Edward M. Daspin, pro se Case 3-16509 April 29, 2022

[redacted]

Dear Ms. Cowboyman:

I enclose this declaration under the laws of the United States which contains the truth regarding the events which precipitated my wife's early death and the irreparable damage I sustained as a result of two separate enterprises whose member were SEC employees. I know that if I misrepresent, I am subject to punishment.

I wish to advise this panel of Commissioners that on 1/20/2011 which was five days after my wife sold her right, title, and interest of all the shares of WHLD, WMMA's holding company 100 % of WMMA's Board resolved that CBI sell its consulting service contract with WMMA to MKMA. Google defines consulting services as:

> "…A consulting firm or simply consultancy is a professional service firm that provides expert advice for a fee…"

In that regard, I was a subcontract service provider for MKMA to provide its expertise to any and all WMMA officers that requested it. The prosecution fraudulently reclassifies the consultancy services provided as control. The service contract provides that MKMA has no binding power on WMMA and outlines with specificity the fees to be charged under the terms of Exhibit A to the service contract. Rather than alleging that I milked WMMA of $1 million in fees, the SEC fraud analyst testified in 2019 that I, MKMA, and CBI only received $240,000 collectively! Mr. Lux's 8/29/2013 SEC deposition testified that when he was CEO of WMMA during the first quarter of 2012, it was MacFarlane as WMMA's President whose gross negligence caused the loss of $1

million. Further the 4/1/2010 contract between CBI and Joan Daspin arranged for her to commit and loan on an unsecured basis up to $350,000 to WMMA. No man married to a lady for 50 years having Scienter and knowledge of any wrongdoing would take such action. The service contract mandated that 90% of any MKMA fees over the 10% cap on fee payments would not be paid when the services were provided and be non-interest bearing and contingent subordinated notes. The documents delivered to the SEC by subpoena proved that CBI and MKMA capitalized WMMA in January 2011 rather than milking its assets. During 2011 the documents delivered to the SEC proved that MKMA and CBI capitalized WMMA by $4,460,000, so the Wells Notice and Complaint consisted of perjured wrongdoing allegations against me. The SEC fraud auditor also testified that WMMA's financial team, (which at the time was Sullivan, Puccio, Beckerdejian, Main, and MacFarlane budgeted on 2/15/2012 $450,000 for WMMA's 3/31/2012 charitable event). She also testified that two weeks later the real loss was over $1 million. Who got the $550,000 not in the budget? Mr. Craig, a member of MacFarlane's Newco Enterprise, emailed WMMA on 5/10/2012 that he absconded with 15,000 WMMA t-shirts, which he was selling for $20 at the 3/31/2012 event. That is a total of $300,000 for lending WMMA the octagon ring for two weeks which he bought for $15,000. In other words, he stole $300,000 from the event. In addition, I and my wife and nephew attended the event and I counted 5,500 +or- seats occupied, but Ticketmaster only reported the sale of 1,100 seats. Who go the remaining $115,000 for the other occupied seats? WMMA didn't get it and the only ones having access to the tickets other than Ticketmaster, was the MacFarlane Newco members that were running the event, Mr. Jerrell, Mr. Craig, and Mr. MacFarlane. That is where the $415,000 of the $550,000 excess over budget went. When MacFarlane's Newco lost WMMA's equity, he and his Enterprise members came up with a plan, a conspiracy to pretend that I controlled the event and if you read my Wells Reply Exhibit A 6/19/2012 dishonest shareholder's meeting tape you will hear Sullivan, Beckerdejian, and

