE BEING FILED ,THE PERSONS BEHIND THE CASE FILINGS IN THE Dallas OFFICE HAVE CONFLICTED INTEREST WITH POLITICAL AND CORPORATE RELATIONS WHICH HAS EFFECTUATED SUCH FALSE Claims TO BE FILED BASED ON Conspiracy TO DESTROY ONE LIFE AND DENY HIM OF HIS CONSTITUTIONAL RIGHTS.

Hurtado v California, Griswold v Connecticut ,

See 16 wall 36, (1873) article 4 of the original us constitution. Respondent demands protection from his government. Sec. v Texas financial group, **28 U.S.C. § 2462** , Spencer c . barasch ,amin. proc. file no. 3-14891 rule 102 (e), Egan Jones v sec. rules 72,73 ,56. Magistrate acts and harv. And usc 28 & 636 (magistrate must be consented by both parties matter of law and court rule.) and was not .

The enforcement has denied all discovery and has not responded efficiently to any of the motions set forth in this case concerning the genuine material factual evidences of disputed claims as well as has not proved any substantial evidence of any crime other then prejudiced and bias

submissions with out any further cross examinations or trial by jury or any evidentiary hearings which is a clear violation of law.

I. Relevant Litigation History

On November 27, 2013, the Securities and Exchange Commission (“Commission”) initiated public administrative proceedings pursuant to Section 15(b) of the Exchange Act (“Exchange Act”) against Imperato, in which the Division alleged, among other things, that, on November 8, 2013, a final judgment was entered against him, permanently enjoining him from future violations of certain provisions of the Securities Act of 1933 (“Securities Act”), the Exchange Act, and the Investment Company Act of 1940. Order Instituting Proceedings (“OIP”) at

OPPOSITION

1. THE ORDER WAS ENTERED ARBITRARILY BY TIMOTHY MC COLE IN CONCERT WITH THE NON CONSENTED MAGISTRATE JUDGE HOPKINS.

UNTIL SUCH TIME THAT THE ENFORCEMENT CAN PROVIDE THE SIGNED CONSENT AGREEMENT BY BOTH PARTIES IN ACCORDANCE WITH THE LAW ,USC 28 & 636) THE ORDERS AND JUDGMENTS ARE VOID AND AD ILLEGAL .

THE ILLEGAL RECOMMENDATION AND REPORT SIGNED BY THE MAGISTRATE WAS ADOPTED BY THE JUDGE RYSKAMP UNDER FALSE PRETENCES ES AND PERJURY BASED ON THE FACT THAT THERE WAS OVERWHELMING GENUINE MATERIAL FACTUAL EVIDENCE OF DISPUTED FACTS SUBMITTED TO THE COURT DURING THE PROCEEDINGS AND THE ENFORCEMENT IN CONCERT WITH THE COURT DENIED THE DEFENDANT ANY EVIDENTIARY HEARINGS AS WELL AS BREECHED ITS OWN SETTLEMENT AGREEMENT . THE NON CONSENTED MAGISTRATE JUDGE REOPENED A CASE WITH OUT ANY NOTICE TO THE DEFENDANT, PLEASE PROVIDE THE ORDER FROM THE COURT AND THE NON CONSENTED= MAGISTRATE JUDGE THAT REOPENED THE CASE BASED ON THE PROPER PROCEDURAL EVENTS AND MOTIONS WITH JUST CAUSE FOR OPENING ONLY PART OF THE CASE AND THEN EFFECTIVELY DENYING THE DEFENDANT HIS JURY TRIAL BY HIS PEERS VIOLATING HIS CONSTITUTION RIGHTS AND REPUGNANT ALL JUDGMENTS AS VOID . THIS IS MATTER OF LAW.

The Commission initiated these proceedings for three reasons: (1) to determine whether the allegations set forth in the OIP are true; (2) to afford Imperato an opportunity to establish any defenses to such allegations; and (3) to determine what, if any, remedial action is appropriate in the public interest against Imperato pursuant to Section 15(b) of the Exchange Act. *Id.* at 2. As set forth below, the Division asserts that it is entitled to summary disposition against Imperato as a matter of law because it is beyond dispute that the aforementioned final judgment was entered and that remedial action against Imperato is appropriate in the public interest.

OPPOSITION

THE ENFORCEMENT IS NOT ENTITLED TO ANY SUMMARY DISPOSITION IN FACT THE ENFORCEMENT SHALL BE LIABLE FOR THE AGGRIEVED M PARTY FOR VIOLATING THE COURT RULES ,US LAWS AND CONSTITUTIONAL RIGHTS AS WELL AS NOT COMPLYING WITH A=THE ORDER OF THIS PROCEEDINGS

JUDGE ELLIOT'S SHOWING CAUSE ORDER. THE ORDER WAS CLEAR AND MUST MEET THE STANDARDS PERTAINING TO . THE ENFORCEMENT HAS NOT PROVIDED SUBSTANTIAL EVIDENCE WHICH WOULD ALLOW THEM THE SUMMARY DISPOSITION NOR ANY JUDGMENTS WITH OUT A TRAIL BY JURY BECAUSE THEY HAVE NOT ESTABLISHED ANY BURDEN OF PROOF AND HAVE NOT EVIDENCE WHAT SO EVER THAT IMPERATO HAS COMMITTED ANY VIOLATIONS ESPECIALLY TIER THREE PENALTIES WHICH REQUIRES SEVERE EVIDENCE OF SUCH CLAIMS. WITH OUT EVIDENTIARY HEARINGS AND PROCEEDINGS AS WELL AS CROSS EXAMINATION IN THE FRONT OF A JURY THE ENFORCEMENT IS NIT ENTITLED TO THE JUDGMENTS AS A MATTER OF LAW.

II. The Standard for Summary Disposition

Under Rule 250(b) of the Commission's Rules of Practice, a motion for summary disposition may be granted if there is no genuine issue as to any material fact and the party making the motion is entitled to summary disposition as a matter of law. 17 C.F.R. § 201.250(b). The facts of the pleadings of the party against whom the motion is made shall be taken as true, except as modified by stipulations or admissions made by that party, by uncontested affidavits, or by facts officially noticed pursuant to Rule 323 of the Commission's Rules of Practice. 17 C.F.R. § 201.250(a).

OPPOSITION

THERE HAS BEEN PLENTY OF MATERIAL FACTUAL EVIDENCE OF DISPUTED CLAIMS.

1. THE EDGAR FILING USED AS EVIDENCE E WS NOT FILED BY IMPERATO. IN FACT IN 2008 THE WELLS INTERVIEW STATES THAT THE CFO BRAD HACKER ELECTRONICALLY SINGED IMPERATO NAME AND HE VIOLATED E SIGN
A. THE ASSETS WERE AND ARE REAL AND THE CLAIMS OF SUCH NON EXISTING ASSETS AND FRAUD IS FRAUD AND PERJURY IN FRONT OF THE COURT .
2. THE ASSETS WERE VALUED IN ACCORDANCE WITH BDC RULE AND COMPARATIVE ANALYSIS AND THE SUBSIDIARIES COMPANIES DID EXIST BY PROOF OF THERE STATE OF FLORIDA FILINGS AS CORPORATIONS . SUBMITTED TO THE COURT ,AS WELL AS THE SUBSIDIARIES SOL SHARES UNDER THERE OWN PRIVATE PLACEMENT WHICH PLACES THE VALUES ON THE STOCK . EVIDENCED BY THE CONSOLIDATION AND FILING OF SUCH
A. THE EDGAR FILING USED AS EVIDENCE IS ONLY ONE AND ITS STATES THAT IMPERATO WAS INTERIM CEO WHICH WAS CORRECT DUE TO THE FACT THAT CHARES FASCINA AND JOHN CHAPLIC WERE FIRED BASED ON THERE INCOMPETENT ERRORS NOT FRAUD.
B. THE ORIGINAL EDGAR FILINGS AND ALL EDGAR FILINGS CONCERNING THE COMPANIES BALANCE SHEETS WERE COMPLETED BY THE CFO CHARLES FASCINA (SEE EDGAR FILINGS) THESE FILING WERE NOT FILED BY IMPERATO AND IMPERATO HAS OOOOO EDUCATION AS CPA OR ACCOUNTANTS TO DO SUCH FILINGS NOR DOES HE HAVE A EDGAR FILINGS NUMBER ,NOR DID HE EVER FILE AND EDGAR REPORT ON HIS OWN . THE REPORT STATE WAS FILED ILLEGALLY BY BRAD HACKER ,ALTHOUGH

THE ASSETS WERE REAL AND JUSTIFIED WITH FURTHER MATERIAL FACTS CONCERNING THE VALUATION EVIDENCED BY THE COMPARATIVE ANALYSIS OF THIRD PARTIES COMPANIES WHICH ESTABLISHED THE VALUES OF THE ASSETS ,AS WELL AS MIKE BANYANS REPORT CONCERNING THE TELECOM ASSETS AND THE 11,MM DOLLAR INVESTED PRIOR TO THE 2006 PERIOD .
C. THE SEARCH ENGINE AND PR PORTAL ARE VERIFIED BY PUBLIC DOCUMENTS AND WAY BACK MACHINES RAKINGS.

The Commission modeled Rule of Practice 250 on Rule 56 of the Federal Rules of Civil Procedure. *Kornman v. SEC*, 592 F.3d 173, 182 (D.C. Cir. 2010). By analogy to Rule 56, a factual dispute between the parties will not defeat a motion for summary disposition unless it is both genuine and material. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986). Once the moving party has carried its burden, “its opponent must do more than simply show that there is some metaphysical doubt as to the material facts.” *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574,586 (1986). The opposing party must set forth specific facts showing a genuine issue for a hearing and may not rest upon mere allegations or denials of its pleadings. *Id.* at 587.

The Commission has repeatedly upheld use of summary disposition in cases such as this, where the respondent has been enjoined or convicted and the sole determination concerns the appropriate sanction. *See Jeffrey L. Gibson*, Exchange Act Release No. 57266 (Feb. 4, 2008), 92 SEC Docket 2104, 2111-12 (collecting cases), *pet. denied*, 561 F.3d 548 (6th Cir. 2009). Under Commission precedent, the circumstances in which summary disposition in a follow-on proceeding involving fraud is not appropriate “will be rare.” *See John S. Brownson*, Exchange Act Release No. 46161 (July 3, 2002), 55 S.E.C. 1023, 1028 n.12.

III. The Facts are beyond Reasonable Dispute

A. Imperiali engaged in a fraudulent securities offering.

The ppm was exempt from registration and the 60 investors letters and genuine factual hard physical evidence submitted from 45 investors stated IMPERATO didn't contact them ,and the other were wrong address or dead persons unknown. A far cry from rappoport v sec. third tier proof of claims beyond a reasonable doubt.

On October 8, 2013, United States District Judge Kenneth L. Ryskamp entered an Order granting summary judgment against Imperato in *Securities and Exchange Commission v. Imperiali, Inc., et al.*, Civil Action Number 9:12-cv-80021-KLR, in the United States District Court for the Southern District of Florida. App. at 13; 15-16. Judge Ryskamp found the following facts: (1) Imperato engaged in a fraudulent scheme to lure investors to purchase securities issued by his company Imperiali, Inc. by “knowingly making blatantly false and deceptive material statements in press releases and Private Placement Memoranda” and Imperiali SEC filings [App. at 8]; (2) in the scheme, “Imperiali sold more than 2,362,500 shares of common stock to at least 26 investors in at least 18 states,” raising \$2,493,785 from at least November 2005 through at least August 2007 [App. at 2, 6, 39]; and (3) Defendant Imperato controlled Imperiali and received the majority of the stock-sale proceeds [App. at

2; 4-5].

OPPOSITION

1. THE FACTS ARE NOT BEYOND REASONABLE DISPUTE SINCE THEY HAVE NOT BEEN PROVEN AND NO EVIDENCE HAS BEEN PROVED OF SUCH, THE PRIVATE PLACEMENT DOCUMENT USED FROM THE COVERED PERSONS SELLING THE SECURITIES WERE BLUE SKIED AND PAID FOR BY THE COMPANY AND COMPLETED BY ITS LAWYER LAURA ANTHONY =WHICH IS REFLECTED BY HER BILLS AND PAYMENTS TO HER FIRM FOR THE FILINGS .

A. THE PRIVATE PLACEMENT USED TO SELL THE SECURITIES DID NOT EVEN HAVE ANY DISCLOSURE PERTAINING TO THE ASSETS OF SEVENTY= MILLION , THOSE ASSETS CAME AFTER THE FUNDS WERE RAISED AND INVESTED IN THE COMPANY SOMETIME AROUND FEBRUARY 2007 TO MY BEST KNOWLEDGE EVIDENCED BY EDGAR FILINGS .

B. THE FUNDS WERE RAISED NOT BASED ON THE ASSETS IN QUESTION BUT IN FACT AS A RESTART AND REENTRANCE TO THE MARKET OF AT THE 911 DISASTER WHICH WAS CLEARING DISCLOSURE IN THE DOCUMENTS.

2. THE ENFORCEMENTS DENIAL OF ANY EVIDENTIARY HEARINGS AND PREVIOUS SETTLEMENT AGREEMENT WHICH CAUSED THE DENIAL OF THE EVIDENTIARY HEARINGS BASED ON THE CASE BEING CLOSED WOULD HAVE PROVEN THE FACTUAL EVIDENCE OF DISPUTE AS GENUINE AND WILL PROVE THE ENFORCEMENTS CASE IS FALSE AND THEY HAVE OYO EVIDENCE OF THEIR CLAIMS .

A. WITH OUT A TRIAL G=BY JURY THE ENFORCEMENT HAS NOT AND CANNOT ESTABLISH ANY DETERMINATION OF GUILT .

B. The District Court permanently enjoined Imperato in November 2013.

On November 8, 2013, United States District Judge Kenneth L. Ryskamp entered a final judgment against Imperato, permanently enjoining him from future violations of Sections 5 and 17 of the Securities Act of 1933 ("Securities Act"), Sections 10(b), 13(a), 13(b)(2)(A), 13(b)(2)(B), 13(b)(5), and 15(a) of the Exchange Act, and Rules 10b-5, 12b-20, 13a-1, 13a-11, 13a-13, 13b2-1, 13b2-2, and 13a-14, thereunder, and Section 34(b) of the Investment Company Act of 1940, in the civil action entitled *Securities and Exchange Commission v. Imperiali, Inc., et al.*, Civil Action Number 9:12-cv-80021-KLR, in the United States District Court for the Southern District of Florida. A true and correct copy of the final judgment is filed herewith. App at 18-27.

OPPOSITION

1. THE JUDGE RYSKAMP DID NOT ENTER A FINAL JUDGMENTS AS PER THE STATEMENTS MADE. THE JUDGMENTS WAS ENTER BY RYSKAMP WAS ENTER ED UNDER FALSE PRETENSE AND PERJURY BY MC COLE. IN ADDITION TO THE FACT THAT THE JUDGMENTS STATES CLARY THAT THEY WERE ENTERED BASED ON THE ADOPTION OF AND ILLEGAL NON CONSENT MAGISTRATE RECOMMENDATION ORDER WITH OUT EVIDENTIARY HEARINGS AND GENUINE MATERIAL FACTUAL EVIDENCE OF DISPUTE SUBMITTED TO THE COURT AND IGNORED. RYSKAMP OWN ADMISSION SATED HE NEVER REVIEWED THE CASE HE ONLY WENT ON THE NON CONSENTED MAGISTRATES RECOMMENDATION WHICH MAKES THE JUDGMENTS VOID

SINCE THE LAW STATES THE MAGISTRATE HAS TO BE CONSENTED TO ENTER SUCH ,AS WELL AS A FINAL ORDER THAT TOOK AWAY DEFENDANTS JURY TRAIL AND VIOLATED HIS CONSTITUTIONAL RIGHTS AS WELL AS ENTER AND ORDER WITH FOOT NOTES STATING THE DEFENDANT HAS NO RIGHTS TO DISPUTE THE CLAIMS BUT ONLY THE AMOUNTS . THAT'S A FINAL ORDER AND THAT'S ILLEGAL WHEN NO CONSENT WAS AGREED TO BY BOTH PARTIES PER THE CLERK OF COURT.

A. STATEMENT THAT THERE WAS NO SETTLEMENT AGREEMENT WHICH IS FALSE.

B. STATEMENTS THAT IMPERATO NEVER COMPLIED WITH THE FINANCIAL INFORMATION IS FALSE.

C. STATEMENTS OF THE 60 PERSON IMPERATO CALLED THE REDUCED TO 26 PERSONS IS FALSE.

1. THE 60 PERSON LIST AND THE GENUINE MATERIAL FACTUAL EVIDENCE OF THE 30 LETTERS FILED WITH THE COURT THAT IMPERATO DID NOT CONTACT THESE PERSONS ,AS WELL AS THE 15 OTHER LETTERS OF THE PERSON WHO WERE THE CLIENTS OF FRED BIRKS WHICH WERE SUBMITTED TO THE COURT AS WELL AS SOME DOUBLE ENTRIES AND DEAD PERSONS AS WELL AS WRONG ADDRESS IS GENUINE MATERIAL FACTUAL EVIDENCE OF DISPUTED CLAIMS MADE BY THE ENFORCEMENT.

2. THE ENFORCEMENT HAS NOT PROVIDED ANY AFFIDAVITS FROM ANY THIRD PARTIES FROM THEIR LIST OF SO CALLED 60 INVESTORS . IMPERATO HAS PRODUCED AFFIDAVITS CONCERNING BOTH ISSUES THAT IMPERATO HAS NOT SOLD SECURITIES AS WELL AS THE COMPANY ASSETS WERE REAL AND VALUED IN ACCORDANCE WITH THE COMMISSIONS OWN RULES .

3. THE COMMISSION FAILED TO ORDER A CEASE AND DESIST IN 2007 AS WELL AS NEVER ENTERED AND (OIP) REQUIRED BY THEIR OWN RULES BECAUSE THERE WAS NP FRAUD.

4. THIS CASE WAS FILED AGAINST IMPERATO FOR OTHER REASONS AND THE SO CALLED FRAUD CAN NOT BE PROVEN AND HAS NOT BEEN PROVEN AND WILL NOT BE PROVEN IN FRONT A JURY TRAIL.

C. The District Court found that Imperato was a broker.

While engaged in the misconduct giving rise to the permanent injunction, Imperato was acting as a broker. Judge Ryskamp found that the "SEC has provided sufficient undisputed proof that Imperato was acting as a 'broker' in that he 'personally solicited investors [and] served as the 'closer' for the sales staff he hired, speaking directly with their sales leads to negotiate the stock price and complete the sale." App. at 10.

IV. Sanctions are Appropriate against Imperato under Exchange Act Section 15(b)

OPPOSITION

JUDGE RYSKAMP DIDN'T FIND ANY THING HE RELIED ON THE NON CONSENTED MAGISTRATES ILLEGAL SUMMARY JUDGMENTS AND RECOMMENDATIONS WITH OUT EVIDENTIARY HEARINGS AND GENUINE MATERIAL FACTUAL EVIDENCE OF DISPUTE.

OPPOSITION

I. IMPERATO NEVER ACTED AS A BROKER BUYING AND SELLING SECURITIES SINCE HE WAS A DIRECTORS AND OFFICER FROM 2005 TO LATE 2006 WHEN THE FUNDS WERE RAIDED.

A. THE CLAIMS MADE CONCERNING IMPERATO SELLING AS A BROKER ARE FALSE AND CANNOT BE PROVEN AND HAVE NOT BEEN PROVEN .

B. IMPERATO HAS NOT EVER BEEN PART OF ANY BROKER DEALER AND NEVER ACTED AS ANY SECURITIES DEALER ON BEHALF OF ANY BROKER DEALER.

C. THE COMMISSION HAS NOT AND CAN NOT PROVIDE SUBSTANTIAL EVIDENCE OF THEIR CLAIMS AND IMPERATO WAS NOT A SCIENTER OF ANY FRAUDULENT ACTS NOR WILLFUL, DECEITFUL OR WITH ANY INTENT TO VIOLATE ANY LAWS EVER.

Exchange Section 15(b)(6)(A) provides that the Commission may sanction any person who incurred a securities-related injunction if the person was associated with a broker at the time of the misconduct giving rise to the injunction and if it "is in the public interest." 15 U.S.C. 78o(b)(6)(A). The considerations that are relevant in making a public-interest determination include the following factors, among others:

[T]he egregiousness of the defendant's actions, the isolated or recurrent nature of the infraction, the degree of *scienter* involved, the sincerity of the defendant's assurances against future violations, the defendant's recognition of the wrongful nature of his conduct, and the likelihood that the defendant's occupation will present opportunities for future violations.

