UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION



In the Matter of)	
DENNIS J. MALOUF,)	ADMINISTRATIVE PROCEEDING
)	File No. 3-15918
Respondent.)	

NOTICE OF COMPLIANCE AND REQUEST FOR RECONSIDERATION

- 1. On October 28, 2014, this Honorable Administrative Law Judge ordered that all responsive documents to the subpoena as modified by Order dated September 22, 2104, be produced to Respondent on or before November 4, 2014. On October 30, 2014, the undersigned law firm received the check for \$1,356.00 ordered by this Honorable Administrative Law Judge. Additionally, in accordance with an agreement between counsel for the respective parties, an additional \$200.00 was received for production of documents sought from individuals who are employees of UASNM, Inc., but who were subpoenaed in their individual capacities.
- 2. On October 31, 2014, all responsive documents to the subpoena as modified, as well as the additional documents sought from individuals were sent on a hard drive by Federal Express to counsel for the Respondent as well as to counsel for the SEC, which documents were received by the respective counsel on November 3, 2014. A privilege log of e-mails has also been prepared and is being served on a compact disc with this Notice.
- 3. Attached hereto as *Exhibit 1* are the itemized bills of counsel for UASNM, Inc. as well as for the responsible parties at UASNM, Inc., showing the date, time spent, and hourly rates of the attorneys and paralegal of the Chappell Law Firm, P.A., with regard to compiling the

responsive documents to the modified subpoena as well as preparing the privilege log. The total amount of fees incurred by UASNM is \$39.606.00, plus New Mexico gross receipts tax in the amount of \$2,772.42, for total legal fees billed of \$42,378.42.

- 4. Kirk Hudson spent 65.5 hours on the subpoena production for documents at the rate of \$250.00 per hour, for a total amount of \$16,375. *See Exhibit 2*.
- 5. Joe Kopczynski spent 27 hours on the subpoena for production of documents at the rate of \$250.00 per hour, for a total amount of \$6,750.00. *See Exhibit 3*.
- 6. Additional expenses incurred by UASNM, Inc in responding to the subpoena as modified, include:
 - a. Cost of hard-drives to produce responsive documents \$118.11 See Exhibit 4
- 7. The total amount incurred by UASNM, Inc. in responding to the subpoena, as modified is \$65,835.60.
- 8. UASNM, Inc., by and through its undersigned counsel respectively requests this Honorable Administrative Law Judge, and based upon the substantial time expended in complying with the modified subpoena, to reconsider the cap of \$20,000.00 it placed on the amount to be paid. No cap was stated in the order of September 22, 2014.
- 9. Additionally, UASNM, Inc., respectfully requests that this Honorable Administrative Law Judge set a date certain by which Respondent is required to pay such fees and costs as may be ordered by the Administrative Law Judge.

WHEREFORE, based upon the foregoing UASNM, Inc. requests that the Administrative Law Judge remove the \$20,000 cap contained in its order of October 28, 2014, and order the Respondent to pay to UASNM, Inc. by a date certain the total sum of \$65,835.60.

Respectfully submitted,

CHAPPELL LAW FIRM, P.A.

5<u>Y</u> – 1

Bill Chappell, Jr.

James B. Boone

6001 Indian School Rd. NE, Suite 150

Albuquerque, New Mexico 87110

(505) 878-9600

(505) 878-9696 - FAX

Attorneys for UASNM, Inc.

CERTIFICATE OF SERVICE

IT IS HEREBY certified that I caused to be served, as indicated, a true and correct copy of the foregoing **Notice of Compliance and Request for Reconsideration** to:

Securities and Exchange Commission

Mail)

Lynn M. Powalski, Deputy Secretary 100 F Street, NE Mail Stop 1090 Washington, D.C. 20549 Fax: 703-813-9793 (Original and three copies via U.S.