Mr. Lockett informing each other and the other investor operators that if they helped MacFarlane's Newco buy WMMA on the cheap, Newco will pay them bigger salaries than WMMA and more shares that they have in WMMA to run his new company which he alleged he had raised $15 million from investor partners. These poor investors sunk into the sewer to perjure that I was a control person and threatened me on the dishonest tape that they would break my head against the wall unless I sold WMMA to MacFarlene's Newco on the cheap. The conspiracy that MacFarlene initiated included Wayne Craig suing me for securities fraud. Monica Petty sued WMMA before the Texas Boxing Commission auditors alleging she had a $10,000 breakup fee coming. We subpoenaed her emails to and from William MacFarlene as part of the record. When you read the emails you can hear MacFarlane suborning her perjury. As the Senior VP, Mr. Garich never authorized a breakup fee and WMMA's COO scheduling had not scheduled any fights for the alleged breakup fee to be awarded. An SEC Federal District judge in New Jersey dismissed Craig's security fraud violations against me with prejudice. The Texas Boxing Commission dismissed Monica Petty's claim. This left MacFarlane with including in his conspiracy the WMMA investor operators suborning perjury against me as discussed below and somehow he and his lawyer, Ms. Catherine Richter, became part of McGrath's prosecution Enterprise members with Doug Main causing them to put pressure on me to let MacFarlane steal WMMA. As MacFarlane informed me that if I let him take over WMMA, the SEC would go away and the WMMA investors would have their jobs back. This overview will explain to you the below declarations.

I declare that in May (+or-) 2012 seven investors of WMMA/WDI with Mr. Doug Main as a shareholder of their parent, WHLD, conspired with Mr. William MacFarlane and his NEWCO Enterprise members recited in Exhibit A and Exhibit B the November 14, 2021 and the January 20th 2022 declarations and the remaining submissions I made before Judge

Brenda Murray and all the documents I submitted in this case which prove my declaration statements.

As you know on June 19 2012 the six WMMA/WDI investor operators participated in the dishonest shareholders meeting which they tape recorded. A transcript of it is included in my Wells Notice as Exhibit A (the dishonest shareholders investor operator meeting). In Exhibit A on page 17 the SEC whistleblower Ms. Theresa Puccio, as part of the conspiracy of the four enterprises, including the Murray Grimes Enterprise and the McGrath Enterprise; suborned all perjury of all the WMMA investor operators by saying:

> "…say Ed controlled all things large and small at WMMA…don't say Ed controlled the WMMA directors because Ed denied in writing that to us… and I will sign it …"

Mr. Lockett then reminded Ms. Puccio:

> "…but Theresa we already gave it to them…"

So early on the SEC conspirators using their own agent were suborning the perjury of the witnesses against me.

As you know, two days before the SEC complaint was served against me, my lawyers filed an OSC for a TRO asking Judge Bachman, a Federal District Judge in New York, to assure that if the SEC filed against me, it did so only in the Federal District Court and not in the SEC's inhouse before administrative law judges. It is my understanding that Mr. McGrath aided and abetted by Judge Murray defrauded Judge Bachman and me by omission of the three material facts. They omitted the fact that none of the inhouse judges were Constitutionally appointed and all were violators of Article 2 of the Second Amendment which prohibits any inhouse judge that violates the appointment clause

to hear my case. In addition, they omitted disclosing the fact that all ADJLs were delegates of the Commissioners according to Dodd Frank and/or the inhouse process. As a delegate they were agents and representatives of the plaintiffs as defined in the dictionary, which is a violation of the independent finder of facts Constitutionally appointed that defendants are entitled to under the law. Instead, with malice of forethought, they diverted Judge Bachman, dismissed my motion by showing her Dodd Frank's granting the first right of jurisdiction to the prosecution without informing her that Dodd Frank did not provide Constitutional violators the right to hear my case.

The above fraud from the time the SEC notified and subpoenaed my wife in 2012 inflicted such shame that she was driven to alcoholism in which her neurologist tested her and found that her [redacted] was generated by the alcoholism. The cracking of the brain cells was attributable to alcohol and not hereditary factors. At that time, Joan and I were married for over 50 years and the Murray Enterprise members and the McGrath Enterprise members destroyed the love of my life that causes me to cry myself to sleep every night. The actions of those two SEC Enterprises stole 11,000 hours of my time at $350 per hour equals $3,850,000 and due to my wife's inebriated memory loss caused her estate to lose $2,500,000 (a ccombined total of $5,850,000).