Steadman v. SEC, 603 F.2d 1126, 1140 (5th Cir. 1979), *aff'd on other grounds*, 450 U.S. 91 (1981).

Applying the *Steadman* factors to Imperato establishes that it is in the public interest to sanction him. His misconduct was egregious. He defrauded at least 26 investors of more than \$2.4million. His misconduct was not isolated, but occurred at least 26 times. Imperato acted with a high degree of *scienter*. Indeed, the District Court found that he deceived investors, not merely recklessly, but *knowingly*. Imperato has not recognized the wrongful nature of his conduct. On the contrary, he claims to be the blameless victim of a conspiracy. App. at 33. Finally, Imperato's occupation as an Imperiali associate will present opportunities for future violations. He admitted in the District Court case that he remains associated with Imperiali. App. at 28. For these reasons, it is in the public interest to sanction Imperato.

V. The Full Range of Bars Should Be Imposed against Imperato

OPPOSITION

IMPERATO DID NOT ACT IN ANY WILLFUL WRONG FULL ACT WITH ANY MIND SET TO DEFRAUD ANY ONE NOR DID ANY OF THE COMPANIES PERSONAL. IMPERATO LETTERS FROM THE 45 INVESTORS PROVE HE DIDN'T CALL THEM TO INVEST .

I. NO BARR'S ARE WARRANTED SINCE NO CRIME WAS COMMITTED AND NO CRIME HAS BEEN PROVEN BASED ON A LEGAL TRAIL BY JURY OF PEERS . THE BARR SHALL BE DENIED AS A MATTER OF LAW.

A. IMPERATO HAS NOT VIOLATED ANY LAWS AND SHALL NOT BE

SANCTIONED .

B. THE COMPANY IMPERIALI WAS NOT A PENNY STOCK AND NEVER WAS EFFECTIVE NOR DID IT EVER TRADE ONE SHARE.

C. THE COMPANY WAS IN A VOLUNTARY PHASE OF COMPLIANCE TO BECOME A PUBLIC COMPANY AND WAS RUN BY PROFESSIONALS CPA ,LAYERS AND WELL ESTABLISHED BY PERSONAL WHO WERE A= THE RESPONSIBLE PERSONS THE COMMISSION FOR ALL FILINGS AND REPORTING NOT IMPERATO. IMPERATO RELIED ON THE MANAGEMENT AND PROFESSIONAL FROM THE I=R EXPERTISE THAT U UNFORTUNATELY FELL SHORT WHEN IMPERATO CAME BACK IN AORI=UND SEPT 2007 TO ASSIST THE MESS CAUSED M=BY FISCINA AND CHAPLIC CONCERNING FILINGS WHICH IS EVIDENCED BY THE FILINGS AND THE HISTORY OF THE FILINGS AS WELL AS THE CORRESPONDENCES BY THE COMMISSION TO FISCINA .

D. THESE DOCUMENT HAVE BEEN REQUESTED UNDER DISCOVERY AND DENIED AS WELL AS NOW UNDER SUBPOENA A=OF WHICH THE ADMIN. PROCEEDING JUDGE C=SATES HE CANT NT ISSUED BASED ON A FEDERAL CASES .

E. UNTIL SUCH TIME THAT THE APPEALS COURT HANDS DONE THEIR DECISION AND THE DEFENDANT IS GIVEN HIS TRIAL BY JURY AS ORDER BY RYSKAMP IN THE LOWER COURT THEN THESE JUDGMENTS ARE VOID AS A MATTER OF LAW.

The Commission has authority under Exchange Act Section 15(b) to sanction persons, such as Imperato, who act as unregistered brokers. *See Edward J. Driving Hawk*, Initial Decision Release No. 399, n. 4 (July 7, 2010). The Division requests that Imperato be barred under the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank”), Pub. L. 111-203, H.R. 4173 (July 21, 2010), which modified Exchange Act Section 15(b)(6) [15 U.S.C. § 78o(b)(6)] to allow the Commission to bar a person from association with a broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization or from participating in an offering of penny stock. *See John W. Lawton*, Advisers Act Release No. 3513 at 8 (Dec. 13, 2012); *Omar Ali Rizvi*, Initial Decision Release No. 479 (Jan. 7, 2013) (penny-stock bar).

The Dodd-Frank bar provisions apply to Imperato even though they were enacted after his misconduct. *John W. Lawton*, Advisers Act Release No. 3513 at 16. (“[W]e find that collateral bars imposed pursuant to Section 925 of Dodd-Frank are not impermissibly retroactive as applied in follow-on proceedings addressing pre-Dodd-Frank conduct because such bars are prospective remedies whose purpose is to protect the investing public from future harm.”).As reflected above, the Commission has demonstrated that there is no reasonable dispute regarding Imperato’s fraudulent scheme, the District Court’s permanent injunction against him, his broker status at the time of the misconduct, or the public interest in sanctioning Imperato. The Division respectfully requests the Law Judge to impose the full collateral bar against him under Exchange Act Section 15(b)(6).

Respectfully submitted,

OPPOSITION

1. THE PERMANENT ION WOULD BE VIOLATING ONE RIGHTS PLACING THE DEFENDANT IN INVOLUNTARY SERVITUDE FOR THE REST OF HIS CAREER DENYING HM A RIGHT TO EARN WITH OUT ANY PROOF OF ANY CRIME AS

WELL WITH OUT EVIDENCE CONCERNING A TIER THREE PUNISHMENT THAT WAS ORDERED BY THE JUDGE ELLIOT AND REQUIRED BY LAW IN A COURT OF LAW IN FRONT A =OF A TRAIL BY JURY WHICH ONCE AGAIN VIOLATES THE CONSTITUTIONAL; RIGHTS OF THE DEFENDANT .

THE FINAL ORDERS SHINED BY RSYSKAMO WERE SIGNED BASED ON THE MAGISTRATE RECOMMENDATIONS ORDERS WHICH WITH OUT CONSENT ARE CLEAR VIOLATIONS OF LAW .

THE ENFORCEMENTS BREECH OF CONTACT AND THEIR OWN SETTLEMENT AGREEMENT SIGNED BY MC COLE AND THE ARBITRARILY DISREGARDED IS A DISGRACE TO THE COMMISSIONS OWN INTERNAL PROCEDURAL RULES DN THE OVERSIGHT COMMITTEE MUST INVESTIGATE SUCH ERRONEOUS ARBITRARY ACTIVES THAT TARNISH AND PIECE THE VERY HEART OF THE INTEGRITY OF THE COMMISSION AND ITS 5 MEMBER BOARD ,AS WELL AS SET A PRECEDENCE FOR THE FEDERAL COURT SYSTEM THAT THERE IS NO COURT RULE AND PROCEDURES AND THAT A TOTALITARIAN GOVERNMENT AGENT CONSPIRING WITH A NON CONSENTED MAGISTRATE JUDGE WHOM TAKEN AWAY THE DEFENDANTS RIGHTS IS JUST ABOUT CRIMINAL IN ITS OWN AND SHOULD BE INVESTIGATED BY THE OIG. AND THE JUSTICE DEPARTMENT.

2. THE DEFENDANT I HAS DEMANDED THE PROTECTION OF HIS GOVERNMENT CONCERNING THIS HEINOUS CONSPIRATOR FALSE CLAIMS MADE AGAINST HIM FOR OBLIVIOUS= OTHER MOTIVES WHICH WILL BE PROVEN ONLY BY A CRIMINAL INVESTIGATION AND A JURY TRAIL OF THE DEFENDANTS PEERS.

THE MAGISTRATE JUDGE ERRED IN ORDERING ANY RECOMMENDATION REPORTS WHEN GENUINE MATERIAL FACTUAL V=EVIDENCE OF DISPUTED CLAIMS EXISTED AS WELL AS THE LAWS AND COURT RULES STATING A MAGISTRATE JUDGE MUST BE CONSENTED BY BOTH PARTIES .

No consent no judgments NO recommendation NO evidentiary hearings = repugnant

PRAYER FOR RELIEF

THE DEFENDANT RESPECTFULLY REQUEST DENIAL OF ANY SUMMARY JUDGMENT AND REVERSAL OF ALL JUDGMENTS AS A MATTER OF LAW . THE DEFENDANT IS INNOCENT UNTIL PROVEN GUILTY IN FRONT OF A TRAIL BY JURY AS A MATTER OF LAW AND HE WAS DENIED .THESE JUDGMENTS ARE REPUGNANT TO THE UNTIED STATES CONSTITUTION AND SHALL BE VOID IN ACCORDANCE WITH THE SUPREME COURT RULES AND CONSTITUTIONAL LAWS. THE RESPONDENT PRAYS TO THIS COURT AND

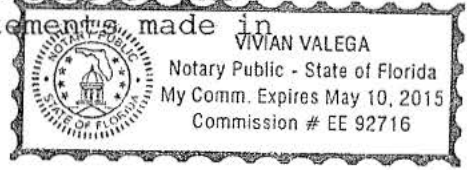
Judge Elliot to use his wisdom and knowledge of intellectual property and telecommunications infrastructure as well as matter of law , too delver a decision that is in complaint with the rules ,laws and court procedures as well as to protect the integrity of

the court and the member board s oversight and to show the fairness rule and equal justice acts are followed by the commission and this court proceedings by denying the use of abuse of power and reversing all judgments as a matter of law and principle that meets the standards of the brethren of this court proceedings and our founding fathers of the united states constitution set fourth and agreed to by this court and all its Judges.

Affidavit

My name is Daniel IMPERATO , I prepare this document [REDACTED]

I as best I could recollect and that I declare that to the best of my knowledge and belief, that the statements made in this document are true , correct and complete.



State of Florida
Palm beach county

Sworn to and subscribed before me the undersigned notary public , this 3rd day of ~~MARCH~~ 2013-2014

My commission expires 5-10-2015
personally known produces identification type FLDL
produced

[Signature]
Notary public

Document prepared by _____ march / 4 th /2014

Dr. Fr. Daniel Imperato , km, ssp, gm & ob pro se

[REDACTED]

[REDACTED]

Exhibits

Filed
DE 179

Exhibits (de 179)
In the united states district court
for the southern district of Florida
Securities and exchange commission,

Plaintiff civil action no.: 9:12-cv-80021

vs.

JUDGE KENNETH L. RYSKAMP

Daniel Imperato
Personally, and individually

OCT 17th 2013

defendant

Response brief
R dd 10/17/ 013

Violations of the united states constitution by
the united states government.

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Supplemental brief	p 1-12
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Citations of authority , rules

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and memorandums of law

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Rules 16.2 (f) 1,2 ,Cpl 280.10 (1),28 u.s.c.& 636 7
rules 10-(b)_5, rule 74-76 ,28usc&636 c(2) (6) (3),
rule 12 (b), rule 17 app.p.814,rule 72 title 28,37
(b)(a)(ii) (vii), rule 73.and 5th ammend rights
violated, hurtado v California

rule 77 p.271 see mcabe
fed magistrate act of (1979),16 harv. J legis
343,364- 79 (1979) usc 636(c) (1).

See rule 72 b(2), 73 (b) us v walters 638
f2d,947,6th cir.(1981).authorized by 28 usc 636 (c)
(b).

Rules 59 ,72 (b) (1) (2) (3) fed rule 27,24,4
writ of error.

See coram nobis (
ford v commonwealth 321 ky 718, 229.s.w.2d 470) and
Rule 72 b (2),

Rule 72 (b) 1

See rule 103,104,title 28 p 316 317,see old chief v
united states 519 us 172,182 ,n6 (1997),see
huddleston v united states 681,690 n 7 (1968), see
fed.r civ p. 72(a),usc &636 (b) (1), see wells v
shiner hospital 109 f 3d 198,00(4thcir.(1997),see
luce v united states 496,us 38 (1984)

see 15 usc &78 u.

See (faa) (9 usc a &let seq.),&(29u.sc. &141 et
seq.)

See clause 39 of magna carta

See 5th ammend. See Uurtado v California

See 14th ammend. (

Legality) provides for fair procedures

See amend. VI , VII and VIII, us const.

See 4th ammend. Unreasonable Search and seizure
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Page 63 (b) sec 10 a , and sec. 2 (41 (a) (b)
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sec. v first financial 23 ,bci rev,1529 (1981)

See (*woolmington v dpp* 1935 ac 462)

20(d) (1) of the Securities Act [15 U.S.C. §
77t(d) (1)] and 21(d) (3) (A) of the Exchange Act [15
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See (fca) ,31 usc &&3729-3733

and has liability for such See 3729 (a) && 3729
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see *tfws inc.v franchot ,572 f .3d 186.194(4th cir.*
2009)

See *Swanson v bank of America na,563 f*
3d.634,636(7th cir.2009).

See *eg may dept.stores v fed .ins.co ,305 f 3d*
597,599(7th cir.2002) and
united states .V Johnson ,187 f 3d 1129,1132, (9th
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Rule 60 (b) see *Quincy v Herman ,652 f .3d 116,120-*
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315,1317 (1st cir. (1992).

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(*frcp 12(b) (6) (b) (1), 6.6 frcp 12(b)*

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Rules 728 ,56 ect no evidentiary hearing

Rules 37(c) (1) *limine*

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b. adopting order 3 pages

c. Imperiali Fiscina /
Chaplic statements 8 pages

d. mersky esq. org. inc 3 pages

e. 10 ks 09 operating 2 pages

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- A 3. 1 CONNECT B PLAN
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- A 23.-24 ORDEN BONARIA 500 BB INFRASTRUCTURE WORLD
 WIDE REPRESENTED BY AND AUTHORIZED FOR IMPERIALI .

A. 25 LETTER SEC. NO MORE COMMENTS ON QS AND K S
dec 10 th 2010. DANIEL GORDON Branch chief

Exibits c-1 -2 complaint

F-1 -2 Fascina settlemnt

Last 4 pages Complaint file against IMPERATO Jan
11 2012. 2 years late with no notice of any
sort????????????

Started in 2005 .?????

Fascina cfo ,ceo chair cpa , settles on 9 20 2011
,before case is filed or notice given to any other
defedant and party in the case.????????

Motion SUPPLEMENT BRIEF response to vacate/strike and set aside (de 137) as error in adopting the SUMMARY JUDGMENT order based on the merits and case laws supplied to this court as well as other improper procedural rules not complied with that should not allow granting such an order. See rule 73, and 72 See rules (56) a, b and d (e), Rules 16.2 (f) 1,2 ,Cpl 280.10 (1),28 u.s.c.&636 7 rules 10-(b)_5, rule 74-76 ,28usc&636 c(2) (6) (3), rule 12 (b), rule 17 app.p.814,rule 72 title 28,37 (b)(a)(ii) (vii), rule 73. And 5th amendment rights violated

SUPPLEMENT BRIEF

The magistrate(not consented too) *rule 77 p.271 see mcabe fed magistrate act of (1979),16 harv. J legis 343,364- 79 (1979) usc 636(c)(1)*. recommendations order was erroneous and adopting order premature based on the responses for r r deadline was oct 15th 2013 de(137) not allowing for the final responses by the defendants timely and other. *See rule 72 b(2), 73 (b) us v walters 638 f2d,947,6th cir.(1981).authorized by 28 usc 636 (c) (b)*.
Rules 59 ,72 (b) (1) (2) (3) fed rule 27,24,4 writ of error.

Pertinent portions of the record denovo review ripe for adjudications is not possible based on the error and premature order adopting the recommendations from the same magistrate order that closed the case and reopen as as error. *See coram nobis (ford v commonwealth 321 ky 718, 229.s.w.2d 470) and Rule 72 b (2), (de 126) (de 164) (de 162)*

In addition Plaintiff failed to respond to defendants responses (109,110,111,112,113,116,117,118,119,120,21,) (vol.I II II)to the may 6th 013 (de 107)motion for summary judgments. (de 127)

THE PLAINTIFF DEFAULTED ON SCHEDULE ORDER AND CASE SHOULD HAVE BEEN DISMISSED .PLAINTIFF GOT EXTENSION AFTER 90 DAYS LATE ON ERRONEOUS EXCUSE THAT THE JUDGES ORDERS WERE ERRONEOUS..(DE 26) (de 162))
PLAINTIFF DEFAULTED ON PRETRIAL CONFERENCE AND OTHER AND GOT PARDONED BY EXCUSES OF ERRONEOUS

ERRORS (DE 151)

PLAINTIFF REOPEN CASE ON ERRONEOUS EXCUSE THAT THE COURT FOUND IMPERATO UNREASONABLE FOR THINKING CASE WAS CLOSED ,WHEN IN FACT NO RESPONSES OR OBJECTIONS CAME FROM THE PLAINTIFF. (de 101) & (De 104) (de 133) PLAINTIFF SAID IS WAS EFC ERROR ,CLERK SAID IT WAS A CUT AND PASTE ERROR AND NOW PLAINTIFF MOVES THE COURT 5 MONTHS LATER ON (DE 0 TIME BARRED AND DATED BACK TO (DE 137) (de 104) MAY 6TH DENYING ALL DEFENDANTS MOTIONS AND MOOTING THEM AND SKIPPING ALL SCHEDULES ORDERS BASED ON THE CASE BEING CLOSED ,BUT YET NOW ITS REOPENED.(de 158)

THE MAGISTRATE ORDER OF OPENING ON AUG. 28TH 2013 , defendant HAS NO WRITTEN ORDER OR MOTION NOR HAS THE DEFENDANT EVER BEEN ORDERED BY THE COURT OR NOTICED BY THE COURT THAT THE CASE IS REOPENED. DEFENDANT ASKED FOR EMERGENCY HEARING FOR CLARIFICATION (de 123)AND WAS DENIED . (de 124, (de 157), (de 165), (de (166)

SUMMARY JUDGMENT MOTION RECOMMENDATION BY MAGISTRATE WAS DATED BACK TO MAY 6TH 2031 WITH OUT HEARING DEFENDANTS MOTIONS. DEFENDANT WENT TO RESPOND TO SUMMARY JUDGE RECOMMENDATIONS AND THEN WAS SHUT OFF EARLY AND SENT A ADOPTING ORDER WITH OUT ANY HEARINGS OR PROCEEDINGS (DE 163) AND BY NOT HEARING ALL PREVIOUS MOTIONS AND THE RESPONSE DEADLINE OF THE PREVIOUS RECOMMENDATION ORDER. DENYING THE DEFENDANT DUE PROCESS OF LAW.

See *Hurtado v california* (de 147)

MAGISTRATE BARRED DEFENDANT FROM CONTESTING THE AMOUNT THE CLAIMS BUT ALLOWED FOR CONTEST(de 163 page 2 foot 1 and 2) OF AMOUNTS. ANOTHER WORDS I MUST PAY FOR SOMETHING I AM INNOCENT OF AND HAVE HADE NO HEARINGS or proceedings to allow for my defenses and disputed material facts to be heard IN COURT OF LAW WITH A JUDGE. Defendant had one(see **transcript vol. I ii ii hearing only 15 minutes (de 61) & (de 111,112,113), volumes I II III , (de 145), (de 147).**

The defendant has had no hearings on any of the motions filed since the closed of the case march 14th 2013. (de 104) &(de 101)

Violating **Rule 72 (b) 1** the district judge must consider only timely objections .CASE CLOSED MARCH

14TH 2013 with NO OBJECTIONS BY PLAINTIFF SAME for THE MAGISTRATE RECOMMENDATIONS ON JAN 14TH 2013 NO OBJECTIONS . *See rule 103,104,title 28 p 316 317,see old chief v united states 519 us 172,182 ,n6 (1997),see huddleston v united states 681,690 n 7 (1968), see fed.r civ p. 72(a),usc &636 (b) (1), see wells v shiner hospital 109 f 3d 198,00(4thcir.(1997),see luce v united states 496,us 38 (1984) (no responses) plaintiff may not therefore after assign as error a defect.*

FORFEITS THE PLAINTIFF RIGHTS *see 15 usc &78 u.*

The settlement agreement contract has been breeched and with drawn by plaintiff after the agreement settlement was agreed which is breech of contract . (*on what merits and probable cause allow such breech*) ? (*de 158*)

The court jurisdiction (*de 141*) has been forfeited based on the breech of contract by the plaintiff .

The defendant filed for appellate court review under a writ of error. Motions denied as moot. (*de 141*)

The defendant honored the settlement agreement by filing all required documents ,plaintiff negated it. Defendant to the best of his ability and sent them required financials pre paid ups by Tina justice . *See (de111)* and filed with the court. Plaintiff dealt in bad faith and never intended to settle with erroneous excuse that I didn't follow rule 7.1(c). When it was stated there was an error in efc system and or clear stated cut and paste error. ERROR . Not 7.1 c *See attached exhibits (de 151), (156) plaintiff moved to strike (de 135)* containing factual physical evidence of dispute material facts concerning the claims against defendant. (*de 111,112,113*) .