Stephen C. McKenna, Esq.
Securities and Exchange Commission
Byron G. Rodgers Federal Building
1961 Stout Street, Suite 1700
Denver, CO 80294-1961
Attorney for Division
(303) 844-1000
(303) 844-1068 - FAX
(Copy by U.S. Mail & E-Mail)

Honorable Jason S. Patil Administrative Law Judge 100 F Street, NE Mail Stop 2582 Washington, D.C. 20549 (Courtesy copy by E-Mail)

Burton W. Wiand, Esq. Robert Jamieson, Esq. Wiand Guerra King PL 5505 West Gray Street Tampa, Florida 33609 Attorneys for Respondent (Copy by U.S. Mail and E-Mail)

Lynn M. Powalski, Deputy Secretary was not served via E-Mail because UASNM, Inc. does not have an E-mail Address for Ms. Powalski.

on this 2 day of November, 2014.

James B. Boone

6001 Indian School Road NE Suite 150 Albuquerque, NM 87110

(505) 878-9600

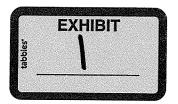
Invoice submitted to: Joseph Kopczynski 13000 Antelope Dancer Trail NE Albuquerque, NM 87112

Client #: 11027.031711

August 31, 2014

In Reference To: Shareholder Voting and Control Issues Invoice #10896

Professional Services



8/28/2014		<u>Hours</u>	<u>Amount</u>
8/29/2014 JBB	Research on compliance/objection to subpoenas before SEC and rules procedure/case law on same (5.5); review subpoena contents, e-mail free Patrick Griebel, and prior privilege log (1.5); phone call with Mr. Hudsor review e-mails from Mr. Hudson to SEC counsel (.5); prepare memo oproposed issues for consideration (.8).	rom n and	2,075.00
ВС	Exchange of emails; telephone call with Patrick Griebel, Esq. and Joe Kopczynski; conference with James Boone, Esq.; telephone call with Ki Hudson; review response rules for the subpoena and review subpoenas research on grounds for objections.	irk	1,017.50
Fo	or professional services rendered	47.20 \$12	2,059.50
Ad	dditional Charges :		
8/31/2014			-
To	tal additional charges	on the same of the	*************************************
	w Mexico Sales Tax		\$848.73
То	tal amount of this bill	\$12	2,973.33
Pre	evious balance	\$4	,439.69
Balar	nce due \$\frac{4,439.69}{\text{posted to account}}\$	\$17	,413.02
	Timekeeper Summary	-	
Name Bill Chappell James B. Boone Michael Hoeferkal Erin Dingman	mp	25.40 275.00 \$6 19.80 250.00 \$4 0.10 200.00	Amount ,985.00 ,950.00 \$20.00 \$104.50

6001 Indian School Road NE Suite 150 Albuquerque, NM 87110

(505) 878-9600

Invoice submitted to:

UASNM, Inc.

Hours

0.50

2.30

Client #: 11027.091214

Amount

150.00

690.00

4906 Alameda Boulevard NE Suite A

Albuquerque, NM 87113

September 30, 2014

In Reference To: SEC v. Malouf

BC

BC

Invoice #11023

9/2/2014

Professional Services

enforcement.

Telephone call with Steve Miller.

	!			
9/3/2014				i .
9/4/2014	JBB	Review and revise application to quash subpoena in Malouf/SEC case; review related e-mails on 9/2 and 9/3/14; phone calls with Kirk Hudson on same; research on same; e-mails with James Burns, Esq. regarding privilege log sent to sent along with requests for cover page/response documentation on documents provided to SEC pursuant to subpoena.	10.50	2,625.00
	JBB	Review and revise application to quash; preparation of affidavit of Mr. Hudson.	2.00	500.00