The conspiracy included, but is not limited to, acts of subornation of perjury, acts of perjury by Enterprise members, acts of contempt of Judge Carol Foelak's finding of fact that:

> "…if anyone forced me to testify, I would be irreparably harmed…"

Judge Foelak then ordered a postponement Sini Die providing the government each month they could medically retest me and if the seven factor test I failed before Judge Foelak had been cured, then I

could testify after the Court approved of the proofs.(The seven factor test Judge Foelak explained is the test that Federal Judges used for adjournment motions and she found I failed each and every factor). After Judge Bachman denied my TRO Judge Murray delegated Judge Foelak as the inhouse trier of facts. Judge Foelak spent over two months analyzing my motion to adjourn the case because of my medical incapacity. The McGrath Enterprise members heavily contested her granting an adjournment. Judge Foelak found that I suffered a [redacted] midway through the SEC deposition in my doctor's office. Judge Foelak found I failed all seven factors used by Federal judges to find adjournment motions, merits or lack thereof.

Judge Foelak found I had had a [redacted]. [redacted] (which was caused by my service to our country as an officer and tank commander during a portion of the Viet Nam war and while going on training maneuvers).[redacted]. [redacted]

The latter three elements were caused by the stress of the McGrath/Murray Enterprises setting me up to be found guilty by alleging I committed wrongdoing acts.

However, in 2014 in WMMA's Chapter 11 Federal Bankruptcy Judge Gambredella found as fact:

> "…Mr. Daspin did no wrongdoing to WMMA…"

As did the Federal trustee Mr. Guardino also indicate.

(THEY RAISE ADJUDICATA BARRING THE SEC CASE COMPLAINT WHICH WAS FILED TWO YEARS AFTER THE FEDERAL BANKRUPTCY JUDGES'S FINDING OF FACT)

I must inform you that I am not the only defendant who has been violated by having a judge make an innocent defendant guilty. In the first hearing Judge Grimes participated in the conspiracy to me after Judge Murray threw Judge Foelak off my case and re-delegated it to Judge Grimes. In order for him to fix guilt, Judge Murray used the cock and bull story that she had overloaded Judge Foelak with cases as an excuse to eliminate my being heard by a clean, honest, brilliant compassionate Judge Foelak. The finding of fact by Judge Foelak, that if anyone forced me to testify, is already on the record and the prosecution did not appeal it in the time required to appeal. I contend that everything that occurred after the contempt of the protective order the finding of fact that I would be irreparably harmed if forced to testify and the Res Adjudicata finished my case and I should have been dismissed when the 365 days ran out which is in accordance with the SEC Dodd Frank inhouse rules.

Instead Judge Murray played musical judge chairs while the protective order stayed her from moving the case to Judge Grimes with the clear intent of violating the protective order. All of a sudden Judge Grimes dissolved the protective order and not because my health was restored, but because he didn't like the wrongdoing allegations in the OIP. Can you believe that a presiding judge inhouse would handle this case in such reprehensible manner to sacrifice an innocent man's life because he didn't like the as of unlitigated OIP wrongdoing allegations. (I believe that Judge Grimes should have been removed from being an inhouse judge when Judge Murray was removed in 2019). Be that as it may Judge Murray's reputation as a fixer of cases for the prosecution was made clear in the 2015 Wall Street Journal article:

> "…SEC WINS BIG WITH ITS INHOUSE ADMINISTRATIVE JUDGES…".