No further motions by plaintiff or formal requests were entered in the dockets for more financial information or for any default by defendant for not complying with **rule 7.1** .

The defendant was in the mind set that the case was settlement and closed based on the full compliance by the defendant IMPERATO only.

Defendant requested an emergency hearing (*de 123*), (*133*) as well as a motion for clarification and

was denied as moot. (de 124) (de 137)

The defendant filed several responsive motions with case laws after oct 2nd, (de 148) was INITIAL response not FINAL response. (r r objections due date are 10/15/2013. (de 137)

a. Making the adopting order premature with out any hearings.

b. defendant has no consent form for a magistrate judge to rule and hear proceedings, has been filed or agreed to by defendant (**rule 73**), all pleadings, hearing held by the magistrate with himself and no others in attendance.

This is a HUNG pre trail and (jury trial) by way of the magistrate not consented to and acting's as the magistrate and the jury and sometime the Judge himself. Rule 12

Defendant filed 13 plus More motions after oct 2nd 2013 with additional material factual evidences of genuine dispute and filed more after oct 8th (de 163) were filed and now Moot with not one hearing. (de 163) (de 104) (de 131).

Motions for appellate review concerning the negligence concerning the case being closed march 14th 2013 and the erroneously opened by and email not service properly on aug 28th 2013.

Motion for arbitration as well as appointment of legal consul denied as moot after the oct 2nd 2013. **See (faa) (9 usc a & 1st seq.), & (29u.sc. & 141 et seq.)**

With no court order notice of re open to the defendant and then denial of emergency motion for hearing on the matter in front of Senior Judge Ryskamp. Defendants motion denied .

1. Violations of due process of law

Hurtado v California, **See clause 39 of magna carta**
See 5th ammend.

See 14th ammend. (Legality) provides for fair procedures

a. The plaintiff violated 34 40 acts.

Defendant never received any compensation or commission from any investors investments

Page 63 (b) sec 10 a, and sec. 2 (41 (a) (b)

Sec. 9 (f) 1,2,3, (a) (b), 4 (a) (b) I,ii,ii,(c)

The plaintiff and The magistrate judge Hopkins had no hearings or proceedings that established any

proof of any of the plaintiffs claims. No penalties should be imposed unless claimed against the insurance company after proper hearings and jury trial with consul and a due process of law. Please provide the times and dates of the hearings and proceedings in front of SENIOR JUDGE RYSKAMP concerning the proof of the plaintiff allegations . No final judgment is permissible by law with out proper proceedings and hearings of all motions. **Rule 16. Due process of law violated all dates cancelled (de) 104 ,105) Only one hearing (de 147) for fifteen minutes by phone. Rule 72,(1) (2) (3), and rule 59 ,72 b (1) (2) (3)**

Response to page 2 b and c , please establish the case laws sites for the foot notes 1,2, no case law is sites denying defeant imperato a contestance .

2. The plaintiff has not established ill begotten gains. **Sec. 9(d) (1) A ,b (6)c.** Defendant never received any compensation or commission from any investors investments. Please provide the defendant with the proceedings and hearing dates that took place in front of the SENIOR JUDGE RYSKAMP ,require by law to prove beyond a reasonable doubt the defendant is guilty of any violations of the security exchange commissions rules and regulations that would allow for any money damages above any amount in dollars must be proven by the commissions own rules.
(Disgorgement 1)

b. The amount of disgorgement to be paid by Defendants, and which Defendants should be held jointly or severally liable for such *disgorgement* ;1 no disgorgement should be imposed no penalties should be imposed unless claimed against the insurance company after proper hearings and jury trial with consul and a due process of law.

The rule states the commission must establish that the defendant received ill begotten gains with will full intent to deceit and can only disgorged

those proven amounts. See exhibits sec. rules 34 40 acts of a bdc designation. See exhibits and sec. Rupert email assisting the company with removal of bdc and other. With no cease and desist since 2007 or until the dec. 10th 2010 sec. document with no more questions . See attached exhibits. **Bdc rules sec. 9 (f) 9 (1,2)**

There has been no proceedings or hearings so no amount over any dollars in any form of final judgment permissible by law with out proof of the will full intent to deceive and that the defendant received any ill begotten gains. The commission has not proven(de) burden of proof their allegations the defendant conspired to carry out a securities fraud scheme because the defendant did not do such and provide physical evidence and sworn affidavits proving such but they have been unacknowledged.

The commission has not proven that the company was a shell and cannot proof such a bogus claim against the defendants and that we had ooo assets(shell)(see exhibits attached (IMPOSSIBLE unrealistic and false claims by plaintiff) because that's is factually and physically impossible as a matter of irs audits and books and records submitted to this court. See original response to complaint and exhibits as well as rr to (de) , physical evidence...(original responses (de 16, 20, 21, 22,23,24,25,,26)and responses to summary judgments motion de (107) response in vol. ii iii ,may 2013. (De 111,112,113,116,117,118,118,119,120,121) these motions have never been heard in front of a Judge Ryskamp or responded to adequately by the plaintiff. The defendant did not grossly exaggerate any values and has presented written valuation (de)original responses) has full and exhibits attached partial, documents and proof of such assets were existing and valued properly. **See bdc rule 34 40 act** , allows management to arbitrarily value assets with valuation methods of (deal sense software with comparative analysis valuation by management.) see valuation documents(original response to complaint) no mutual consent signed by defendant for magistrate and no

proceedings have been heard in the court.
(de 111,112,113,116,117,118,118,119,120,121) and (de
) (vol I ii iii)

The plaintiff failed to order cease and desist with cure and request for third party independent valuation report.

The plaintiff case laws are invalid because the physical evidence over rules all evidences as well as the claims were and are false, and will be appealed if any such final judgment is entered.

On Physical evidence of disputed material facts as well as sec. rules and the fact defendant had no hearings or proceedings to allow for his defense and has been denied consul prior to entering adopting order .(de 163) should be moot. Defendant should have a right to jury trial as agreed by this court and by law. **Denying writ of habeas corpus**
See us const. VII , VI with rights to attorney.

Hurtado v california

Response page 2 c no case law is cited for foot notes 1,2 denying writ of habeas corpus see us const.....

3. Standard of proof

sec. v first financial 23 ,bci rev,1529 (1981)

The plaintiff has not established the burden of proof. **See (woolmington v dpp 1935 ac 462)**

a. Whether Defendants Imperato, Imperiali, and O'Donell should be permanently enjoined under Securities Act Section 20(b) [15 U.S.C. §77t(b)], Exchange Act Section 21(d) [15 U.S.C. §78u(d)(1)], and Investment Company Act Section 42(d) [15 U.S.C. §80a-41(d)], and the scope of such an injunction; NO ENJOINMENT AGAINST IMPERATO no penalties should be imposed unless claimed against the insurance company after proper hearings and jury trial with consul and due process of law. Violation of 5th amendment rights of defendant. See sec (10 0(5) 9 (e) (9) (b).1,2,3. Please provide the defendant with the proceedings and hearings SENIOR JUDGE RYSKAMP require by law to prove beyond a reasonable doubt the defendant is guilty of any violations of the security exchange commissions rules and regulations.

There has been no consent and no proceedings or hearings in front of Judge Ryskamp in this court so no or civil penalties is permissible by law. (*Civil penalties 2*)

c. The amount of civil penalties to be imposed on Defendants under Sections *20(d)(1) of the Securities Act [15 U.S.C. § 77t(d)(1)] and 21(d)(3)(A) of the Exchange Act [15 U.S.C. § 78u(d)(3)(A)]*, and which Defendants should be held jointly or severally liable for such *civil penalties*;² and NONE should be imposed no penalties should be imposed unless claimed against the insurance company after proper hearings and jury trial with consul and due process of law. There has been no proceedings or hearings in front of Judge Ryskamp in the court so no officer and director bar is permissible in any form of final judgment concerning counts one to counts seventeen shot gunned at the defendant by the commission with no proceedings or hearings and no regard for due process of law .

d. Whether an officer-and-director bar should be imposed against Defendant Imperato NO BAR should be imposed with out due process of law.

Defendant notices this court and the plaintiff reserving the right to an appeal any and all final judgment orders if any follow .

Worcester v Georgia 31 us 515 (1832)

Defendant Imperato is being falsely accused and has violated no such laws and denies all the claims in the plaintiffs complaint.

See (fca) ,31 usc &&3729-3733 and has liability for

suchSee 3729 (a) && 3729 (a) (1) (A) (b) ,

violation of 18 usc & 241 and fraud

Tort see garret v taylor

Misrepresentation see Gordon v selico (1986)18 hlr 219

With out due process of law by any means.

Final judgment against IMPERATO shall be not money damages and no civil complaint violations as well as no officer director bar based on the merits ,facts and case laws presented to this court. The overwhelming preponderance of physical material

genuine disputed facts and evidence submitted by the defendant that is a genuine dispute should vacate the summary Judgment by law. **ARTICLE I. GENERAL PROVISIONS** Rule 101. Scope; Definitions **ARTICLE I. GENERAL** Rule 102. Purpose Rule 103. Rulings on Evidence Rule 805. Hearsay Within Hearsay **ARTICLE X. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS** Rule 1001. Definitions That Apply to This Article

Response and respect of the magistrates order (*denying defendants rights of habeas corpus*) adopted by the Judge Ryskamp (*de 163*) foot notes 1,2 see page *magistrate is not consented too (the foot note have not sited any case laws or rule)* as well as has stated that defendant can't contest the claims but only the amounts even after no hearings and proceedings , no rulings in front of a judge on the matters in a court as well as clear violations of court procedures by both the magistrate and the plaintiff. Should negate these magisterial recommendations and orders after the case was closed , with no objects by the plaintiff.

In order to hear new proceedings, rulings and new motions on the closed case , a new case must be filed as a matter of law. (*de 101*) (*de 104*)

The defendant IMPERATO is a understanding honorable man and realizes that mismanagement occurred(by professional and legal management not by fraud and not by IMPERATO) and that there is an insurance polices for such.

Imperato believes the insurance company must provide consul and the court has denied defendants rights to consul. Defendant requires time to allow to obtain consul from the insurance company do to the suspire attack on defendant re opening case and IMPERATO must have a trial with consul provided by the insurance company as a matter of due process of law. See exhibits and (*de132*) and (*de 61*) (*de*)

In light of the fact that IMPERATO is a humanitarian and defends justice every all day and is a public figure as well as grand prior ,papal knight and other . See (*de159*)

Imperato recommends that the consider the defendants insolvent financial situation at

present.

Error excuse y plaintiff (*case closed, de 101 ,104*) is Clearly erroneous in error contrary to law. The clerk said the person who wrote closing order cut and paste it. The plaintiff said it was a efc error and the defendant complied with the contract as per agreement at mediation de (142), (de139). See *fed.civ.p. 72(a) 28usc:usc &636(b)(1) (a).see tfws inc.v franchot ,572 f .3d 186.194(4th cir.2009)See Swanson v bank of america na,563 f 3d.634,636(7th cir.2009).See eg may dept.stores v fed .ins.co ,305 f 3d 597,599(7th cir.2002) and united states . V johnson ,187 f 3d 1129,1132, (9th cir.1999).Rule 60 (b) see quincy v herman ,652 f .3d 116,120-21(1st circ.2011)Valley citizens for save envt v aldrige ,969 f 2d,1315,1317 (1st cir. (1992).See 10 (b) -5 sec rule .*

The defendant motions this court to enforce the settlement agreement under dispute by the plaintiff referring the disputed argument to another jurisdiction and jurisdiction will change based on the plaintiffs default 16.2 (f)(de) violation and non response to defendants motions on may 29th and other (de) (vol. iii). The fact that the plaintiff received tax returns of the years in question showing the max. amount defendant earned was 500,000 dollars in the 4 years of question . Defendant never received any direct compensation or commission from any investors investments.

The defendant has a right to be paid for his service (see exhibits attached tax returns) as a business development founder ,shareholder s and debt holder against the company .

In light of said facts that the defendant did not receive commission payments from the companies or salary with withdrawal tax as other personal were paid by payroll . Negates jurisdiction and (will full deceit with paid commission for selling securities IMPERATO received oooo commissions) defendant did sell securities see (de 111,112 ,113) signed letters from the shareholder in question

of limitations, 5 years max. 3-5 see exhibits attached ()
started in 2005.

In light of said facts the defendant is willing to share and attach the proceeds from the ins. Policies after a fair jury trial or other agreed to by the insurance company .(de 132)

Those proceeds could pay back the shareholders as well as the , court costs and other.

Any judgment against IMPERATO would interfere , have adverse effects contrary to protecting public interest (*the investors*) and not allow the defendant to pursue legal claims against the ins. Co .which was presented as a jionder and declined by the plaintiff (de 60) , (de 86) , (de 132,131) .

The defendants wife child is being held from her against Florida law H.B. 1355 and against child rights. This case and judgment will seriously effect the child and the mother (my wife and step son) ever seeing her child stated in the interview with guardian defaming defendant and stating this case 6 months prior . De(111,-113) (vol.iii) see exhibit . Being used against defendant in custody case de ()

This is against the others interest as well as the publics.

Please provide defendant probable cause for the breech of contract based on financial disclosure , when the defendant is worst off today then in oct. as well as far worst off then in 2008 at voluntary interview. SEE EXHIBITS ATTACHED , **SEE RULE 19 6.7 12 (B) (6) 12, (B) 6**).

PRAYER FOR RELIEF

Your honor please have mercy on me , I am innocent man and a victim of a crime not part of it my reputation proves such as well as my honors and good name world wide.

Document prepared by _____ OCT / 17 /2013

Dr. Fr. Daniel Imperato , km,ssp,qm &ob pro se

Affidavit

My name is Daniel Imperato ,I prepared this document I

I as best I could recollect and that I declare that to the best of my knowledge and belief, that the statements made in this document are true ,correct and complete. As well as all my previous pleading ,filings statements and exhibits that are filed with this court.

Defendant is handicapped, confused and distraught and has been seriously affected and damaged by the reopening of this case.

The defendant is insolvent and any final judgment would destroy his ability to earn as well as his ability to get work to pay for any judgment or disgorgement which is inequitable and unwarranted based on the merits of violations of court procedures and due process of law.

State of Florida

Palm beach county


Sworn to and subscribed before me the undersigned notary public ,this _____ day of _____ . 2013

My commission expires

_____ personally known _____ produces identification type produced _____

Notary public

[REDACTED]


Index see pages 1-

Exhibits - 121 pages AND PAGES A 1 - A-24 and c-1-
2 f-1-2

See attached.

Transaction was entered by McCole, Timothy on 5/6/2013 at 10:00 AM on 5/6/2013

Name: Securities and Exchange Commission
Case Number: 9:12-cv-80021-KLR
Filer: Securities and Exchange Commission

WARNING: CASE CLOSED on 03/14/2013

Document Number: 105

Docket Text:

MOTION for Summary Judgment and Memorandum of Law in Securities and Exchange Commission. Responses due by 5/23/2013 (Attachments: # (1) Statement of Facts, # (2) Appendix 001-083, # (3) Appendix 084-134, # (4) Appendix 135-208, # (5) Appendix 209-221, # (6) Appendix 222-244, # (7) Appendix 245-264, # (8) Appendix 265-290, # (9) Appendix 291-312, # (10) Appendix 313-322, # (11) Appendix 323-342, # (12) Appendix 345-357, # (13) Appendix 358-376)(McCole, Timothy)

9:12-cv-80021-KLR Notice has been electronically mailed to:



9:12-cv-80021-KLR Notice has not been delivered electronically to [redacted] and will be provided by other means. For further assistance, please contact our Help Desk at [redacted]

Daniel Imperato
[redacted]

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1105629215 [Date=5/6/2013] [FileNumber=11304354-0] [6bfb22b52de9001b1650da72a3615078a9b66d98edce941c72a357a2de40b1be8655f51d95cea095b13c168d06a303909e2e56b1852cb0d05385a343676]]

Document description: Statement of Facts

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1105629215 [Date=5/6/2013] [FileNumber=11304354-1] [517dc5fd18eafa5f6e2c97be2a7de128a61d71517583e772495d50e9fa6ea3a52eb1924b26d24b1282a4a45c8399957791d972c35876498c2c014d0668a50cc0]]

Document description: Appendix 001-083

Original filename: n/a

Electronic document

[STAMP dcecfStamp_ID=1105629215 [Date=5/6/2013] [FileNumber=11304354-2] [891267f8735d7db6cd4904ce2243676b7b7e2599b3a00924041]]

Document description:

Exhibits
OP Pages 1-78

Consent Sought by McCole
Then VACATE & Breached

statement, application, report, account, record, or other document filed or transmitted pursuant to the Investment Company Act.

X.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that pursuant to Section 20(e) of the Securities Act [15 U.S.C. § 77t(e)] and Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant is prohibited from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

Tim McCole Esc.

XI.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disbursement of \$ ~~500,000~~^{75M} representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$106,412.31, for a total of \$606,412.31. ^{75M} Based on Defendant's sworn representations in his Statement of Financial Condition as of September 28, 2012, and other documents and information submitted to the Commission, however, the Court is not ordering Defendant to pay a civil penalty and payment of all of the disgorgement and pre-judgment interest thereon is waived. ^{75M} The determination not to impose a civil penalty and to waive payment of all of the disgorgement and pre-judgment interest is contingent upon the accuracy and completeness of Defendant's Statement of Financial Condition. If at any time following the entry of this Final Judgment the Commission obtains information indicating that Defendant's representations to the Commission concerning his assets, income, liabilities, or net worth were fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made, the Commission may, at its sole

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Witnessed by: A. Henry
Harvey Henry, Court



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
BURNETT PLAZA, SUITE 1900
801 CHERRY STREET, UNIT #18
FORT WORTH, TEXAS 76102-6882
PHONE: (817) 978-3821 FAX: (817) 978-2700

October 15, 2012

VIA UPS: 1ZA3781XA294311189

Daniel Imperato
Imperiali, Inc.
c/o Daniel Imperato, Registered Agent
[REDACTED]

Re: Return of Imperato Tax Returns
SEC v. Imperiali, Inc. et al.
Civil Action No.: 9:12-cv-80021, USDC SD Fla.

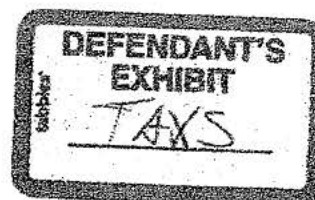
Dear Mr. Imperato:

Enclosed are your original 2006, 2007 Amended, and 2008 through 2010 Tax Returns you provided Timothy McCole at the Court hearing on October 11, 2012.

Please contact Timothy McCole with any questions at 817.978.6453 or via email at McColeT@sec.gov.