Research; review of practice manual; review of opinions on subpoena

		-	Hours	Amount
9/4/2014	ВС	Review of cases; conference with James Boone, Esq. and Michael Hoeferkamp, Esq. regarding response; review initial draft of response to subpoena; review correspondence, regulations and other issues.	2.10	630.00
	МН	Telephone call to Kirk Hudson with James Boone, Esq. regarding the subpoena, costs, and an affidavit.	0.70	140.00
	МН	Review and revise Application to add argument on other subpoenas, privileges, and <i>Premo</i> decision by Administrative Law Judge (ALJ); telephone call from James Burns, Esq. regarding letter to ALJ and review the ALJ order on notice of objections to subpoenas, and respond to Mr. Burns; coordinate arguments and procedures with Mr. Boone.	2.70	540.00
9/5/2014	ED	Review and revise Affidavit of Kirk Hudson; preparation of email to Mr. Hudson requesting review of the same.	0.50	27.50
	ED	Review and revise Application to Quash Subpoena Issued August 28, 2014 Upon Request of Respondent.	0.80	44.00
	ED	Review and revise Application to Quash Subpoena; add Table of Contents, Table of Cases and Table of Statutes.	1.50	82.50
	JBB	Review and revise application to quash; revise affidavit of Mr. Hudson; phone calls and conference with Mr. Hudson; finalize application and affidavit; prepare e-mail to other subpoenaed parties regarding request to not disclose UASNM documents subject to application to quash.	8.50	2,125.00
	ED	Preparation of letter to the SEC Secretary enclosing the Application to Quash Subpoena; preparation of email to Judge Cameron Elliot enclosing a copy of the same.	0.20	11.00
	ВС	Review final material for response to subpoena; review correspondence with respect to prior communications with Malouf's counsel; conference with Kirk Hudson; assist in finalizing responses.	1.20	360.00
9/8/2014	JBB	Review emails on application to quash (.8); prepare responses to same (.4); conference with Mr. Chappell and Mr. Kopczynski and phone call with insurance coverage counsel (Ms. Carrillo) regarding coverage of insurance policy for defense costs in Malouf and SEC cases (2.0); review e-mails from Mr. Burns on application to quash and turnover of documents and prepare responses to same (.4); review application to quash/modify filed by Mr. Burns on behalf of Albuquerque Business Law (.5).	4.50	1,125.00

UASNM, Inc.

Page

Hours

3

90.00

Amount 9/8/2014 Conference with James Boone, Esq. and Michael Hoeferkamp, Esq. 0.30 regarding follow-up.

9/9/2014

9/10/2014

9/11/2014

9/12/2014 JBB Review response in opposition to application to quash subpoena (.4); review and respond to e-mails from Mr. Hudson (.4); prepare e-mails to other parties with copy of response (.2); review order setting final hearing date (.1).

1.10

275.00

9/15/2014

UASNM, Inc.

Page

Hours Amount

9/17/2014

9/18/2014

9/19/2014

9/22/2014	JBB	Review order from ALJ on Malouf subpoena (.5); review documents on drive possibly responsive to subpoena (1.0); research on appeal of ALJ order to full SEC panel (.5).	2.00	500.00
	BC	Quick review of order on subpoena and conference with James Boone, Esq.	0.30	90.00
	ВС	Initial review of documents supplied by James Burns, Esq., including emails regarding possible obligation to produce; exchange of emails regarding time for telephone conference.	0.70	210.00
9/23/2014	JBB	Conference call with Mr. Kopczynski and Mr. Hudson with Bill Chappell, Jr., Esq. on subpoena requirements and order of ALJ.	1.30	325.00
	ŧ			
	вс	Review SEC order on subpoena; conference call with Joe Kopczynski, Kirk	1.60	480.00
		Hudson and James Boone, Esq.		

			Hours	Amount
9/23/2014				
	ВС	Telephone call with James Burns, Esq. and James Boone, Esq. regarding responses to the subpoenas.	1.10	330.00
9/24/2014				`
	JBB	Review hard drive from James Burns, Esq. for responding to subpoena.	3.00	750.00
	ВС	Extended telephone call with Kirk Hudson regarding subpoena.	1.30	390.00
	BC	Review and respond to multiple emails regarding subpoena, reassignment of ALJ and appropriate responses to the subpoenas.	0.90	270.00
9/25/2014	JBB	Email to counsel for Malouf on payment due for discovery materials (.3); email to Mr. Hudson on status of document production (.1).	0.40	100.00
			/	
9/26/2014	Ł			
9/29/2014	JBB	Telephone call to client regarding status of document production (advised to send over whatever documents client currently had put together).	0.20	50.00
9/30/2014				
		•		
				•
	ВС	Exchange of emails with Joe Kopczynski and Kirk Hudson regarding	0.20	60.00
	BU	questions on discovery and SEC proceeding.	0.20	60.00
	Fo	r professional services rendered	89.40	\$22,775.00