In that article as authored by Ms. Eaglesham, Judge Lilian McEwam declared:

> "…Judge Murray pressured her to make more findings forthe prosecution…"

The article disclosed that Judge Murray tried to contravene her case fixing for the prosecution by asking the then presiding Judge Cameron Elliot to submit an affidavit to the Wall Street Journal to declare he never heard Judge Murray pressure Judge McEwam. Instead Judge Cameron Elliot refused to contravene the facts that Judge Murray pressured Judge McEwan by sending a note that he would not submit an affidavit to the Wall Street Journal. I have been engaged in purchasing approximately 350 companies out of the 10,000 plus or minus that I appraised with my staff. Four bankruptcy judges have declared me an expert appraiser of businesses and taken my testimony as such. I have been sued over 50 times out of 350 acquisitions and never lost a case as a defendant. I never experienced this type of judicial reprehensible conduct until this case. Because of my experience I developed a strategic plan to have an advocate of Federal standby Judge to review submissions, have up to two days testificandum of the party's lead lawyers, and to submit the court's overriding opinion to the Commissioner in charge of that case before initiation of the Commissioner of a complaint. The reason this is necessary as you will hear in Exhibit A and B the November 14th and January 20, 2022 Exhibit B declarations is that the Commissioners don't have the time if they evenly distribute the Wells Submissions to balance the lopsided Wells Notice and Replies. This is because, in my case, the SEC received the documentation and testimony of the investors starting in 2012 and held



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15,000 documents before filing the Wells Notice three years later in 2015 while my lawyers only received three months to answer with my Wells Reply. It is bad enough to eliminate due process, to eliminate a jury trial, to eliminate "full discovery", however a 2 ¾ year edge on discovery with 15,000 documents required to be reviewed and used where appropriate is so imbalanced against the defendant, as to make it impossible for a fair trial. In my case, I also was subjected to judges who are agents and representatives as delegates of the Commissioners who are the very initiators of the complaint in the first place. In addition to trumping guilty, the Commissioners get the first right of appeal. Does it make sense to give an attorney and/or an accountant the first appellate right in which they already prove they were predisposed to my guilt by initiating the complaint and then having their own agents presume and assume my guilt? Far worse is the fact that the Commissioners set the finding of facts, so that if they don't rule in my favor, the Federal court of appeals is precluded to change the facts. This preclusion violates the Supreme Court's right to have its Federal Judges as finders of fact. In addition, the Commissioners are overloaded administrating 4500 SEC employees and using their time on the first appellate right. I project that each Commissioner only has 8 hours to review the Wells Submissions and the disparity of discovery time between the litigants forces the Commissioners to initiate a complaint because the prosecutors invariably make wrongdoing allegations that they know the facts disprove, but which the defense doesn't have the time to find. In my case, there are about 100 wrongdoing allegations, all of which are false. In addition to Judge Murray making manifest errors of fact, it is obvious she conspired with the prosecution Enterprise and with Judge Grimes in the first case, and by herself in the second case to abuse her powers, play musical judge chairs, avoid and permit dissolution of protective orders, be in contempt of the Supreme Court's order that in the second hearing if a judge participated in the adjudication of the first case, she/he must recuse themselves if the defendant motions. I motioned and she

denied recusing herself and then went on in contempt to force me to testify. The solution for this Commissioner is simple. Either shut down the inhouse process or do it right. Eliminate the Commissioners first right of appeal and use a standby Federal judge as an advocate to review the Wells Submissions for thirty days and provide the Commissioner with a meaningful judicial review, atop the Wells Submissions for the Commissioners before they initiate a complaint. My analysis projects a 20% reduction in complaint initiation and if you have to modify Dodd Frank, let the Senate judicial Committee handle restoring justice to the SEC's inhouse process. Right now, it violates the Constitutional rights of defendants because the judges are agents and representatives: because the prosecution can stretch its discovery to three years to learn the case by withholding the Wells Notice.