Sincerely,

Tina Justice
Trial Paralegal



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Charles Fiscina

Defendant

Lawrence A O'Donnell

Date Filed	#	Docket Text
01/09/2012	<u>1</u>	COMPLAINT against All Defendants. Filing fee \$ 350.00. USA Filer - No Filing Fee Required, filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(Brandt, Jennifer) (Entered: 01/09/2012)
01/09/2012	<u>2</u>	Judge Assignment to Senior Judge Kenneth L. Ryskamp (yha) (Entered: 01/10/2012)
01/10/2012	<u>3</u>	NOTICE of Attorney Appearance by Timothy S. McCole on behalf of Securities and Exchange Commission (McCole, Timothy) (Entered: 01/10/2012)
01/10/2012	<u>4</u>	Corrected NOTICE of Attorney Appearance by Timothy S. McCole on behalf of Securities and Exchange Commission (McCole, Timothy) Modified Text on 1/11/2012 (ls). (Entered: 01/10/2012)
01/10/2012	<u>5</u>	NOTICE of Filing Proposed Summons(es) by Securities and Exchange Commission re <u>1</u> Complaint filed by Securities and Exchange Commission (Attachments: # <u>1</u> Summon(s), # <u>2</u> Summon(s), # <u>3</u> Summon(s), # <u>4</u> Summon(s))(McCole, Timothy) (Entered: 01/10/2012)
01/11/2012	<u>6</u>	Summons Issued as to Imperiali, Inc.. (ls) (Entered: 01/11/2012)
01/11/2012	<u>7</u>	Summons Issued as to Daniel Imperato. (ls) (Entered: 01/11/2012)
01/11/2012	<u>8</u>	Summons Issued as to Charles Fiscina. (ls) (Entered: 01/11/2012)
01/11/2012	<u>9</u>	Summons Issued as to Lawrence A O'Donnell. (ls) (Entered: 01/11/2012)
01/12/2012	<u>10</u>	ORDER of Pretrial Procedures. Signed by Senior Judge Kenneth L. Ryskamp on 1/12/2012. (asl) (Entered: 01/12/2012)
01/18/2012	<u>11</u>	Unopposed MOTION for Judgment <i>as to Defendant Charles Fiscina</i> by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A Fiscina Consent, # <u>2</u> Text of Proposed Order)(McCole, Timothy) (Entered: 01/18/2012)
01/18/2012	<u>12</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint by Securities and Exchange Commission. Daniel Imperato served on 1/11/2012, answer due 2/1/2012. (McCole, Timothy) (Entered: 01/18/2012)
01/18/2012	<u>13</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint by Securities and Exchange Commission. Imperiali, Inc. served on 1/11/2012, answer due 2/1/2012. (McCole, Timothy) (Entered: 01/18/2012)

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1/8/2012	<u>14</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint by Securities and Exchange Commission. Lawrence A O'Donnell served on 1/11/2012, answer due 2/1/2012. (McCole, Timothy) (Entered: 01/18/2012)
01/20/2012	<u>15</u>	MOTION for Extension of Time to File Answer/Answer to Complaint and Response, Request and Amended Request Re: <u>1</u> Complaint by Daniel Imperato. (ar2) (Entered: 01/23/2012)
01/23/2012	<u>16</u>	ANSWER to Complaint and Response by Daniel Imperato.(ar2) (Entered: 01/23/2012)
01/24/2012	<u>17</u>	FINAL JUDGMENT as to Defendant Charles Fiscina; re <u>11</u> Motion for Judgment. Signed by Senior Judge Kenneth L. Ryskamp on 1/24/2012. (asl) Modified on 1/25/2012: image restricted - see correct image at DE# <u>18</u> (wc). (Entered: 01/25/2012)
01/25/2012	<u>18</u>	Clerks Notice of Docket Correction re <u>17</u> Order on Motion for Judgment. Document Restricted Due to Error ; The correct document has been attached to this notice. (wc) (Entered: 01/25/2012)
01/25/2012	<u>19</u>	ORDER of Reference to Magistrate Judge Ann E. Vitunac for Pretrial Proceedings. Signed by Senior Judge Kenneth L. Ryskamp on 1/25/2012. (asl) (Entered: 01/25/2012)
01/26/2012	<u>20</u>	ANSWERS to Complaint and Exhibits with Jury Demand by Daniel Imperato, Imperiali, Inc.(ar2) (Main Document <u>20</u> replaced on 2/3/2012) (dj). (Additional attachment(s) added on 2/3/2012: # <u>1</u> Appendix, # <u>2</u> Appendix, # <u>3</u> Appendix, # <u>4</u> Appendix, # <u>5</u> Appendix) (dj). (Entered: 01/26/2012)
01/26/2012	<u>21</u>	SUPPLEMENT to <u>20</u> Answers to Complaint and Exhibits by Daniel Imperato, Imperiali, Inc. (ar2) (Entered: 01/26/2012)
01/27/2012	<u>22</u>	ANSWER to Complaint and 2nd Exhibits by Daniel Imperato, Imperiali, Inc. (Attachments: # <u>1</u> Exhibits)(ar2) (Entered: 01/27/2012)
01/30/2012	<u>23</u>	ANSWER to Complaint and 3rd Exhibits by Daniel Imperato, Imperiali, Inc..(jua) (Entered: 01/30/2012)
01/30/2012	<u>24</u>	ANSWER to Complaint and 4th Exhibits by Daniel Imperato, Imperiali, Inc.. (Attachments: # <u>1</u> Exhibit Continued)(jua) (Entered: 01/30/2012)
01/31/2012	<u>25</u>	ANSWERS to Complaint and 5th Exhibits by Daniel Imperato, Imperiali, Inc.(ar2) (Entered: 01/31/2012)
05/10/2012	<u>26</u>	MOTION for Summary Judgment (Responses due by 5/29/2012), MOTION to Dismiss <u>1</u> Complaint by Daniel Imperato, Imperiali, Inc. (jua) (Entered: 05/10/2012)
05/22/2012	<u>27</u>	MOTION for Extension of Time to Confer and File Scheduling Report and Joint Proposed Scheduling Order re <u>10</u> Pretrial Order by Securities and Exchange Commission. Responses due by 6/8/2012 (Attachments: # <u>1</u> Exhibit A Email to Defendant's, # <u>2</u> Exhibit B Imperato Email, # <u>3</u>

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06/19/2012	<u>68</u>	MOTION for a Court Order by Honorable Judge Hopkins to Order and Immediate Trial by Daniel Imperato. (jua) (Entered: 06/20/2012)
06/19/2012	<u>69</u>	OBJECTION to 28 ORDER granting <u>27</u> Motion for 20-day Extension of Time by Daniel Imperato. (jua) (Entered: 06/20/2012)
06/19/2012	<u>70</u>	MOTION for the Request to Produce the Documents Requested by the Defendant Never Responded to by the Plaintiff to Deliver to Defendant With in the 20 Days Granted and Other by Daniel Imperato. (See DE <u>69</u> for image) (jua) (Entered: 06/20/2012)
06/19/2012	<u>71</u>	EMERGENCY MOTION to Transfer the 15, 16, 18, 20, 21, 22, 23, 24, 25 Dockets to My Name Personally as My Personal and Individual Motions/Pleading Responses to the Complaint, MOTION to Order the Commission to Answer Each and Every One of My Motion/Pleading Responses One at a Time, so This Court and the Judge can Stand on and Rule on Each Motion/Pleading Response on Their Individual Merits (Responses due by 7/6/2012) by Daniel Imperato. (jua) (Entered: 06/20/2012)
06/19/2012	<u>72</u>	MOTION for Summary Judgment (Responses due by 7/6/2012) and Justifiable Dismissal, and MOTION to Narrow Down the Exact Claims Against Imperato, After All Documentation in My Possession and Responses Have Been Answered Supplied to the Commission by Daniel Imperato. (jua) (Entered: 06/20/2012)
06/19/2012	<u>73</u>	MOTION for Continuance Based on Schedule Conflict for Endorsed Order for Telephonic Hearing Set for June 26, Not Agreed to by Defendant With Cause (Responses due by 7/6/2012), MOTION for the Commission to Comply With Responses in Writing, Motion Requesting an EMERGENCY Court Order by Honorable Judge Hopkins Ordering Such and Other Relief Concerning Joinder Date Set for July 13 Unilaterally by the Commission Contested by Defendant by Daniel Imperato. (jua) (Entered: 06/20/2012)
06/19/2012	<u>74</u>	MOTION for Court Order and Clarification re 61 Endorsed Order Setting Telephonic Motion Hearing by Daniel Imperato. Responses due by 7/6/2012 (jua) (Entered: 06/20/2012)
06/20/2012	<u>75</u>	MOTION for Sworn Statement/Affidavits from the Commission Consul, MC Cole and Brandt esq. Concerning Defendants Allegations of Conspiracy and Conflict by Daniel Imperato. (jua) (Entered: 06/20/2012)
06/22/2012	<u>76</u>	ORDER on Defendant Daniel Imperato's Motions found at DE <u>62</u> , <u>73</u> , <u>74</u> . Signed by Magistrate Judge James M. Hopkins on 6/22/2012. (tmn) (Entered: 06/22/2012)
06/22/2012	<u>77</u>	NOTICE OF TRIAL: Calendar Call set for 10/31/2013 01:15 PM in West Palm Beach Division before Senior Judge Kenneth L. Ryskamp. Jury Trial set for 11/4/2013 before Senior Judge Kenneth L. Ryskamp. (jua) (Entered: 06/22/2012)
06/22/2012	<u>78</u>	ORDER of Referral to Mediation. Signed by Senior Judge Kenneth L.

P. 6

"Courtesy Copy"

UPS # 1Z A37 8X A2 9414 7502

NO EVIDENTIARY HEARINGS

*Standard Form
Rule local
Federal.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No 12-80021-CIV-RYSKAMP/HOPKINS

*Rule
Standard For
Judge.*

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

IMPERIALI, INC., et al.,

Defendants.

FILED by _____ D.C.

JUL - 6 2012

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.R.B.

**STANDING DISCOVERY ORDER FOR
MAGISTRATE JUDGE JAMES M. HOPKINS**

*What rule
Standard Form
Not allowed*

The following procedures are designed to help the Parties and the Court work together to
timely resolve discovery disputes without undue delay and unnecessary expense.

*Basis
refer*

MEET AND CONFER

*1st
Amendment
Freedom of Speech
in court
Court
procedures*

Counsel **must** actually confer (in person or via telephone) and engage in a genuine effort
to resolve their discovery disputes **before** filing discovery motions. In other words, there must
be an **actual conversation** before a discovery motion is filed. During this conversation, counsel
shall discuss the available options for resolving the dispute without court intervention and
make a concerted, good faith effort to arrive at a mutually acceptable resolution. If counsel
refuses to participate in a conversation, then the movant shall so state in the required certificate
of conference and outline the efforts made to have a conversation.

The Court may impose sanctions, monetary or otherwise, if it determines discovery is

*Never Happened
P.7*



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
BURNETT PLAZA, SUITE 1900
801 CHERRY STREET, UNIT #18
FORT WORTH, TEXAS 76102-6882
PHONE: (817) 978-3821 FAX: (817) 978-2700

IN REPLYING
PLEASE QUOTE
FW-3245

July 18, 2012

VIA UPS: 1ZA3781XA297776057

Daniel Imperato
Imperiali, Inc.
c/o Daniel Imperato, Registered Agent
[REDACTED]

Re: Discovery Production in SEC v. Imperiali, Inc. et al.
Civil Action No.: 9:12-cv-80021, USDC SD Fla.

Dear Mr. Imperato:

Enclosed in the box are the following documents in hard copy, on CD's or DVD's:

1. Ji Baek production; bates numbered [REDACTED]
2. Daniel Imperato production; bates numbered Imperato [REDACTED]
3. Imperiali, Inc. production; bates numbered Imperiali [REDACTED];
4. Charles Fiscina production; no bates numbers;
5. Brad Hacker production; 2 CD's bates numbered [REDACTED]
6. Larry O'Donnell production; bates numbered [REDACTED]
7. SEC Investigative Testimony Transcripts; bates numbered [REDACTED]
8. SEC Investigative & Trial Correspondences; bates numbered [REDACTED];
9. Randall Beaty production; bates numbered [REDACTED]
10. Wells Submissions letters and responses; bates numbered [REDACTED]
11. Dan Mangru production; bates numbered [REDACTED]; and
12. Testimony Exhibits 1-76, 78-80, 82-86. Please note that exhibit numbers 77 & 81 were skipped.

Please contact Timothy McCole with any questions at 817.978.6453 or via email at McColeT@sec.gov.

Sincerely,

Tina Justice
Trial Paralegal

P-8

D. Correspondence

III. Computation of Damages

The Commission seeks civil penalties, disgorgement, plus prejudgment interest, and other equitable relief from Defendants, and therefore does not seek "damages" within the meaning of Fed. R. Civ. P. 26(a)(1)(C). The Commission will seek imposition of the maximum civil penalties on the Defendants under Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Sections 21(d)(3) and 21A of the Exchange Act [15 U.S.C. §§ 78u(d)(3) and 78uA] based on each occurrence of chargeable conduct. The amount of civil penalties will be determined by the court.

IV. Insurance Policies

None.

DATED: July 11, 2012

Respectfully submitted,

s/Timothy S. McCole

TIMOTHY S. McCOLE

Mississippi Bar No. 10628

United States Securities and Exchange Commission

Burnett Plaza, Suite 1900

801 Cherry Street, Unit 18

Fort Worth, Texas 76102

Telephone: (817) 978-6453

FAX: (817) 978-4927

E-mail: McColeT@SEC.gov

For Plaintiff

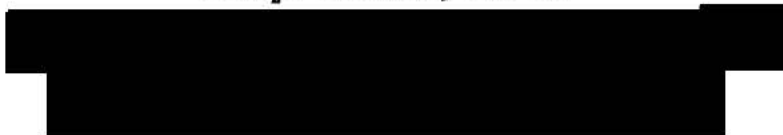
P. 9

Exhibit

Effective 07-09

AN INSURANCE PROPOSAL
PREPARED FOR:


Imperiali, Inc.



PRESENTED BY:


Ann M. Wegrzynowicz
Oakland Companies
888 West Big Beaver, Ste. 1200
Troy, MI 48084
(248) 647-2500

April 30, 2008

D + O 

DISCLAIMER - The abbreviated outlines of coverage used throughout this proposal are not intended to express any legal opinion as to the nature of coverage. They are intended only as a visual to a basic understanding of coverages. Please read your policy for specific details of coverage.

Enforcement states we have NONE
in their Discovery Documents.



Effective 07 - 09




Hartford Financial Products

Policy Separator Page

Insured Name: IMPERIALI, INC.
Policy Number: FA 0241371
Effective Date: 3/06/2007
Department: 020 FIELD FIDELITY
Underwriter: CYNTHIA BOLICK

Job User: Bolick, Cynthia
Job Number: 522423
Job Name: FIDPRINT

Date Printed: 3/06/2007 13:28:32

Fidelity Bonds 

RH

9:12-cv-80021-KLR Securities and Exchange Commission v. Imperiali, Inc. et al
 Kenneth L. Ryskamp, presiding
 James M. Hopkins, referral
 Date filed: 01/09/2012
 Date of last filing: 10/30/2013

Deadlines/Hearings

Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
<u>26</u>	Response Deadline	05/10/2012	05/29/2012		03/14/2013
<u>27</u>	Response Deadline	05/22/2012	06/08/2012		05/23/2012
<u>31</u>	Response Deadline	05/23/2012	06/11/2012		03/14/2013
<u>34</u>	Response Deadline	05/25/2012	06/11/2012		03/14/2013
<u>36</u>	Response Deadline	05/29/2012	06/15/2012		03/14/2013
<u>37</u>	Response Deadline	05/31/2012	06/18/2012		03/14/2013
<u>38</u>	Response Deadline	06/01/2012	06/18/2012		03/14/2013
<u>45</u>	Reply Deadline	06/07/2012	06/18/2012		03/14/2013
<u>40</u>	Response Deadline	06/04/2012	06/21/2012		03/14/2013
<u>41</u>	Response Deadline	06/05/2012	06/22/2012		03/14/2013
<u>52</u>	Reply Deadline	06/12/2012	06/22/2012		03/14/2013
<u>42</u>	Response Deadline	06/06/2012	06/25/2012		03/14/2013
<u>43</u>	Response Deadline	06/07/2012	06/25/2012		03/14/2013
<u>44</u>	Response Deadline	06/07/2012	06/25/2012		03/14/2013
<u>61</u>	Motion Hearing	06/15/2012	06/26/2012 at 02:00 PM		06/26/2012
<u>48</u>	Response Deadline	06/11/2012	06/28/2012		03/14/2013
<u>50</u>	Response Deadline	06/11/2012	06/28/2012		03/14/2013
<u>55</u>	Response Deadline	06/11/2012	06/28/2012		03/14/2013
<u>53</u>	Response Deadline	06/12/2012	06/29/2012		03/14/2013
<u>54</u>	Response Deadline	06/12/2012	07/02/2012		03/14/2013
<u>56</u>	Response Deadline	06/13/2012	07/02/2012		03/14/2013
<u>58</u>	Response Deadline	06/15/2012	07/02/2012		03/14/2013
<u>59</u>	Response Deadline	06/15/2012	07/02/2012		03/14/2013

R-1-2013 - P-13

<u>64</u>	Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>65</u>	Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>71</u>	Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>72</u>	Response Deadline	06/19/2012	07/06/2012		03/14/2013
<u>73</u>	Response Deadline	06/19/2012	07/06/2012		06/22/2012
<u>74</u>	Response Deadline	06/19/2012	07/06/2012		06/22/2012
<u>79</u>	Response Deadline	06/22/2012	07/09/2012		03/14/2013
Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
<u>80</u>	Response Deadline	06/22/2012	07/09/2012		03/14/2013
<u>81</u>	Response Deadline	06/25/2012	07/12/2012		03/14/2013
<u>83</u>	Response Deadline	06/25/2012	07/12/2012		03/14/2013
<u>60</u>	Amended Pleadings Deadline	06/15/2012	07/13/2012		03/14/2013
<u>60</u>	Joinder of Parties Deadline	06/15/2012	07/13/2012		03/14/2013
<u>90</u>	Reply Deadline	07/19/2012	07/30/2012		03/14/2013
<u>91</u>	Redaction Request Deadline	07/24/2012	08/17/2012		03/14/2013
<u>91</u>	Redacted Transcript Deadline	07/24/2012	08/27/2012		03/14/2013
<u>94</u>	Settlement Conference	09/14/2012	10/11/2012 at 09:30 AM		10/11/2012
<u>91</u>	Release of Transcript Restrict	07/24/2012	10/25/2012		03/14/2013
<u>99</u>	Response Deadline	10/10/2012	10/29/2012		03/14/2013
<u>101</u>	Objections to R&R Deadline	01/14/2013	01/31/2013		03/14/2013
<u>60</u>	Discovery Deadline	06/15/2012	04/08/2013		03/14/2013
<u>60</u>	Dispositive Motions Deadline	06/15/2012	05/06/2013		03/14/2013
<u>112</u>	Reply Deadline	05/10/2013	05/20/2013		
<u>105</u>	Response Deadline	05/06/2013	05/23/2013		05/07/2013
<u>115</u>	Response Deadline	05/15/2013	06/03/2013		10/08/2013
<u>130</u>	Reply Deadline	09/11/2013	09/23/2013		
<u>127</u>	Response Deadline	09/09/2013	09/26/2013		10/08/2013
<u>133</u>	Response Deadline	09/12/2013	09/30/2013		10/08/2013
<u>134</u>	Response Deadline	09/16/2013	10/03/2013		10/08/2013

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<u>135</u>	☉ Response Deadline	09/16/2013	10/03/2013		10/08/2013
<u>13</u>	☉ Objections to R&R Deadline	09/25/2013	10/15/2013		10/01/2013
<u>143</u>	☉ Response Deadline	09/30/2013	10/18/2013		10/08/2013
<u>144</u>	☉ Response Deadline	09/30/2013	10/18/2013		10/08/2013
<u>146</u>	☉ Response Deadline	09/30/2013	10/18/2013		10/08/2013
<u>152</u>	☉ Response Deadline	10/04/2013	10/21/2013		10/08/2013
<u>156</u>	☉ Response Deadline	10/04/2013	10/21/2013		10/08/2013
<u>157</u>	☉ Response Deadline	10/04/2013	10/21/2013		10/08/2013
<u>60</u>	☉ Pretrial Stipulation DDL	06/15/2012	10/23/2013		03/14/2013
Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
<u>165</u>	☉ Response Deadline	10/08/2013	10/25/2013		10/16/2013
<u>166</u>	☉ Response Deadline	10/09/2013	10/28/2013		10/16/2013
<u>168</u>	☉ Response Deadline	10/10/2013	10/28/2013		10/16/2013
<u>169</u>	☉ Response Deadline	10/10/2013	10/28/2013		10/16/2013
<u>170</u>	☉ Response Deadline	10/10/2013	10/28/2013		10/16/2013
<u>77</u>	☉ Calendar Call	06/22/2012	10/31/2013 at 01:15 PM		03/14/2013
<u>171</u>	☉ Response Deadline	10/15/2013	11/01/2013		
<u>77</u>	☉ Jury Trial	06/22/2012	11/04/2013		03/14/2013
<u>187</u>	☉ Miscellaneous Hearing	10/29/2013	11/06/2013 at 11:00 AM		

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LEGAL AND COMPLIANCE LLC

330 Clematis Street, Suite 217
West Palm Beach, FL 33401

Invoice

Invoice Da...	Invoice #
4/3/2006	400

Imperato
Mr. Daniel Imperato

CLeary@LegalAndCompliance.com

http://www.LegalAndCompliance.com

\$ 7500
MAA 1042

Terms
Net 10 days

Item	Description	Hours/Qty	Rate	Amount
	RETAINER BALANCE \$6,719.95			
	PLEASE SEE ATTACHED TIME RECORD			
Legal Services	For Services Rendered	0.27	90.00	24.30
Legal Services	For Services Rendered	0.25	250.00	62.50
Legal Services	For Services Rendered	2	90.00	180.00
Legal Services	For Services Rendered	5	250.00	1,250.00
Legal Services	For Services Rendered	5.6	250.00	1,400.00
Legal Services	For Services Rendered	5.75	250.00	1,437.50
Legal Services	For Services Rendered	6.2	250.00	1,550.00
Legal Services	For Services Rendered	2.3	90.00	207.00
Legal Services	For Services Rendered	1.75	250.00	437.50
Legal Services	For Services Rendered	4.9	250.00	1,225.00
Legal Services	For Services Rendered	3.9	250.00	975.00

Due to repeated problems with standard mail service, we now require that invoices in excess of \$1,000.00 be paid by one of the following methods:

- 1) Check Via Overnight Delivery (Federal Express, DHL, etc.)
- 2) By Wire Transfer
- 3) By Credit Card (Visa, MasterCard, American Express)

Current Balance

Balance Due

If you select option 1, always save a tracking number for reference. If you select options 2 or 3, please contact our office for instructions.