Additional Charges:

9/5/2014	
	-
	~
FedEx to Office of the Secretary, US Securities and Exchange Commission.	52.05
FedEx to Burton Wiand, Esq.	25.60
FedEx to Anne Small, Esq., US Securities and Exchange Commission.	25.60
9/30/2014	
Total additional charges	\$235.95
New Mexico Sales Tax	\$1,602.85
Total amount of this bill	\$24,613.80
Balance due	\$24,613.80

Timekeeper Summary

Rate	Amount
300.00	\$9,690.00
0.00	\$0.00
250.00	\$10,800.00
200.00	\$2,120.00
55.00	\$165.00
	300.00 0.00 250.00 200.00

6001 Indian School Road NE Suite 150 Albuquerque, NM 87110

(505) 878-9600

Client #:

11027.091214

Invoice submitted to:

UASNM, Inc.

4906 Alameda Boulevard NE

Suite A

Albuquerque, NM 87113

October 31, 2014

In Reference To: SEC v. Malouf

Invoice #11151

Professional Services

			Hours	Amount
10/1/2014	JBB	Review documents to be produced for SEC/Malouf subpoena; phone calls with Mr. Hudson on same; conference with Mr. Kopczynski on same; review letter from Malouf counsel and prepare response to same.	7.50	1,875.00
	ED	Review Subpoena and Order quashing and modifying the same; begin preparation of written response to the same; begin review of documents from client.	2.00	110.00
	ED	Review documents received from clients responsive to SEC Subpoena with James Boone, Esq.	2.00	110.00
	BC	Exchange of emails and telephone calls with client; review correspondence from opposing counsel; organize system for responding to discovery on a timely basis; review ALJ Order on the subpoenas; preparation of email to John Mulhern and Steve McKenna regarding Malouf activities.	0.30	90.00
10/2/2014	ED	Continue review of documents in our files and files provided by James Burns, Esq. for documents responsive to SEC Subpoena.	1.00	55.00
	ED	Continue review of documents with James Boone, Esq. for production in response to SEC Subpoena.	2.00	110.00
	JBB	Review documents for discovery request in SEC v. Malouf case.	3.70	925.00
	ВС	Brief review of initial documents forwarded for subpoena compliance.	0.50	150.00
10/3/2014	вс			
	ВС	Revise letter to Malouf counsel regarding payment of costs.	0.20	60.00
10/4/2014	ED	Begin separating emails into categories (non-responsive, privileged).	2.50	137.50

		-	Hours	Amount
10/5/2014	ED	Continue reviewing and separating emails for production.	2.00	110.00
10/6/2014	ED	Continue reviewing and separating emails.	8.00	440.00
	JBB	Review Malouf's Motion to Compel and begin preparation of response to same; emails to Mr. Hudson on same and costs incurred to date.	2.00	500.00
	JBB	Review expenses incurred from UASNM (.1); phone call with Mr. Hudson and Mr. Kopczynski on same (.2); phone call with Capital Forensics counsel in Chicago (David Luger) on production (.2).	0.50	125.00
	ВС	. · · · · · · · · · · · · · · · · · · ·		
	вс	Telephone call with Joe Kopczynski and Kirk Hudson.	0.40	120.00
	ВС	Review Malouf motion regarding subpoena.	0.30	90.00
	JBB	Review documents from client for subpoena production.	3.00	750.00
10/7/2014	ED	Continue review of emails for production; complete initial review of Correspondence for No. 26 folder.	4.50	247.50
	JBB	Review and revise response in opposition to motion to compel (.8); prepare draft supplemental affidavit for Mr. Hudson (.6); e-mail to Mr. Hudson on same (.1).	1.50	375.00
	JBB	Review e-mails from client produced for preparing response to subpoena of Mr. Malouf.	6.50	1,625.00
	ВС	Work on production of documents, specifically emails and privilege.	2.10	630.00
10/8/2014	ED	Review and revise Response to Motion to Enforce.	0.30	16.50
	ED	Continue reviewing and separating emails.	4.50	247.50
	JBB	Review e-mails for privilege assertion or production.	9.00	2,250.00
	вс	Review privilege issues on emails.	0.50	150.00
10/9/2014	JBB	Review e-mails and attachments for subpoena production (8.5); e-mail to Mr. Hudson with supplemental affidavit and phone call with Mr. Hudson on same (.4); revisions to response in opposition to motion to compel (.5).	9.40	2,350.00
	ED	Continue reviewing e-mails for subpoena response; complete review and separation of emails for respond to number 26.	3.00	165.00