P-16

LEGAL AND COMPLIANCE LLC

10 Clematis Street, Suite 217
West Palm Beach, FL 33401

Invoice

Invoice Da...	Invoice #
4/3/2006	400

Imperato
Mr. Daniel Imperato

CLeary@LegalAndCompliance.com

<http://www.LegalAndCompliance.com>

Terms
Net 10 days

Item	Description	Hours/Qty	Rate	Amount
Legal Services	For Services Rendered	0.25	250.00	62.50
Legal Services	For Services Rendered	1	90.00	90.00
Legal Services	For Services Rendered	1.1	90.00	99.00
	Cost Balance \$ 5,000.00			

Due to repeated problems with standard mail service, we now require that invoices in excess of \$1,000.00 be paid by one of the following methods:

- 1) Check Via Overnight Delivery (Federal Express, DHL, etc.)
- 2) By Wire Transfer
- 3) By Credit Card (Visa, MasterCard, American Express)

Current Balance	\$9,000.30
Balance Due	\$2,280.35

If you select option 1, always save a tracking number for reference. If you select options 2 or 3, please contact our office for instructions.

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<u>DATE</u>	<u>WORK PERFORMED</u>	<u>TIME</u>
3/2/2006	teleconference with client;	0.25
3/2/2006	Complete Imperiali Shares Spreadsheet	0.27
3/4/2006	Complete Imperiali Subscription Agreement Spreadsheet	2.00
3/10/2006	Research and review company	5.00
3/13/2006	due diligence	5.60
3/15/2006	continue indepth review of client documents and preparation of 15c2-11 package;	5.75
3/15/2006	Begin Drafting PPM	6.20
3/16/2006	Continue of drafting for PPM	4.90
3/16/2006	Complete Spreadsheet for past years Subscription Agreements	2.30
3/16/2006	continue indepth review of client documents and preparation of 211 package;	1.75
3/17/2006	Complete PPM	3.90
3/22/2006	communication and correspondence with client;	0.25
3/25/2006	Draft Form D	1.00
3/27/2006	Complete Form D	1.10

P-18

Full Document Sent to
Sec. 07.

Private Placement Memorandum

Imperiali, Inc.

10,000,000 Shares of Common Stock at a
Price per Share of \$3.00

\$30,000,000

This Private Placement Memorandum relates to the offer and sale of 10,000,000 shares of Common Stock of Imperiali, Inc., a Florida corporation (the "Company"), an international economic, financial and business consulting firm.

THE SECURITIES OFFERED HEREIN INVOLVE SUBSTANTIAL RISK. SEE "RISK FACTORS."

IN MAKING A DECISION TO PURCHASE SECURITIES OFFERED HEREIN, INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE COMPANY AND THE TERMS OF THE OFFERING, INCLUDING THE RISKS INVOLVED. THE SECURITIES OFFERED HEREIN HAVE NOT BEEN APPROVED BY ANY FEDERAL OR STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. FURTHERMORE, THE FOREGOING AUTHORITIES HAVE NOT CONFIRMED THE ACCURACY OR DETERMINED THE ADEQUACY OF THIS DOCUMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE.

THE SECURITIES OFFERED HEREIN HAVE NOT BEEN REGISTERED UNDER THE SECURITIES LAWS OF THE UNITED STATES OR OF ANY STATE AND ARE BEING OFFERED AND SOLD IN RELIANCE UPON AN EXEMPTION FROM THE REGISTRATION REQUIREMENTS OF THE SECURITIES ACT OF 1933, AS AMENDED, AND STATE SECURITIES LAWS. THE SECURITIES ARE SUBJECT TO RESTRICTIONS ON TRANSFERABILITY AND RESALE AND MAY NOT BE TRANSFERRED OR RESOLD EXCEPT AS PERMITTED UNDER SAID ACT AND LAWS PURSUANT TO REGISTRATION OR EXEMPTION THEREFROM. INVESTORS SHOULD BE AWARE THAT THEY MAY BE REQUIRED TO BEAR THE FINANCIAL RISKS OF AN INVESTMENT FOR AN INDEFINITE PERIOD OF TIME.

The date of this Memorandum is June 7, 2006

Offeree Name _____

Memorandum No. _____

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IMPORTANT NOTICES

THIS IS A CONFIDENTIAL PRIVATE PLACEMENT MEMORANDUM AND IS NOT TO BE REPRODUCED OR RE-DISTRIBUTED IN WHOLE OR IN PART. NO PERSON HAS BEEN AUTHORIZED TO GIVE ANY INFORMATION OR TO MAKE ANY REPRESENTATIONS OTHER THAN THOSE CONTAINED IN THIS MEMORANDUM IN CONNECTION WITH THE OFFERING HEREIN DESCRIBED, AND SUCH REPRESENTATIONS, IF ANY, MAY NOT BE RELIED UPON.

THE PURCHASE OF SECURITIES HEREUNDER ENTAILS A HIGH DEGREE OF RISK (SEE "RISK FACTORS"). NO PERSON SHOULD INVEST IN SECURITIES WHO IS NOT IN A POSITION TO LOSE HIS ENTIRE INVESTMENT.

THE OFFERING AND SALE OF THE SECURITIES OFFERED HEREIN WILL BE EXEMPT FROM REGISTRATION UNDER THE SECURITIES ACT OF 1933 AND THE VARIOUS STATE SECURITIES LAWS.

THIS MEMORANDUM IS NOT AND SHOULD NOT BE CONSTRUED AS A PUBLIC OFFER TO SELL OR A GENERAL SOLICITATION OF AN OFFER TO BUY THE SECURITIES DESCRIBED HEREIN. THIS MEMORANDUM IS NOT AN OFFER TO SELL OR A SOLICITATION OF AN OFFER TO BUY, NOR SHALL SECURITIES BE OFFERED OR SOLD TO ANY PERSON IN ANY JURISDICTION IN WHICH SUCH OFFER, SOLICITATION OR SALE WOULD BE UNLAWFUL PRIOR TO THE REGISTRATION OR QUALIFICATION OF THE SECURITIES UNDER THE SECURITIES LAWS OF SUCH JURISDICTION.

THE OFFERING CAN BE SUSPENDED OR WITHDRAWN BY THE COMPANY AT ANY TIME BEFORE THE TERMINATION DATE SET FORTH HEREIN AND IS SPECIFICALLY MADE SUBJECT TO THE TERMS DESCRIBED IN THIS MEMORANDUM.

NO GENERAL SOLICITATION OR ADVERTISEMENT IN ANY FORM MAY BE EMPLOYED IN THE OFFERING OF THE SECURITIES. THE COMPANY SHALL MAKE AVAILABLE TO EACH INVESTOR DURING THE OFFERING AND PRIOR TO THE SALE OF ANY SECURITIES THE OPPORTUNITY TO ASK QUESTIONS OF AND RECEIVE ANSWERS FROM ANY PERSONS AUTHORIZED TO ACT ON BEHALF OF THE COMPANY CONCERNING ANY ASPECT OF THE INVESTMENT OPPORTUNITY AND TO OBTAIN ANY ADDITIONAL INFORMATION, TO THE EXTENT THE COMPANY POSSESSES SUCH INFORMATION OR CAN ACQUIRE IT WITHOUT UNREASONABLE EFFORT OR EXPENSE, NECESSARY TO VERIFY THE ACCURACY OF THE INFORMATION CONTAINED IN THIS MEMORANDUM. NO OFFERING LITERATURE OR ADVERTISING IN ANY FORM MAY BE EMPLOYED IN THE OFFERING OF THE SECURITIES EXCEPT FOR THIS MEMORANDUM, THE EXHIBITS HERETO AND MATERIALS FURNISHED AS PROVIDED FOR HEREIN.

PROSPECTIVE INVESTORS ARE NOT TO CONSTRUE THE CONTENTS OF THIS MEMORANDUM AS LEGAL OR INVESTMENT ADVICE. EACH INVESTOR SHOULD CONSULT HIS OWN LEGAL COUNSEL, ACCOUNTANT OR BUSINESS ADVISOR AS TO LEGAL, TAX AND RELATED MATTERS CONCERNING AN INVESTMENT IN THE SECURITIES OFFERED HEREIN. NO REPRESENTATIONS OR WARRANTIES OF ANY

JURISDICTIONAL LEGENDS

FOR RESIDENTS OF ALL STATES

THE COMPANY'S SECURITIES OFFERED HEREIN HAVE NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, OR THE SECURITIES LAWS OF CERTAIN STATES AND ARE BEING OFFERED AND SOLD IN RELIANCE ON EXEMPTIONS FROM THE REGISTRATION REQUIREMENTS OF SAID ACT AND SUCH LAWS. THE SECURITIES ARE SUBJECT TO RESTRICTIONS ON TRANSFERABILITY AND RESALE AND MAY NOT BE TRANSFERRED OR RESOLD EXCEPT AS PERMITTED UNDER SAID ACT AND SUCH LAWS PURSUANT TO REGISTRATION OR EXEMPTION THEREFROM. INVESTORS SHOULD BE AWARE THAT THEY MAY BE REQUIRED TO BEAR THE FINANCIAL RISKS OF THIS INVESTMENT FOR AN INDEFINITE PERIOD OF TIME. THE SECURITIES HAVE NOT BEEN APPROVED OR DISAPPROVED BY THE SECURITIES AND EXCHANGE COMMISSION, ANY STATE SECURITIES COMMISSION OR ANY OTHER REGULATORY AUTHORITY, NOR HAVE ANY OF THE FOREGOING AUTHORITIES PASSED UPON OR ENDORSED THE MERITS OF THIS OFFERING OR THE ACCURACY OR ADEQUACY OF THE MEMORANDUM. ANY REPRESENTATION TO THE CONTRARY IS UNLAWFUL.

FOR FLORIDA RESIDENTS ONLY

THE COMPANY'S SECURITIES HAVE NOT BEEN REGISTERED UNDER THE FLORIDA SECURITIES AND INVESTOR PROTECTION ACT IN RELIANCE UPON EXEMPTION PROVISIONS CONTAINED THEREIN. ANY SALE MADE PURSUANT TO SUCH EXEMPTION PROVISIONS IS VOIDABLE BY THE PURCHASER WITHIN THREE DAYS AFTER THE FIRST TENDER OF CONSIDERATION IS MADE BY THE PURCHASER TO THE ISSUER, AN AGENT OF THE ISSUER OR ANY ESCROW AGENT. A WITHDRAWAL WITHIN SUCH THREE DAY PERIOD WILL BE WITHOUT FURTHER LIABILITY TO ANY PERSON. TO ACCOMPLISH THIS WITHDRAWAL, A SUBSCRIBER NEED ONLY SEND A LETTER OR TELEGRAM TO THE ISSUER AT THE ADDRESS SET FORTH IN THIS MEMORANDUM, INDICATING HIS INTENTION TO WITHDRAW. SUCH LETTER OR TELEGRAM SHOULD BE SENT AND POSTMARKED PRIOR TO THE END OF THE AFOREMENTIONED THIRD BUSINESS DAY. IT IS ADVISABLE TO SEND SUCH LETTER BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO ENSURE THAT IT IS RECEIVED AND ALSO TO EVIDENCE THE TIME IT WAS MAILED. IF THE REQUEST IS MADE ORALLY, IN PERSON OR BY TELEPHONE TO AN OFFICER OF THE ISSUER, A WRITTEN CONFIRMATION THAT THE REQUEST HAS BEEN RECEIVED SHOULD BE REQUESTED.

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APPENDIX

Exhibit A: Unaudited Financial Statements	
Exhibit B: Investor Qualification Questionnaire	
Exhibit C: Subscription Agreement	

SUITABILITY REQUIREMENTS

update our forward-looking statements to reflect new information or developments. We urge readers to review carefully the risk factors described herein

THE COMPANY AND THE BUSINESS

Introduction

Imperiali, Inc. ("Company" or "we" or "us") was incorporated in Florida on September 27, 1994 by Daniel J. Imperato under the name Automated Energy Security Inc. On March 22, 1999 the Company changed its name to New Millennium Development Group, Inc. On August 24, 2004, the Company changed its name to Hercules Global Interests, Inc. On November 18, 2005 the Company changed its name to its current name, Imperiali, Inc.

From September 1994 through approximately March, 1999, the Company while operating as Automated Energy Security, Inc. engaged in the business of providing energy management services, intelligent security and utility for residential dwellings, commercial buildings and government facilities. In 1994 the Company entered into an agreement with Associated Data Consultants, Inc. to purchase all of the patented technology, software and patents pending on the Wide Area Energy Savings System known as "TESS", which stands for Total Energy Security System. From 1991 through 1994 the exclusive U.S. territorial rights to the TESS technology were held by Bell Atlantic Network Services, Inc. who together with Honeywell refined the product and performed research, market studies and analysis and revenue projections on the roll-out of TESS. Bell Atlantic withdrew from the development of the TESS system in 1994 as a result of internal corporate strategic maneuvers to focus on more content driven services such as video-on-demand. In 1995 the Company entered into an agreement with Bell Atlantic for the assignment of the TESS U.S. territorial license rights. Accordingly the Company held contractual rights to obtain the assets, patents and technology as well as the U.S. licensing rights to TESS. As a result of issues unrelated to the Company, Associated Data Consultants and Bell Atlantic engaged in litigation relating to the TESS technology. Moreover, during that time period the Company discovered potential problems with the underlying technology. Accordingly, by the end of 1998 the Company abandoned its business operations related to TESS.

In March 1999 the Company changed its name to New Millennium

Development Group, Inc. and its business operations to a media and telecommunications company focusing on connectivity solutions, storage, fiber optic cable systems, security and the international long distance market. The Company's plan was to spearhead a sub sea fiber optic cable system connecting 70 countries around the globe. In furtherance of the plan the Company entered into Memorandums of Understanding with 30 countries, completed landing party site and ocean surveys, arranged long term financing and selected vendors and subcontractors for fiber optic cable and equipment. Throughout the process the price of cable systems skyrocketed forcing the Company to reconsider its business plans and projections. The Company retained the services of an independent consultant in the field who concluded that not only would the increased cable pricing not result in long term gains, but to the contrary with the rapid development of the internet and IP systems, the market for fiber optic cable would be rendered all but obsolete. Accordingly, in mid 2001 the Company shifted its focus away from fiber optic cable systems and concentrated on Voice over Internet Protocol (VOIP) and related services including high speed wireless standard ISP and broadband services; international calling cards; video conferencing and related IP products.

The Company faced many hurdles with its business plan beginning with the September 11, 2001 tragedy. Moreover, during this time period there was a general decline and disillusionment with technology based businesses. In addition, the Company faced many internal hurdles involving the disagreement and disappointment among the officers, directors and shareholders relating to the termination of the fiber optic cable plans and the new direction of the Company. Ultimately the Company could not surpass these hurdles and in mid 2002 effectively ceased operations.

From mid 2002 through mid 2005 the Company effectively ceased all operations. However, during this time period, Mr. Imperato, President, CEO and majority shareholder, worked to maintain the and management relationships with previous business, providers, associates and professionals for the purpose of eventually beginning new operations.

In November 2005 the Company changed its name to Imperiali, Inc. and resumed operations. Imperiali offers consulting services to businesses globally in the area of telecommunications infrastructure, including introducing strategic partnerships,

advising on equipment and suppliers of products in the area of telecommunications infrastructure. The Company intends to expand upon its consulting services to include all aspects of internal operations. In addition, the Company intends to establish a significant web presence in connection with this business. The Company may make either equity or debt investments in its clientele businesses.

We are an economic and business consulting firm that applies analytic techniques and industry knowledge to various engagements for a broad range of clients. Since 2006, we have been working to obtain clients in providing advice and a wide range of services around the world. We combine economic and financial analysis with expertise in business strategy and planning, market and demand forecasting, policy analysis, and technology strategy. In the past, we or our principals, have worked on a variety of matters, such as mergers and acquisitions, new product introductions, strategy and capital investment decisions, the outcomes of which often have significant implications or consequences for the parties involved. Matters such as these often require independent analysis, and as a result companies must outsource this work to outside experts. Companies turn to us because we can provide qualified economic and finance experts to address a wide variety of matters.

We offer consulting and related services to telecommunications companies, including in the areas of infrastructure and equipment. The Company intends to utilize the internet as a significant portion of its services by establishing an e-business. The proposed website will allow the Company clientele to introduce their business, products and services globally through broadcast, video conferencing, and IP telephony. Moreover, once fully developed and completed, the website will allow Company clientele to register their company and maintain their own internal web pages with the ability to create a company profile, post quarterly reports, publish business plans, as well as other informational documents regarding their company. Furthermore, the Company intends to offer chat room and blogging capabilities for our client businesses.

We offer our consulting services primarily through our employee/consultants who have backgrounds in a wide range of disciplines, including economics, business, corporate finance and computer sciences. To enhance the expertise we provide to our

clients, we maintain close working relationships with a select group of academic and industry non-employee experts. Our business and clients encompasses many disciplines around the world. Our business consulting practice applies our knowledge in economics, finance and business to offer our clients a wide array of services such as strategy development, performance improvement, corporate portfolio analysis, market demand and new product strategies, evaluation of intellectual property and other assets and competition analysis.

Our goal is to assist clients in global expansion. Our method of applying this goal involves key expansion through strategic partnering, licensing, distribution, mergers and acquisitions, manufacturing and joint venture arrangements.

Our Company is managed via an Advisory Agreement with Imperiali Organization, an entity owned and controlled by our President Daniel Imperato. Pursuant to the terms of the Advisory Agreement, Imperiali Organization agrees to assist us in (i) developing new sources of business, (ii) identifying and analyzing possible strategic alliances with transportation companies or others, and acquisitions; (iii) evaluation and analysis of the Company's marketing plans and new products and services; (iv) review of the business plans for the Company, including the review of budgets and projections; (v) a detailed evaluation of the Company's competition in new and existing markets; (vi) analysis of information on a periodic basis concerning the financial performance of the Company and the markets in which it operates; (vii) identification of suitable merger and acquisition candidates; (viii) such other aspects of the business of the Company as Advisor and the Company may agree from time to time; and (ix) assisting in filing SEC documents and coordinating with the Companies lawyers.

Imperiali Organization has been working on several projects on behalf of our Company, including: public relations (www.ilconnect.com); a search engine (www.ilsearch.com); design services (www.ildesign.com); publishing services (www.ilpublishing.com) telecommunications services; sports (www.plambeachimperials.com); public speaking (www.globalfavor.com) and others. Each of these projects are well under way.

In exchange for the services rendered by Imperiali Organization,

EXHIBIT A

IMPERIAL INVESTORS NOVEMBER 2005 - JULY 2007				
FULL NAME	ADDRESS	CITY	STATE	ZIP TELEPHONE
TOM ARBUCKLE				
AVM, LP				
ALLISON BAEK				
RANDAL BEATY				
ROBERT E. BEDROSS				
BELL IRA				
DAVID BELL				
MICHAEL BELL				
RON BERMAN				
RICHARD BIGGS				
JOHN PIERRE BLONDEAU				
BERNARD BRICMONT				
T. LEE BROWN, JR.				
WILLIAM BRY				
BUNCE				
RODERIC CASTOR				
ALAN CICHE				
CRAE IRA				
FORT SMITH WASTE PAPER COMPANY				
STEPHEN E. GATELY				
JOHN GILBERT				
HAMBERSEN				
JULIAN HAMBURGER				
DAVID R. HAMILTON				
TOM L. HANDY				
PAUL HARNISH				
CHARLES HELSLEY				
GARY HILL				
GEORGE JORDAN				
KLA/4 FAMILY LTD PARTNERSHIP				
JACK KRAUSER				
EDWIN KRIEL				
LANDMARK REALTY ADVISORS				
M.B. LONG				
MARION LOYD				
RALPH MAIN				
JOE MCLANEY, JR.				
JOE MCLANEY, JR.				
EDGAR R. MCRAE REVOCABLE TRUST				
RICK MOLDEN				
MICHAEL NOONAN				
ALBERT AND KATHY OLBETER				
ROBERT J OLSEN				
LAVAL PERRY AND PATRICIA A. LUCAS				

S-4-1

P-27

IMPERIAL INVESTORS NOVEMBER 2005 - JULY 2007

FULL NAME	ADDRESS	CITY	STATE	ZIP	TELEPHONE
STAN PYSCZYNSKI					
NEIL A. RAMO REVOCABLE TRUST					
RATIN IRA					
BRUCE REINGOLD					
MERYL AND ROBERT ROSENTHAL					
EUGENE SANDERS					
MARTHA SPRABERRY					
RONNIE STEFFEN					
THOMAS TARRANT					
TRACKFINDERS, INC.					
OLIVE TYNER					
U.S. BASEMENT WATERPROOFING, INC.					
GUS VAN SANT					
WAYLONIS					
MITCHELL WELIN					

12-4-1-2

P-28

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON D C 20549

DEPARTMENT OF
TREASURY
DIVISION OF
REGULATION AND FINANCE

Stop 3010

December 10, 2009

VIA U.S. MAIL


Mr. Daniel Imperato
Interim Non-Executive Chairman Emeritus
Imperiali Inc.
222 Lakeview Avenue, Suite 160
West Palm Beach, FL 33401

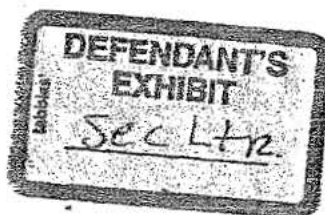
Re: **Imperiali Inc.**
Form 10-K for the fiscal year ended August 31, 2008
Filed December 16, 2008
File No. 000-52406

Dear Mr. Imperato:

We have completed our review of your Form 10-K and do not, at this time, have any further comments.

Sincerely,


Daniel L. Gordon
Branch Chief



R-1-4

P-28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No.: 12-CV-80021-RYSKAMP/VITUNAC

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiffs,

v.

IMPERIALI, INC. et al.,

Defendants.

FINAL JUDGMENT AS TO DEFENDANT CHARLES FISCINA

THIS CAUSE comes before the Court upon the Security and Exchange Commission's unopposed motion to enter final judgment as to defendant Charles Fiscina [DE 11] filed on January 18, 2012. The Commission's claims against Fiscina involve violations of the Securities Act of 1933, the Securities Exchange Act of 1934, and the Investment Company Act of 1940. The parties apparently have reached an agreement regarding the Commission's claims, and Fiscina has consented in writing to the entry of the Commission's proposed final judgment against him. See [DE 11-1, 11-2]. Upon consent of the parties,

FINAL JUDGMENT is hereby entered against defendant Charles Fiscina ("Defendant") in accordance with the terms of Fiscina's written consent [DE 11-1] and the terms of the proposed final judgment [DE 11-2], which are hereby incorporated into this Final Judgment as set forth below.

14. Defendant agrees that the Commission may present the Final Judgment to the Court for signature and entry without further notice.

15. Defendant agrees that this Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of the Final Judgment.

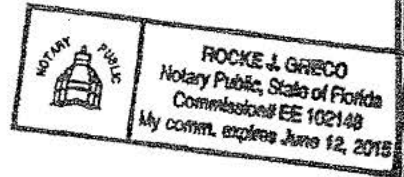
Dated: 9/20/2011

Charles Fiscina
Charles Fiscina

On 20th September, 2011 Charles Fiscina a person known to me, personally appeared before me and acknowledged executing the foregoing Consent.

+ Produced FDL A&ID
+ County of Palm Beach
+ State of Florida

[Signature]
Notary Public
Commission expires: 6/12/2015



P-2-1

P-30

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA
3 MIAMI DIVISION

4 Case No. 12-CV-80021-RYKAMP/HOPKINS

5 SECURITIES AND EXCHANGE COMMISSION,
6
7

8 Plaintiff,

9 vs.

WEST PALM BEACH, FLORIDA
June 26, 2012

10
11 IMPERIALI, INC.,
12 & DANIEL IMPERATO,

13 Defendants.
14

15 TRANSCRIPT OF MOTION HEARING
BEFORE THE HONORABLE JAMES M. HOPKINS,
16 UNITED STATES MAGISTRATE JUDGE

17 APPEARANCES:

18 FOR THE PLAINTIFF:

19 SECURITIES & EXCHANGE COMMISSION
20 Barnett Plaza, Suite 1900
21 801 Cherry Street
Unit 18
22 Fort Worth, Texas, 76102-6882
BY: TIMOTHY S. McCOLE, ESQ.
(By telephone)
23

24 REPORTED BY:
25 TELEPHONE:

JERALD M. MEYERS, RPR
954-431-4757

12-4-1-5

P-31

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No.: 12-CV-80021-RYSKAMP/HOPKINS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

IMPERIALI, INC. et al.,

Defendants.

*False Claims Un Proven
Excessive, PASSION,
prejudice, Vandalism.
without Evidentiary Hearing
and no trial by Jury. - Z*

FINAL JUDGMENT AS TO DEFENDANT DANIEL IMPERATO

THIS CAUSE comes before the Court on its order adopting the Magistrate's report and recommendations and granting Plaintiff Securities and Exchange Commission ("Plaintiff") summary judgment [DE 163] entered on October 8, 2013. The Court found Defendant Daniel Imperato ("Defendant") violated the federal securities laws set forth in the complaint in this matter. After supplemental briefing as to Plaintiff's request for monetary and injunctive relief, the Court finds Plaintiff has made a proper showing that permanent injunctions, an officer-and-director bar, and disgorgement plus prejudgment interest are warranted against Defendant. Given the extensive nature of the relief granted, the Court declines to impose a civil penalty against Defendant. See *S.E.C. v. Warren*, 534 F.3d 1368, 1369 (11th Cir 2008) (the imposition of a civil penalty is left to the discretion of the court). Accordingly, FINAL JUDGMENT is hereby entered in favor of Plaintiff and against Defendant as follows:

L

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and

P-32

From: Lisitza, David <[REDACTED]>
[REDACTED]

Subject: SEC v. Imperato, No. 13-14809-FF (11th Cir.)

Date: Mon, Jan 27, 2014 10:44 am

Dear Mr. Imperato,

We do not believe that a meeting regarding this appeal would serve a useful purpose.

The proceedings have reached the appellate level, having been reduced to a final judgment after litigation and submissions made in the district court. We have reviewed the record and do not find fault with the district court's judgment.

If you strongly believe that further discussions would be valuable—which again, we do not—we suggest in lieu of a meeting that you put into a letter what you would tell us at a meeting. All communication between us should be in writing, either at this email address or the mailing address below.

Sincerely,

David Lisitza
Securities and Exchange Commission
100 F St. NE, Mail Stop 9040
Washington, DC 20549

P-33

Plaintiff Bought + Got Script First

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 12-80021-CIV-RYSKAMP

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

IMPERIALI, INC., et al,

Defendants.

Judges Statements
Caucus Hearing

MIS use of words to mistake evidence
Hearing)
West Palm Beach, Florida
November 6, 2013
11:03 a.m.
After the fact -
MIS represented

TRANSCRIPT OF HEARING ADOPTING REPORT AND RECOMMENDATIONS

BEFORE THE HONORABLE KENNETH L. RYSKAMP
U.S. SENIOR DISTRICT JUDGE

Excessive, PASSION, ABUSE, violations, procedures + law

Appearances:

For the Plaintiff:

TIMOTHY S. MCCOLE, ESQ.
SECURITIES AND EXCHANGE COMMISSION
Barnett Plaza, Suite 1900
801 Cherry Street, Unit 19
Fort Worth, Texas 76102

For the Defendant:

DANIEL IMPERATO, PRO SE

Reporter:
(561) 514-3728

Karl Shires, RPR, FCRR
Official Court Reporter
701 Clematis Street, Suite 258
West Palm Beach, Florida 33401

STENOGRAPHICALLY RECORDED COMPUTER-AIDED TRANSCRIPT

Exhibit Transcript II
29 pages + 1 receipt.

P-34

Strike
False
Hearing
Transcripts
with
errors

Error
[]

[]

[Signature]

[Redacted]



DIVISION OF
INVESTMENT MANAGEMENT

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

August 1, 2007

**CERTIFIED MAIL RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL**

Charles Fiscina, Chief Financial Officer
Imperiali, Inc.

[REDACTED]

Re: Imperiali, Inc. (the "Company")
File Numbers: 814-00734 and 000-52406

Dear Mr. Fiscina:

The Company is a business development company ("BDC") subject to the applicable provisions of the Investment Company Act of 1940 ("1940 Act"). During the past several months, we have contacted you about a number of very serious regulatory and disclosure issues regarding the Company's obligations under, and compliance with, certain provisions of the federal securities laws and related rules, including Article 6 of Regulation S-X and Generally Accepted Accounting Principles (GAAP). We described these issues to you in telephone conversations on February 15, March 13, and April 4, 2007. On June 8, 2007 we sent you a letter regarding these matters.

1. We continue to believe that your letters dated February 25, March 16, and July 12, 2007 do not sufficiently address the significant disclosure, accounting, and legal issues we discussed with you in our telephone calls and letter. In addition, we are unable to locate any attempt by the Company to comply with Item 3.02 of Form 8-K, Unregistered Sales of Equity Securities, even though the Company asserts that such sales have been made. In addition, the Company filed a Form 8-K on June 8, 2007 pursuant to Item 4.02 of Form 8-K, Non-Reliance on Previously Issued Financial Statements or a Related Audit Report or Completed Interim Review (the "Restatement 8-K"), the text of which states:

On April 15, 2007, our Chief Financial Officer concluded that the Company's audited financial statements for the year ended August 31, 2006, which are included in the Company's Form 10 for that period, can no longer be relied upon. Additionally, the Company's unaudited financial statements for the three months ended November 30,

PAK
202. 772.9283

P-35



AD 15 - AD 68

IMPERIALI

Securities and Exchange Commission
Washington, D.C. 20549
Cc: Kevin Rupert
July 12, 2007
Amended August 10, 2007

Dear Sheila Stout,

Referencing your conference calls with Imperiali, Inc, on February 15, 2007, March 13, 2007 and April 4, 2007, the following letter details your comments and our responses.

On June 8, 2007 Imperiali, Inc. filed Form 8-K, Non-Reliance on Previously Issued Financial Statements or a Related Audit Report or Completed interim Review in response to Item 4.02.

Affiliated transaction under Section 57 – On July 1, 2006 Imperiali Organization, LLC turned over two investment projects from Imperiali Organization, LLC developed on behalf of the Company – i1Search valued at \$2 million and i1Connect valued at \$1.5 million. The Company also agreed to issue 5 million preferred shares of Imperiali, Inc to Daniel J. Imperato. This transaction occurred pursuant to a written agreement between Imperiali Organization and Imperiali, Inc. This written agreement was approved by the independent members of our Board of Directors. Both the transaction and written agreement took place before Imperiali, Inc. was subject to the 1940 Act and the BDC rules.

On May 31, 2007 Imperiali Organization LLC turned over all of Imperiali Organization projects developed on behalf of the company in return for agreeing to issue 10 million shares of Imperiali, Inc. common stock which were owed to him based upon the preferred share conversion amendment filed with the State of Florida. The three to one conversion rate was disclosed in Form 10. The price per share was the same as was available to accredited investors. This purchase was pursuant to the prior written agreement that was approved by the independent Board of Directors. The valuation was based in part by an independent valuation performed by the Bank of America.

This transaction was approved by the directors of the business development company on the basis that –

1. The terms thereof, including the consideration to be paid or received, are reasonable and fair to the shareholders or partners of the business development company and do not involve overreaching of such company or its shareholders or partners on the part of any person concerned
2. The proposed transaction is consistent with the interests of the shareholders or partners of the business development company and is consistent with the policy of such company as recited in filings made by such company with the Commission under the Securities Act of

R-1-5.0.E.P.2

P-36
26

Mr. Imperato
Draft



Copies
will be
filed by *Compro*

IMPERIALI

Securities and Exchange Commission
Washington, DC 20549

August 17, 2007

1. Internal controls were in place as of August 31, 2006. A standard questionnaire for disclosure of document was given to our attorney - Laura Anthony of the firm Legal & Compliance, LLC.
2. Key documents were not provided to our outside auditor Larry O'Donnell or to our Chief Financial Officer Charles A. Fiscina. The key documents and Board resolutions were drafted prior to the employment of Mr. Fiscina.
3. In the document Mr. Imperato was granted 5 million preferred shares pursuant to a resolution by the Board of Directors. This agreement specifies that Mr. Imperato is to be granted the 5 million preferred shares in return for previous management services rendered. The conversion ratio was 3 common shares for each preferred share. Mr. Imperato had the unequivocal option to convert his preferred shares to common shares at any time.
4. The effective date of the document for the preferred shares was June 26, 2006. This document was filed with the State of Florida on August 4, 2006 and is available on sunbiz.org. These documents were in existence before Imperiali, Inc. filed to become a Business Development Company under the 1940 Investment Act.
5. These documents were in effect as of August 31, 2006 but were unknown to both the outside auditor Larry O'Donnell and the Chief Financial Officer, resulting in material misstatements on the August 31, 2006 financial statements.
6. Subsequent amended statements attempted to correct the material misstatements that were contained in the audited financial statements of August 31, 2006.

Response to item

2. a. The Form 10-SB12B filed on October 19, 2006 and Form 10-12G filed on January 18, 2007 contain a balance sheet showing total assets of \$609,541 as of August 31, 2006. The assets of \$609,541 consisted solely of cash and other liquid assets. The balance sheet omitted any reference to preferred shares and the value of the projects developed by Imperial Organization because key documents were not provided by our attorney to our outside auditor and internal accounting department.

2. b The Form 10-QSB filed on January 25, 2007 contains a balance sheet as of November 31, 2006 showing total asset of \$431, 663. These assets consist solely of cash and other liquid

(R-1) - 6 10R6



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
BURNETT PLAZA, SUITE 1900
801 CHERRY STREET, UNIT #18
FORT WORTH, TEXAS 76102-6882
PHONE: (817) 978-3821 FAX: (817) 978-2700

IN REPLYING
PLEASE QUOTE
FW-03047

October 1, 2007

Mr. Daniel Imperato
Imperiali, Inc.



Re: *In the Matter of Certain BDCs* (FW-03047)

Part Statutes

Dear Mr. Imperato:

In connection with an inquiry by the United States Securities and Exchange Commission regarding Imperiali, Inc. ("Imperiali"), the Commission staff requests that Imperiali provide certain records pursuant to Section 17(a) of the Securities Exchange Act of 1934 and Section 31(b) of the Investment Company Act of 1940 ("Investment Company Act"). Unless otherwise indicated, please provide the following information for the period of March 31, 2006 through September 31, 2007:

1. Documents pertaining to the BDC's compliance program:

- a) A copy of the standard operating procedures ("SOP") for the risk identification and assessment process, which is the process by which the BDC identifies risks and problems likely to be present at the BDC.
- b) A current inventory of compliance risks. If changes were made to this inventory of risks, please indicate what these changes were and the corresponding date of the change.
- c) A current list and a corresponding copy of all compliance policies and procedures. (You do not need to provide a copy if you intend to provide one in response to another item, please just reference the appropriate response). In addition to providing a list of the compliance policies and procedures, please also provide a list of corresponding compliance documents. These compliance documents may include exception reports, compliance check lists, management reports, etc. that are produced in accordance with the compliance policies and procedures.
- d) A copy of all annual and interim reports regarding the review of the BDC's compliance program.

*All responses to by Manjive, Bellman, Ferguson
not Imperato*

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[Home](#) | [Latest Filings](#) | [Previous Page](#)

EDGAR Search Results BETA View U.S. Securities and Exchange Commission

SEC Home » Search the Next-Generation EDGAR System » Company Search » *Current Page*

IMPERIALI INC CIK#: 0001359272 (see all company filings)

Business Address **[REDACTED]**
Mailing Address **[REDACTED]**

SIC: 8742 - SERVICES-MANAGEMENT CONSULTING SERVICES
State location: FL | State of Inc.: FL | Fiscal Year End: 0831
formerly: Imperiali, Inc. (filings through 2009-07-28)
formerly: Kaiser Himmel Imperiali, Inc. (filings through 2008-09-30)
(Assistant Director Office: 8)

Filter Results: Filing Type: Prior to: (YYYYMMDD) Ownership? include exclude only Limit Results Per Page 40 Entries Search Show All

Items 41 - 64 RSS Feed

Previous 40

Filings	Format	Description	Filing Date	File/Film Number
8-K/A	<input type="button"/> Documents	[Amend]Current report, items 1.01, 1.02, 5.01, 5.02, 7.01, 8.01, and 9.01 Acc-no: 0001144204-08-017139 (34 Act) Size: 339 KB	2008-03-25	000-52406 08708417
8-K	<input type="button"/> Documents	Current report, items 1.01, 1.02, 5.01, 5.02, 7.01, 8.01, and 9.01 Acc-no: 0001144204-08-016863 (34 Act) Size: 340 KB	2008-03-24	000-52406 08705785
8-K	<input type="button"/> Documents	Current report, items 1.01, 1.02, 5.01, 5.02, 7.01, 8.01, and 9.01 Acc-no: 0001144204-08-011408 (34 Act) Size: 26 KB	2008-02-25	000-52406 08637660
10QSB	<input type="button"/> Documents	Optional form for quarterly and transition reports of small business issuers Acc-no: 0001144204-08-002167 (34 Act) Size: 487 KB	2008-01-14	000-52406 08528914
8-K	<input type="button"/> Documents	Current report, items 1.01 and 8.01 Acc-no: 0001144204-07-065467 (34 Act) Size: 21 KB	2007-12-03	000-52406 071280765
10KSB	<input type="button"/> Documents	Optional form for annual and transition reports of small business issuers [Section 13 or 15(d), not S-B Item 405] Acc-no: 0001144204-07-064802 (34 Act) Size: 504 KB	2007-11-29	000-52406 071273237
8-K	<input type="button"/> Documents	Current report, item 5.02 Acc-no: 0001144204-07-062397 (34 Act) Size: 27 KB	2007-11-16	000-52406 071251422
8-K	<input type="button"/> Documents	Current report, item 1.01 Acc-no: 0001214659-07-002230 (34 Act) Size: 60 KB	2007-10-18	000-52406 071177283
8-K	<input type="button"/> Documents	Current report, item 5.02 Acc-no: 0001214659-07-002189 (34 Act) Size: 4 KB	2007-10-09	000-52406 071161651
8-K	<input type="button"/> Documents	Current report, item 5.02 Acc-no: 0001214659-07-002176 (34 Act) Size: 4 KB	2007-10-04	000-52406 071157237
8-K	<input type="button"/> Documents	Current report, item 2.01 Acc-no: 0001214659-07-001890 (34 Act) Size: 10 KB	2007-08-17	000-52406 071065027
10-Q	<input type="button"/> Documents	Quarterly report [Sections 13 or 15(d)] Acc-no: 0001214659-07-001548 (34 Act) Size: 476 KB	2007-07-09	000-52406 07969953
8-K	<input type="button"/> Documents	Current report, item 4.02 Acc-no: 0001214659-07-001360 (34 Act) Size: 17 KB	2007-06-08	000-52406 07909509

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10-Q/A	Documents	[Amend]Quarterly report [Sections 13 or 15(d)] Acc-no: 0001214659-07-000813 (34 Act) Size: 478 KB	2007-04-17	000-52406 07770315
10-Q	Documents	Quarterly report [Sections 13 or 15(d)] Acc-no: 0001214659-07-000808 (34 Act) Size: 464 KB	2007-04-16	000-52406 07768850
10-Q/A	Documents	[Amend]Quarterly report [Sections 13 or 15(d)] Acc-no: 0001214659-07-000593 (34 Act) Size: 266 KB	2007-03-21	000-52406 07709693
10-12G/A	Documents	[Amend]Registration of securities [Section 12(g)] Acc-no: 0001214659-07-000589 (34 Act) Size: 193 KB	2007-03-21	000-52406 07708936
10-12G/A	Documents	[Amend]Registration of securities [Section 12(g)] Acc-no: 0001214659-07-000448 (34 Act) Size: 191 KB	2007-03-02	000-52406 07667458
10-Q/A	Documents	[Amend]Quarterly report [Sections 13 or 15(d)] Acc-no: 0001214659-07-000431 (34 Act) Size: 170 KB	2007-03-02	814-00734 07666625
10QSB	Documents	Optional form for quarterly and transition reports of small business issuers Acc-no: 0001214659-07-000091 (34 Act) Size: 132 KB	2007-01-25	814-00734 07551691
10-12G	Documents	Registration of securities [Section 12(g)] Acc-no: 0001214659-07-000054 (34 Act) Size: 191 KB	2007-01-18	000-52406 07537127
N-54A	Documents	Notification of election by business development companies Acc-no: 0001214659-06-002218 (40 Act) Size: 3 KB	2006-11-14	814-00734 061213552
10SB12B	Documents	Registration of securities for small business [Section 12(b)] Acc-no: 0001214659-06-002030 (34 Act) Size: 1 MB	2006-10-19	001-33101 061153157
REGDEX	Documents	[Paper]Notice of Sale of Securities [Regulation D and Section 4 (6) of the Securities Act of 1933], item 06 Acc-no: 9999999997-06-014511 (34 Act) Size: 1 KB	2006-03-31	021-88344 06030829

Previous 40

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10/19/06

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SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-SB

GENERAL FORM FOR REGISTRATION OF SECURITIES
OF SMALL BUSINESS ISSUERS
Under Section 12(b) or (g) of the Securities Exchange Act of 1934

Imperiali, Inc.