Page 3

		Hours	Amount
10/9/2014	•••		
10/10/2014 ED	Finalize review of emails for subpoena response.	2.00	110.00
JBB	Review and revise response in opposition to motion to enforce; review order to show cause; revise response to order to show cause and response in opposition to motion to enforce.	2.00	500.00
JBB	Conference with Mr. Hudson and Mr. Kopczynski (by phone for partial time).	1.00	250.00
JBB	Review of e-mails for privilege and responsive documents.	6.00	1,500.00
10/13/2014 JBB	Review emails for subpoena production.	8.30	2,075.00
ВС	Conference regarding status of production of documents, response to Order to Show Cause and other issues with the SEC.	1.10	330.00
10/14/2014 ED	Review emails and separate into responsive to request 10 or 11.	0.50	27.50
JBB	Finalize review of e-mails (6.0); review e-mail from opposing counsel and respond to same on service of documents (.4); prepare amended certificate of service (.2).	6.60	1,650.00
JBB	Review response to order to show cause of Capital Forensics.	0.30	75.00

10/15/2014

UASNM, Inc.			Page 4
10/17/2014			
10/20/2014			ž S
JBB	Email to Mr. Hudson on status of e-mail review and instructions to staff to prepare documents (non-privileged) for turnover.	0.20	50.00
10/21/2014			
10/23/2014 JBB			
10/24/2014 JBB	Telephone call with attorney advisor for ALJ on no reply to UASNM response in opposition to motion to enforce and order to show cause; review e-mail from opposing counsel on same; e-mail to client on same.	0.40	100.00
ED	Prepare Outlook data files for emails responsive to SEC Subpoena.	1.00	55.00
ED	Begin preparation of privilege log.	0.30	16.50
10/27/2014 ED	Continue preparation of privilege log.	2.00	110.00

UASNM, Inc.					
10/28/2014 .					
ED	Continue preparation of privilege log.	4.50	247.50		
ВС	Review current orders and response from Malouf counsel with respect to payment of fees.	0.30	90.00		
10/29/2014					
ED	Continue preparation of privilege log.	2.00	110.00		
ВС	Review issues on response to Malouf subpoena payment of costs; exchange of emails with Joe Kopczynski regarding possible settlement option.	0.40	120.00		
10/30/2014 ED	Continue preparation of privilege log.	2.50	137.50		
	Review e-mails from Attorney Jamieson and respond to same (.4); phone call with Mr. Kopczynski and Mr. Hudson on same (.3); review e-mail from Ms. Johnson and reply to same on availability and review of order from ALJ on same (.3).	1.00	250.00		
	Prepare hard-drives with documents responsive to Subpoena (for Robert Jamieson, Esq. and Steve McKenna, Esq.); preparation of letter to Mr. Jamieson enclosing the written response and hard-drives.	0.30	16.50		
ED	Continue preparation of Privilege Log.	2.50	137.50		
For	r professional services rendered	141.30	\$26,233.50		
Add	ditional Charges :				
10/10/2014 FedE	Ex to Lynn M. Powalski, US Securities & Exchange Commission.		27.54 🗸		
10/17/2014 Postage to SEC Deputy Secretary.			2.03 🗸		
10/20/2014 Postage to SEC Deputy Secretary.					