(Name of Small Business Issuer in Its Charter)

Florida

(State or Other Jurisdiction of
Incorporation or Organization)

(I.R.S. Employer
Identification No.)

(Address of Principal Executive Offices)

(Zip Code)

Issuer's Telephone Number:

Securities to be registered under Section 12(b) of the Exchange Act:

Title of class to be so registered Name of each exchange on which
each class is to be registered

None

None

Securities to be registered under Section 12(g) of the Exchange Act:

Common stock, \$.001 par value

(Title of class)

(Title of class)

<PAGE>

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Part I
Item I. Financial Statements and Supplementary Data

IMPERIALI, INC.
Balance Sheets
August 31, 2007 and August 31, 2006

	As of August 31, 2007	As of August 31, 2006
		Restated
ASSETS		
Portfolio At Value:		
Private Finance		
Companies more than 25% owned (cost: 2007 - \$3,500,000)	\$ -	\$ -
Current assets:		
Cash	189,368	609,541
Prepaid Expenses	9,765	-
Total current assets	\$ 199,133	\$ 609,541
Note receivable	-	-
Total assets	<u>\$ 199,133</u>	<u>\$ 609,541</u>
LIABILITIES AND STOCKHOLDERS' EQUITY		
Current liabilities:		
Accounts payable and other current liabilities	\$ 26,614	\$ -
Total current liabilities	\$ 26,614	\$ -
Stockholders' equity:		
Common stock; \$.001 par value; authorized - 500,000,000 shares; 38,200,986 and 20,358,486 shares issued and outstanding at August 31, 2007 and August 31, 2006 respectively	\$ 38,389	\$ 20,358
Additional paid in capital	16,117,963	11,760,605
Accumulated deficit	(11,171,422)	(11,171,422)
Undistributed Earnings	(4,812,411)	-
Total shareholders' equity	<u>172,519</u>	<u>609,541</u>
Total liabilities and shareholders' equity	<u>\$ 199,133</u>	<u>\$ 609,541</u>

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1/25/07

10QSB 1/f1247010qsb.htm FOR PERIOD ENDING NOVEMBER 30, 2006

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-QSB

QUARTERLY REPORT UNDER SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934

For the quarterly period ended November 30, 2006

TRANSITION REPORT UNDER SECTION 13 OR 15 (D) OF THE EXCHANGE ACT

Imperiali Inc.

(Name of Small Business Issuer as Specified in Its Charter)

Florida

(State of Other Jurisdiction
of Incorporation or
Organization)

(I.R.S. Employer Identification
No.)

(Address of Principal Executive Offices)

(Issuer's Telephone Number, including Area Code)

Check whether the issuer (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the past 12 months (or such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes No

State the number of shares outstanding of each of the issuer's classes of common equity:

Common stock; \$.001 par value; authorized-
500,000,000 shares; issued and outstanding-
2006 20,358,486 shares; 2005 17,995,986 shares-

Transitional Small Business Disclosure Format (check one): Yes No

P-y-y

PART I

I. FINANCIAL STATEMENTS

Imperiali, Inc.
Balance Sheet (Unaudited)
As of November 30, 2006

ASSETS

ASSETS

Current Assets

Checking/Savings

Bank of America

\$ 22,120.21

Bank of America - 4894

350,040.00

Charles Schwab

59,503.66

Total Checking/Savings

431,663.87

Total Current Assets

431,663.87

TOTAL ASSETS

\$ 431,663.87

LIABILITIES AND STOCKHOLDERS EQUITY

LIABILITIES & EQUITY

Equity

Additional PIC

1,881,861.63

Additional PIC - 8/31/05

10,148,298.52

Common Stock

2,638.37

Common Stock - 8/31/05

14,164.40

Retained Earnings

-11,172,386.28

Net Income

-442,912.77

Total Equity

431,663.87

TOTAL LIABILITIES & EQUITY

\$ 431,663.87

See notes to financial statements

D-45

SIGNATURES

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant caused this Report on Form 10-QSB to be signed on its behalf by the undersigned, thereunto duly authorized.

DATE: January 24, 2007

Imperiali Inc

By: /s/ Charles A. Fiscina
Charles A. Fiscina, Chief Financial Officer

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3/2/07

10-Q/A 1 317010qsba1.htm AMENDMENT NO. 1

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-Q/A
(Amendment No. 1)

QUARTERLY REPORT UNDER SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934

For the quarterly period ended November 30, 2006

TRANSITION REPORT UNDER SECTION 13 OR 15 (D) OF THE EXCHANGE ACT

Imperiali Inc.

(Exact Name Registrant as Specified in Its Charter)

Florida

(State of Other Jurisdiction
of Incorporation or
Organization)

(I.R.S. Employer Identification
No.)

(Address of Principal Executive Offices)

(Issuer's Telephone Number, including Area Code)

Indicate by check mark whether the Registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or such shorter periods as the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, of a non-accelerated filer. See definition of "accelerated filer" and "large accelerated filer" in Rule 12b-2 of the exchange Act.

Large Accelerated Filer Accelerated Filer Non-Accelerated Filer

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes No

On November 7, 2006 there were 25,757,486 shares outstanding of the registrant's common stock, \$.001 par value.

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SIGNATURES

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant caused this Report on Form 10-Q/A to be signed on its behalf by the undersigned, thereunto duly authorized.

DATE: March 2, 2007

Imperiali Inc

By: /s/ Charles A. Fiscina
Charles A. Fiscina, Chief Financial Officer

P-48

7/9/07

10-Q 1 c797010q.htm FOR THE QUARTERLY PERIOD ENDED MAY 31, 2007

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-Q

QUARTERLY REPORT UNDER SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934

For the quarterly period ended May 31, 2007

TRANSITION REPORT UNDER SECTION 13 OR 15 (D) OF THE EXCHANGE ACT

Imperiali Inc.

(Exact Name Registrant as Specified in Its Charter)

Florida

(State or Other Jurisdiction of
Incorporation or Organization)

(I.R.S. Employer Identification No.)

(Address of Principal Executive Offices)

(Issuer's Telephone Number, including Area Code)

Indicate by check mark whether the Registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or such shorter periods as the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, of a non-accelerated filer. See definition of "accelerated filer" and "large accelerated filer" in Rule 12b-2 of the exchange Act.

Large Accelerated Filer Accelerated Filer Non-Accelerated Filer

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes No

On May 31, 2007 there were 38,188,486 shares outstanding of the registrant's common stock, \$.001 par value.

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SIGNATURES

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant caused this Report on Form 10-Q to be signed on its behalf by the undersigned, thereunto duly authorized.

DATE: July 9, 2007

Imperiali Inc

By: /s/ Charles A. Fiscina

Charles A. Fiscina, Chief Financial Officer

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8/17/07

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UNITED STATES
 SECURITIES AND EXCHANGE
 COMMISSION
 Washington, D.C. 20549

Form 8-K
 Current Report
 Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): 08/15/2007

Imperiali, Inc.

(Exact name of registrant as specified in its charter)

Florida
 (State or other jurisdiction of
 incorporation)

[REDACTED]
 (IRS Employer
 Identification No.)

[REDACTED]
 (Address of principal executive offices, including zip code)

[REDACTED]
 (Registrant's telephone number, including area code)

N/A
 (Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

<PAGE>

Item 2.01

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Valuation Determination for Projects Listed in the 10-Q Dated 05-31-2007

Ilsearch and ilconnect projects:

Approximately \$2M was paid to Imperiali Organization to develop the projects of ilsearch and ilconnect. Additional monies were paid out for source coding and technical specifications by Imperiali Organization before Imperiali Inc. began to restart operations in 2005. The amount of money spent on behalf of Imperiali Organization and Mr. Imperato, combining cash expenditures for technology and source code writing, along with expenses, concepts, and marketing plans certainly matches the \$2M spent on behalf of Imperiali Inc.

In addition, the ilsearch project is comparable to a Google type search engine, and it is not a Meta search, but contains proprietary code that makes it a leading edge project. In addition, ilsearch has additional technology comparing to U-tube. U-tube has just sold for \$1.2B, not including Google.

Ilconnect is a public relations project and has technology that has access to media outlets and relations in over approximately 150 countries. It has linked several search engines from other parts of the world to ilsearch. In addition, it has developed newspaper links, media links, and the technology that goes with the ability to do such. Imperiali Inc. has spent additional monies with Imperiali Organization to develop this project, but Imperiali Organization and Daniel Imperato have spent monies prior to Imperiali Inc's restart-up in 2005, including software source code, equal to a minimum of \$1.5M.

Combining ilsearch and ilconnect projects and comparing them to Google, U-tube, and any established global public relations firm, certainly warrants a \$4M valuation and should have an unrealized future value.

Imperiali Inc.'s prior assets, in telecommunications have become useful and valuable based upon Imperiali Organization's development efforts to reestablish a global technology infrastructure and communications trafficking project with voice, video, data, storage, and broadcast plans. Imperiali Inc's assets consisted of previous memorandums of understanding (MOUs) with telecommunication carriers in seventy countries, around the world. These MOUs, related to establishing telecommunications partnerships, services, and joint-infrastructure. Imperiali Organization and Daniel Imperato maintained the global relationships for over three years. In addition, we maintained personal relations and marketing skills to maintain those relations, combining those relationships with the new Imperiali Inc.'s existing telecommunications studies and plans to establish the Company's reentry to build a multibillion dollar telecommunications infrastructure plan.

Based upon Imperiali Organization's development work on behalf of Imperiali Inc, and on behalf of itself, a partnership between South and North American telecommunications companies, to establish a fiber optic subsea infrastructure, is under development. Imperiali Inc. owns all of the data, based upon the old NMDG project, connecting North and South America. It was accompanied by a Bank of America valuation that collectively suggested an approximate value of \$700M for the South American to US project, and a valuation of \$1.7B for Asia-Pacific portion of the project. Finally, approximately \$1.2B valuation for the European project which can be seen in the Bank of America valuation.

Taking into account the age of the Bank of America valuation and prior traffic studies, we extrapolated the current figures combining them with the change in compression, technology, equipment costs, and comparing the current traffic between North and South America, we believe that the valuation of the South American project with new partners \$700M can be realized. Since Imperiali

P-52

Organization has developed a new set of telecom partners with assets of optical fiber stretching between Fortaleza, Brazil to Argentina, with no external traffic at present. This company has entered into an agreement with Imperiali Organization, through Mr. Imperato's efforts. The contract and MOU agreements pertaining to supplies, landing, and traffic are partially completed and signed as of today.

<PAGE>

The conclusion of the valuation of \$70M does not include the recent invitation of Imperiali Organization to participate in (euro)50B of projects around the world, in collaboration with Orden Bonaria, an international humanitarian organization, through the efforts of Mr. Imperato. The valuation of \$70M does include ilsearch, ilconnect, and the North and South American project Excluding Europe, the Middle East, Africa, and Asia for the moment.

Based upon the \$700M previous valuation from Bank of America, and at the time, approximate valuation for a going concern of \$25-50M, and the fact that, excluding Google's valuation, and just valuing the technology of ilsearch related to www.studentpipeline.net, a social networking site of which compares to U-tube which sold for \$1.2B and a public relations capability to span the global with linkage to the global market place, should suggest an app \$300M corporate value.

Based upon competitive analysis of similar companies, Imperiali's projects are conservatively valued based upon this analysis.

The final conclusion of the valuation is as follows: combining the \$1.2B sale of U-tube, excluding Google, until a deeper maturity is realized by ilsearch's capabilities and data center's presence. Along with a comparative public relations company's approximate \$300M value and \$700M telecommunications value, based upon previous BOA valuation. We believe that combining these three values, totaling \$2.2B, and realizing that Imperiali's assets are unrealized values, with an opportunity to grow rapidly and compete with other companies in the sector. Putting a \$70M value of unrealized assets on future projects valued in comparison at \$2.2B, excluding Google, and the balance of the telecom project, along with the fact that Imperia Organization has substantial additional projects that have been unable to be fully valued at this time. Imperiali decided that putting an unrealized value of \$70M basically equals approximately 3% of what Imperiali feels is its full potential, not including the above additional projects that have been developed by Imperiali Organization on behalf and in conjunction with Imperiali Inc.

Overall, Imperiali Inc. and Imperiali Organization coming together has a potential upside of exponential growth, realizing assets and values in the future far beyond and above \$70M.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Imperiali, Inc.

Dated: August 16, 2007

P-53

By: /s/ Charles A. Fiscina

Name: Charles A. Fiscina
Title: Chief Financial Officer

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P-54

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
FORM 8-K
CURRENT REPORT
Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

CURRENT REPORT

Date of Report (Date of earliest event reportedly): October 4, 2007

Imperiali, Inc.
(Exact name of registrant as specified in charter)

Florida
(State or Other Jurisdiction of Incorporation) (Commission File Number) (I.R.S. Employer ID No.)

[REDACTED]
(Address of principal executive office Zip Code)

[REDACTED]

Registrant's telephone number, including area code:

Not Applicable
(Former name or former address, if changes since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communication pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

<PAGE>

Item 5.02(b) Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers

P-55

On October 4, 2007, the registrant announced the departure of Charles A. Fiscina, Chief Financial Officer, effective October 4, 2007.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Imperiali, Inc.

By: /s/ John N. Chaplik

Name: John N. Chaplik
Title: Controller

Dated: October 4, 2007

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10/9/07

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
FORM 8-K
CURRENT REPORT
Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

CURRENT REPORT

Date of Report (Date of earliest event reportedly): October 8, 2007

Imperiali, Inc.
(Exact name of registrant as specified in charter)

Florida
(State or Other Jurisdiction of Incorporation) (Commission File Number) (I.R.S. Employer ID No.)

[Redacted]
(Address of principal executive office Zip Code)

[Redacted]

Registrant's telephone number, including area code:

Not Applicable
(Former name or former address, if changes since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communication pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

<PAGE>

Item 5.02(b) Departure and Hiring of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers

P-57

On October 8, 2007, the registrant announced that John N. Chaplik is no longer Chief Compliance Officer effective October 8, 2007.

On October 8, 2007, the registrant announced that Stuart H. Ferguson is hired as interim Chief Financial Officer effective October 8, 2007.

On October 8, 2007, the registrant announced that Keith M. Feldman is hired as interim Chief Compliance Officer effective October 8, 2007.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Imperiali, Inc.

By: /s/ John N. Chaplik

Name: John N. Chaplik
Title: Controller

Dated: October 8, 2007

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10/18/07

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
FORM 8-K
CURRENT REPORT
Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

CURRENT REPORT

Date of Report (Date of earliest event reported): October 17, 2007

Imperiali, Inc.
(Exact name of registrant as specified in charter)

Florida
(State or Other Jurisdiction of Incorporation) (Commission File Number) (I.R.S. Employer ID No.)

[Redacted]
(Address of principal executive office Zip Code)

[Redacted]

Registrant's telephone number, including area code:

Not Applicable
(Former name or former address, if changes since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communication pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

<PAGE>

Item 1.01 Entry into a Material Definitive Agreement: Fidelity Bond

SIGNATURES

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Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Imperiali, Inc.

By: /s/ Stuart Ferguson

Name: Stuart Ferguson
Title: Interim Chief Financial Officer

Dated: October 17, 2007

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P.80

96

		DOLLARS	CENTS
DATE	Aug. 23.		
PAY TO	Craig Canal C/N	DEPOSIT	
		DEPOSIT	
FOR		TOTAL	
		AMOUNT THIS CHECK	100.00
		BALANCE	
		OTHER DEDUCTIONS	
<input checked="" type="checkbox"/> TAX DEDUCTIBLE		BALANCE FORWARD	

99

		DOLLARS	CENTS
DATE	Aug. 23.		
PAY TO	Flannery retiree stock	DEPOSIT	
		DEPOSIT	
FOR		TOTAL	
		AMOUNT THIS CHECK	400.00
		BALANCE	
		OTHER DEDUCTIONS	
<input checked="" type="checkbox"/> TAX DEDUCTIBLE		BALANCE FORWARD	

100

		DOLLARS	CENTS
DATE	Aug. 23.		
PAY TO	Bruce Harker	DEPOSIT	300.48
		DEPOSIT	
FOR		TOTAL	
		AMOUNT THIS CHECK	300.00
		BALANCE	
		OTHER DEDUCTIONS	
<input checked="" type="checkbox"/> TAX DEDUCTIBLE		BALANCE FORWARD	

Bruce
Harker
Amed CFO.
Aug. 07

PAID:
retiree

R61

11/14/07

8-K 1 v094360_8k.htm

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of
the Securities Exchange Act of 1934


Date of Report (Date of earliest event reported):
November 12, 2007


Imperiali, Inc.


(Exact name of registrant as specified in this charter)


Florida
*(State or other jurisdiction
of incorporation)*

*(Commission
File Number)*


*(IRS Employer
Identification No.)*


(Address of Principal Executive Offices)


(Zip Code)

Registrant's Telephone Number, including area code: 

(Former Name or Former Address, if Changes Since Last Report)

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Item 5.02. Departure of Directors or Principal Officers; Election of Directors; Appointment of principal Officers.

On November 12, 2007, the Board of Directors accepted the resignation of Stuart Ferguson as Interim Chief Financial Officer and Keith Feldman as Interim Chief Compliance Officer as submitted to the Board on November 12, 2007. There were no disagreements with Mr. Ferguson or Mr. Feldman on any matter of accounting principles or practices, financial statement disclosure or auditing scope or procedure.

On November 12, 2007, the Board of Directors appointed Brad Hacker, CPA as the interim Chief Financial Officer for the Company. In addition Mr. Hacker's accounting firm, Kramer Weisman and Associates will handle the day to day finance and accounting duties of the company. Duties include consultation on accounting and operational matters as may be required. The engagement will include the aforementioned consultation and will include but is not limited to the following:

- Preparing and issuing consolidated monthly financial statements. We will not audit or review such financial statements.
- Preparing of annual audit work papers for outside auditors and year end financial statement
- As applicable preparation of SEC filings as required (i.e., 8-K, 10-QSB, 10-KSB, etc.)
- Serving as the company's financial liaison with external auditors, attorneys, investment bankers and traditional bankers
- Assistance preparing and presenting business plans, budgets, and financial projections
- Tax services as requested
- Other duties consistent with those of a finance/accounting department

ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS.

None.


SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

IMPERIALI, INC

By /s/ Daniel Imperato
Interim Chief Executive Officer

Date: November 16, 2007

Did not Authorise my Sign
 P-63

11/29/07

10KSB 1 v095857 10ksb.htm

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-KSB

ANNUAL REPORT UNDER SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended August 31, 2007

TRANSITION REPORT UNDER SECTION 13 OR 15 (D) OF THE EXCHANGE ACT

Imperiali Inc.

(Exact Name Registrant as Specified in Its Charter)

Florida

(State or Other Jurisdiction of
Incorporation or Organization)

[REDACTED]
(I.R.S. Employer Identification No.)

[REDACTED]

(Address of Principal Executive Offices)

[REDACTED]

(Issuer's Telephone Number, including Area Code)

Indicate by check mark whether the Registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or such shorter periods as the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, of a non-accelerated filer. See definition of "accelerated filer" and "large accelerated filer" in Rule 12b-2 of the exchange Act.

Large Accelerated Filer Accelerated Filer Non-Accelerated Filer

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes No

On August 31, 2007 there were 38,200,986 shares outstanding of the registrant's common stock, \$.001 par value.

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ITEM 4. CONTROLS and PROCEDURES.

Within 90 days of the filing of this Form 10-K, an evaluation was carried out by Charles A. Fiscina, our Chief Financial Officer, of the effectiveness of our disclosure controls and procedures. Disclosure controls and procedures are procedures that are designed with the objective of ensuring that information required to be disclosed in our reports filed under the Securities Exchange Act of 1934, such as this Form 10-K, is recorded, processed, summarized and reported within the time period specified in the Securities and Exchange Commission's rules and forms. Based on that evaluation, Mr. Fiscina concluded that as of December 10, 2007, and as of the date that the evaluation of the effectiveness of our disclosure controls and procedures was completed, our disclosure controls and procedures were effective to satisfy the objectives for which they are intended.

There were no changes in our internal control over financial reporting identified in connection with the evaluation performed that occurred during the fiscal quarter covered by this report that has materially affected or is reasonably likely to materially affect, our internal control over financial reporting.

PART II. OTHER INFORMATION**ITEM 5. EXHIBITS and REPORTS on FORM 8-K.**

(a) EXHIBITS. The following exhibits are filed as part of this report.

- 31 Certification of Chief Executive Officer, President filed pursuant to Section 302 of the Sarbanes-Oxley Act of 2002
- 32 Certification of Chief Executive Officer, President furnished pursuant to 18 U.S.C. Section 1350, as adopted pursuant to Section 906 of the Sarbanes-Oxley Act of 2002

(b) REPORTS ON FORM 8-K. None

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SIGNATURES

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant caused this Report on Form 10-KSB to be signed on its behalf by the undersigned, thereunto duly authorized.


DATE: November 28, 2007

Imperiali Inc

By /s/ Daniel Imperato

Daniel Imperato, Interim Chief Executive Officer

15

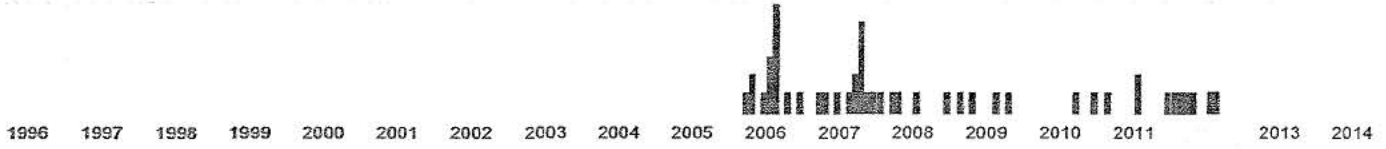
Never Authorized my
Σ. Signature 

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<http://i1connect.com>

Saved **49 times** between March 21, 2006 and August 31, 2012.

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This calendar view maps the number of times <http://i1connect.com> was crawled by the Wayback Machine, *not* how many times the site was actually updated. More info in the [FAQ](#).

The Wayback Machine is an initiative of the [Internet Archive](#), a 501(c)(3) non-profit, building a digital library of Internet sites and other cultural artifacts in digital form. Other [projects](#) include [Open Library](#) & [archive-it.org](#).

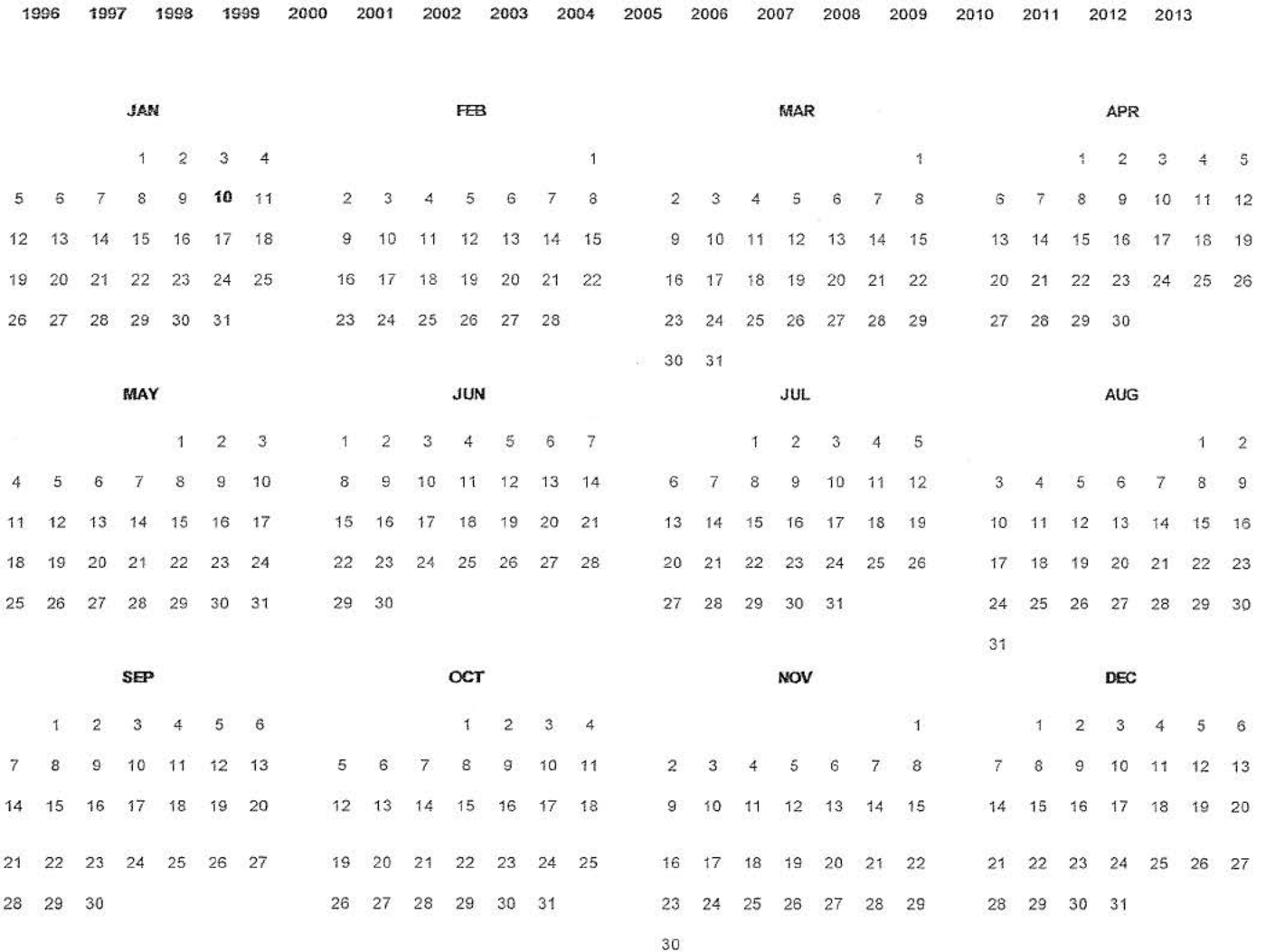
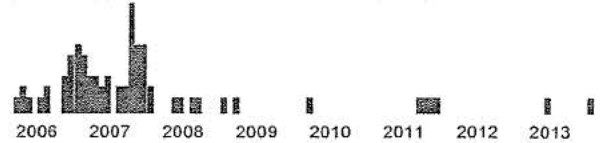
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<http://i1search.com>

Saved **78 times** between March 21, 2006 and January 10, 2014.

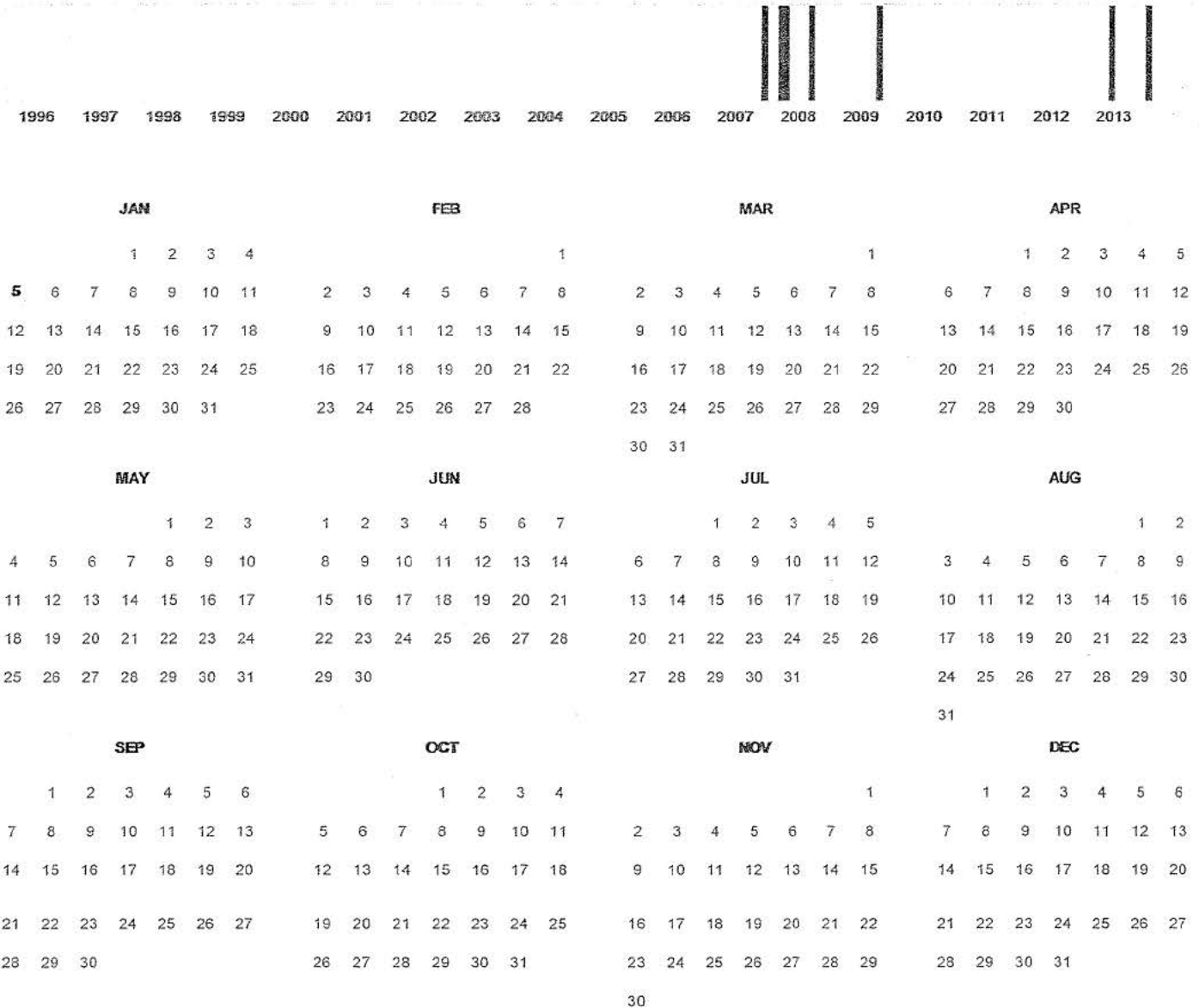
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http://i1films.com

Saved **7 times** between December 30, 2007 and January 5, 2014.

PLEASE DONATE TODAY. Your generosity preserves knowledge for future generations. Thank you.



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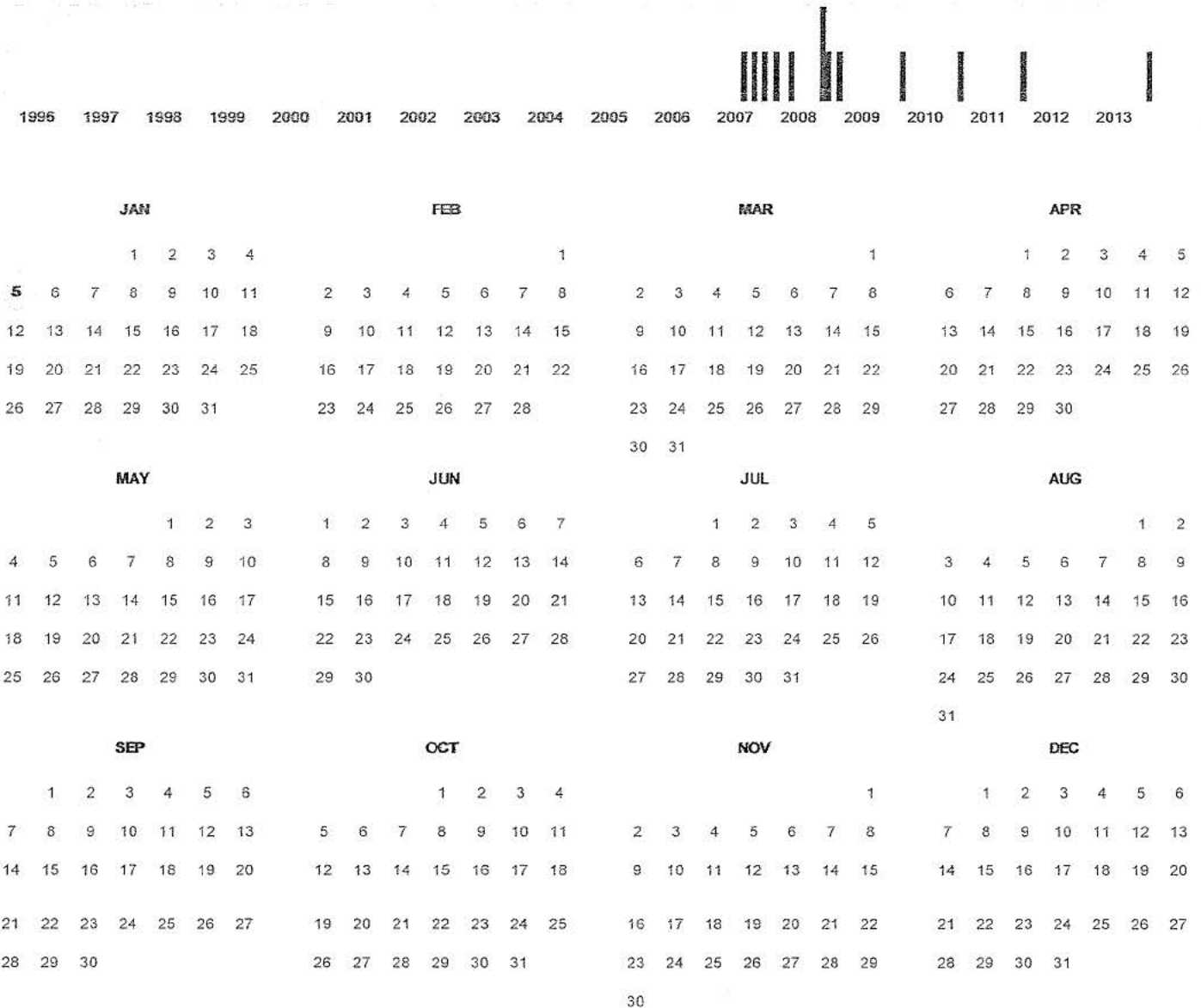
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http://imperialiinc.com

Saved **13 times** between August 14, 2007 and January 5, 2014.

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Note

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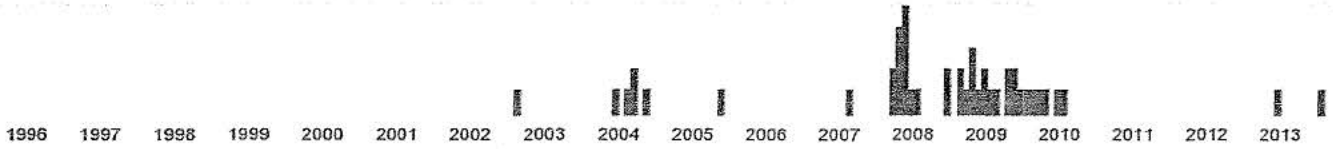
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<http://isidorus.com>

Saved 47 times between February 12, 2003 and January 1, 2014.

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No Consent Forum For Magistrate

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA



Case No. 12-80021-Civ-Ryskamp/Hopkins

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

IMPERIALI, INC., et al,

Defendants.

FILED by _____ D.C.

JUN 22 2012

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.P.B.

ORDER ON DEFENDANT DANIEL IMPERATO'S MOTIONS FOUND AT DEs 62, 73, 74

THIS CAUSE has come before this Court upon an Order referring all pre-trial matters to U.S. Magistrate Judge Ann E. Vitunac (DE 19), and upon Amended Case Reassignment pursuant to the Administrative Order 2012-42 (DE 35).

No Consent. Use 28, 636

This case was commenced on January 9, 2012. Plaintiff alleges violations of the Securities, Securities Exchange, and Investment Company Acts. (DE 1). The District Court entered its Scheduling Order on June 15, 2012.

Since May 10, 2012, Defendant Daniel Imperato, appearing *pro se*, filed 36 Motions in this case. Most of these request dismissal of the case with prejudice. Plaintiff responded to some of the Motions. On June 15, 2012, this Court set a telephonic hearing for June 26, 2012 on 25 of Defendant's Motions. On June 18 and 19, 2012, Defendant Imperato filed 13 more Notices and

Hopkins LEO in Court P74

Motions. While Defendant Imperato's filings are not easy to interpret, it appears that several of his
Motions merit consideration at this point.

Motion found at DE 62

Defendant Imperato asks the Court to order Plaintiff to respond to each of his Motions separately and to rule on each one separately as well. District courts have broad discretion in managing their cases. *Chrysler Int'l Corp. v. Chenaly*, 280 F.3d 1358, 1360 (11th Cir. 2002). The courts are also supposed to facilitate "just, speedy, and inexpensive determination of every action and proceeding." Fed. R. Civ. P. 1. It will be highly inefficient to address such a high volume of filings individually, and the Court declines the invitation to do so. Therefore, Defendant's Motion found at DE 62 is **DENIED**. Defendant Imperato should note that increasing the number of filings raising the same points will not increase his chances of a favorable outcome.

Motion found at DE 73

Defendant asks the Court to continue the hearing set for June 26, 2012. However, Defendant only states that he has obligations on June 27, 2012 that would interfere with his ability to attend the hearing. Therefore, Defendant's Motion is **DENIED**. The hearing will proceed on June 26, 2012 at 2:00 p.m.

Motion found at DE 74

In this Motion, Defendant Imperato objects to the hearing being held telephonically. The Motion is **GRANTED IN PART and DENIED IN PART**. Any party wishing to appear in person

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may do so. The hearing will be held at the United States Courthouse, 701 Clematis Street, Courtroom 6, West Palm Beach, Florida, 33401. Any party wishing to appear telephonically should follow the instructions set out in the previous order.

DONE AND ORDERED in Chambers this 22nd day of June 2012, at West Palm Beach in the Southern District of Florida.

James M. Hopkins

JAMES M. HOPKINS
UNITED STATES MAGISTRATE JUDGE

cc: Counsel of Record
Pro se Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 12-80021-CIV-RYSKAMP/HOPKINS

Securities & Exchange Commission

Plaintiff

vs.

Imperiali, Inc., et al

Defendant

Violation US Constitution

VOID

NOTICE OF TRIAL

This case is set for **jury TRIAL** commencing the two-week trial period of **November 4, 2013**, in West Palm Beach, Florida. All matters relating to the scheduled trial date may be brought to the attention of the court at **CALENDAR CALL** on **October 31, 2013** in the Federal Courthouse, Courtroom No. 1, 701 Clematis Street, 4th floor, West Palm Beach, Florida at 1:15 P.M.

Plaintiff's counsel shall notify any attorneys not listed below of this notice of trial. Any motion for a continuance **MUST** be in writing in order to be considered.

DATED this 22nd day of June, 2012.

/s/ Sharon J. Hibbs

SHARON J. HIBBS, Judicial Administrator to
JUDGE RYSKAMP

c: All Counsel of Record

12-4-1

077

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No.: 12-CV-80021-RYSKAMP/HOPKINS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

IMPERIALI, INC. et al.,

Defendants.

No Consent
Form

FINAL JUDGMENT AS TO DEFENDANT DANIEL IMPERATO

THIS CAUSE comes before the Court on its order adopting the Magistrate's report and recommendations and granting Plaintiff Securities and Exchange Commission ("Plaintiff") summary judgment [DE 163] entered on October 8, 2013. The Court found Defendant Daniel Imperato ("Defendant") violated the federal securities laws set forth in the complaint in this matter. After supplemental briefing as to Plaintiff's request for monetary and injunctive relief, the Court finds Plaintiff has made a proper showing that permanent injunctions, an officer-and-director bar, and disgorgement plus prejudgment interest are warranted against Defendant. Given the extensive nature of the relief granted, the Court declines to impose a civil penalty against Defendant. *See S.E.C. v. Warren*, 534 F.3d 1368, 1369 (11th Cir 2008) (the imposition of a civil penalty is left to the discretion of the court). Accordingly, **FINAL JUDGMENT** is hereby entered in favor of Plaintiff and against Defendant as follows:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and

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