UASNM, Inc.	Page 6
10/29/2014 Postage to SEC Deputy Secretary.	<u>Amount</u> 1.11 ✓
10/31/2014 FedEx to Robert Jamieson, Esq., Wiand Guerra King PLC. FedEx to Stephen C. McKenna, Esq., US Securities & Exchange Commission.	43.85 v 34.18
Total additional charges New Mexico Sales Tax	\$157.52 \$1,839.69
Total amount of this bill Previous balance	\$28,230.71 \$24,613.80
Previous A/R Balances/Adjustments 10/24/2014 Payment - Thank You. Check No. 14925 Total Previous A/R and Payments	(\$24,613.80) (\$24,613.80)
Balance due	\$28,230.71
Timekeeper Summary Name Hours Rame Bill Chappell 12.00 300. James B. Boone 79.60 250. Erin Dingman 49.70 55.	00 \$19,900.00

11/7/2014 10:47 AM		w Firm, P.A. Vorksheet			Page 1
Nickname Full Name Address	11027.091214 UASNM/SEC v. Malouf UASNM, Inc. 4906 Alameda Boulevard NE Suite A				
Phone Home In Ref To	Albuquerque, NM 87113 Fax Other SEC v. Malouf				
Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
11/1/2014	Erin Dingman Continue Continue work on Privilege Log.	55.00	4.00	220.00	Billable
	Erin Dingman Continue Continue work on Privilege Log.	55.00	2.50	137.50	Billable
	Erin Dingman Continue Continue work on Privilege Log.	55.00	4.30	236.50	Billable
11/3/2014 7223	James B. Boone	e (·	÷ 10 ,
	Erin Dingman Continue Continue preparation of privilege log.	55.00	2.50	137.50	Billable
	Erin Dingman Continue Continue preparation of privilege log.	55.00	3.00	165.00	Billable
	Erin Dingman Continue Continue preparation of privilege log.	55.00	7.00	385.00	Billable
	Erin Dingman Finalize Finalize Privilege Log.	55.00	3.00	165.00	Billable
TOTAL	Billable Fees	4.000	27.70		\$1,796.50
Total of billab	ole expense slips			-	\$0.00

11/7/2014 10:47 AM	Chappell Law Firm, P.A. Pre-bill Worksheet		Page	2
11027.091214:UASNM, Inc. (continued)				
		Amount	-	Total
Total of Fees (Time Charges)			\$1,79	6.50
Total of Costs (Expense Charges)			\$	0.00
Total tax on fees			\$12	5.76
Total new charges			\$1,92	2.26

Weekly Time Sheet

UASNM

Contractor:

Kirk Hudson

Contractor phone: Contractor e-mail:

Client:

 Week Start:
 9/22/14

 Hourly Rate:
 \$250.00

 Minimum Hours:
 0.25

			Billable Nor	n-Billable	
Day	Date	Project	Hours	Hours	Total
Monday	9/22/14	Subpeona Production			
Tuesday	9/23/14	Subpeona Production	7.00	\$	1,750.00
Wednesday	9/24/14	Subpeona Production	6,00	\$	1,500.00
Thursday	9/25/14	Subpeona Production	8.00	\$	2,000.00
Friday	9/26/14	Subpeona Production	6.50	\$	1,625.00
Saturday	9/27/14	Subpeona Production	4.00	\$	1,000.00
Sunday	9/28/14	Subpeona Production	3.00	\$	750.00
Total				\$	8,625.00



Weekly Time Sheet

UASNM

Contractor:

Kirk Hudson

Contractor phone: Contractor e-mail:

Client:

Week Start:	9/29/14
Hourly Rate:	\$250.00
Minimum Hours:	0.25

				illable	
Day	Date	Project	Hours Ho	urs	Total
Monday	9/29/14	Subpeona Production	7.00	\$	1,750.00
Tuesday	9/30/14	Subpeona Production	8.00	\$	2,000.00
Wednesday	10/1/14	Subpeona Production	8,00	\$	2,000.00
Thursday	10/2/14	Subpeona Production	8.00	\$	2,000.00
Friday	10/3/14	Subpeona Production			
Saturday	10/4/14	Subpeona Production			
<u>Sunday</u>	10/5/14	Subpeona Production			
Total				\$	7,750.00

Weekly Time Sheet

UASNM

Contractor:

Joe Kopczynski

Contractor phone: Contractor e-mail:

Client:

Week Start:

9/29/14

Hourly Rate:

\$250.00

Minimum Hours:

0.25

			stillable Monte	mate.	
Monday	9/29/14	Subpeona Production	8.00	\$	2,000.00
Tuesday	9/30/14	Subpeona Production	8.00	\$	2,000.00
Wednesday	10/1/14	Subpeona Production	8.00	\$	2,000.00
Thursday	10/2/14	Subpeona Production	3.00	\$	750.00
Friday	10/3/14	Subpeona Production			
Saturday	10/4/14	Subpeona Production	,		
Sunday	10/5/14	Subpeona Production			Profesional response of the contraction
Total				\$	6,750.00

Erin Dingman

From:

Gwenn Beaver < gwennb@chappellfirm.com>

Sent:

Friday, October 31, 2014 4:05 PM

To:

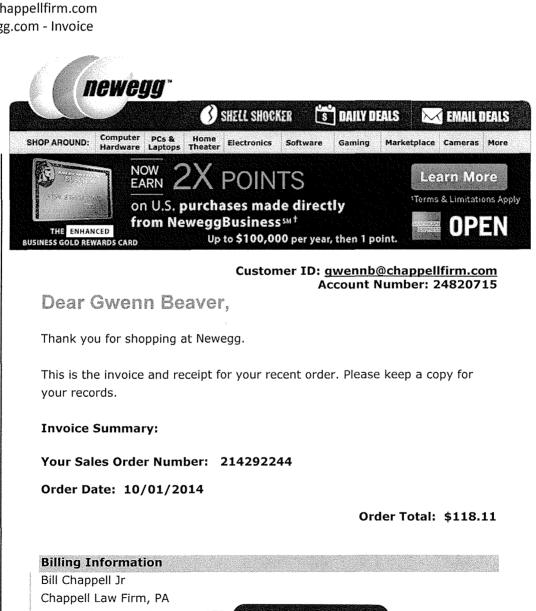
Subject:

FW: Newegg.com - Invoice

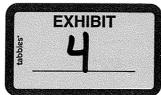
From: Newegg Auto-Notification (Do Not Reply) [mailto:info@newegg.com]

Sent: Wednesday, October 01, 2014 6:31 PM

To: gwennb@chappellfirm.com Subject: Newegg.com - Invoice



6001 Indian School Rd NE #150 Albuquerque, NM 87110 [United States] 505-878-9600



Attorneys at Law

NOV 1 0 2014

OFFICE OF THE SECRETARY (303)

Telephone 878-9600

RECEIVED

Bill Chappell, Jr. James B. Boone Albuquerque Centre, Suite 150 6001 Indian School Rd. NE Albuquerque, New Mexico 87110

Telecopier (505) 878-9696

November 7, 2014

Via U.S. Mail

Securities and Exchange Commission Lynn M. Powalski, Deputy Secretary 100 F Street, NE Mail Stop 1090 Washington, D.C. 20549

> Re: <u>In re: Dennis J. Malouf</u> SEC File No. 3-15918

Dear Ms. Powalski:

Please find enclosed an original and three copies of a *Notice of Compliance and Request for Reconsideration* in the above referenced matter.

Please do not hesitate to contact our office should you have any questions or concerns.

Very truly yours,

Cund. Dingman
Erin L. Dingman
Legal Assistant

:eld

Encl. a/s

cc: The Honorable Jason S. Patil, w/encl. (via email: ali@sec.gov)

Stephen C. McKenna, Esq., w/encl. (via U.S. Mail & email: McKennaS@sec.gov)

Burton W. Wiand, Esq./Robert Jamieson, Esq., w/encl. (via U.S. Mail & email)

Mr. Kirk Hudson, w/encl. (via email)

Mr. Joe Kopczynski, w/encl. (via email)

Bill Chappell, Jr., w/o encl.

G\data\WP60\2011\11027\SEC v Malouf\Letters\SEC Secretary 11-07-14.wpd