In my case my litigant's rights were violated because I was found to have medical incapacities that prohibit me from receiving a fair trial as Judge Foelak found as fact. As disclosed, Judge Murray violated my Constitutional rights to live by forcing me to testify in contempt of Judge Foelak's order three times. Indeed, just as Judge Murray threw Judge Foelak off my case she delegated Judge Grimes who is the same judge that Judge Murray replaced Judge Cameron Elliot as presiding judge with after Judge Elliot refused to perjure himself to the Wall Street Journal. The Wall Street Journal article proved Judge Murray's fixing inhouse cases for the prosecution because for the three years ending March 31, 2015 the same approximate number of cases in Federal District Court of SEC cases the Federal judges found 32% innocent, but during the same period the Murray reign of defendant terror inhouse judges found only 10% were innocent. That is a three-year average comparison, not a month, or a quarter, or a year. Do you blame me for having a broken heart by being defrauded to be appearing inhouse when all the judges were Constitutional violators and when Judge Murray lead the violation of my litigant's rights and when dissatisfied with Judge Foelak's finding of fact, through her off

the case and put in her own clown? Do you blame me for having a broken heart when Judge Grimes was delegated to hear my case while being a Constitutional violator when Article 2 of the Second Amendment bars him from hearing my case? Almost the minute that Judge Murray that removed Judge Foelak, my law firm resigned from representing the defendants alleging they ran out of money, but surely because Judge Murray changing judges in midstream proved the fix was in to make me guilty.

During my forty years as a private merchant banker after acquiring around 350 corporations, I was sued 50 times and never lost a suit as a defendant in Federal and/or State courts. 15% of the investor operators who lost their own money and sued me, falsely believed a judge would find against me because I had a four-decade old felony.

I and my partners spent six months in Federal prison because we refused to assist a truck leasing company's receiver to obtain the trucks leased to one of our transportation companies after we bought the company. We found that the lessor that had filed a chapter 11 double billed the corporation submitting invoices for twice the number of trucks that we leased and paid off our terminal manager to approve the billing. It was the Christmas season. We weren't about to provide the locations and destroy the holidays for our truck drivers who in 1975 lived from paycheck to paycheck because we held the chattels and it was our position that we were not unsecured creditors. I paid for that crime by spending six months in Federal prison which had nothing to do with this case or the other 50 cases where I was sued after I left prison after the 350 companies that I had acquired.

Judge Murray was a defacto co-administrative law judge with Judge Grimes on our case in the first hearing. She facilitated and orchestrated the default judgment against me making her ineligible to hear the second case after the Supreme Court voided my default judgment in

August 2018 in Lucia v. SEC and the justices ordered that if the judge participated in the first hearing's adjudication, she couldn't hear the second case. I motioned Judge Murray's recusal. She refused demonstrating contempt for the Justices of the Supreme Court's order. At that point Judge Murray was in contempt of Judge Foelak's finding of fact three times and in contempt of the justices' order that she not participate in the second hearing. It was during this period that I informed the Commissioners that I would be asking for compensation because I want to help our country and the way Dodd Frank is being used inhouse and the Commissioners delegation of inhouse judges violates the judge's independence because as delegates they became agents and representatives of the Commissioners because a delegate is defined is an agent and representative of a delegator. No one can be tried under our judicial laws by an agent and representative of the prosecutor and Commissioner. That is three against one! Not in America. By not changing this process inhouse we are castrating the power of the Supreme Court. Once a case is delegated inhouse no Federal Judge can change the findings of fact of the Commissioners or of their agents, the administrative law judges.

In other words, Congress, Dodd Frank, Constitutional Amendment gives the SEC the first right of jurisdiction and the Commissioners the first right of appeal. This makes no sense since it was the Commissioners that initiated the complaint in the first place making them reticent to reverse my guilty conviction because it is in line with their initial complaint initiation.

My strategic litigation plan for the SEC consists of providing the inhouse administrative law judges all SEC cases with the appeal to take place only before a Federal District Court Judge in order to assure the Federal rules of civil procedure are met and to insure that defendant's receive the right for a Federal District Judge to correct any finding of fact by an SEC judge if the evidence supports that. At the same time because the

Commissioners don't have sufficient time will provide a Federal District and/or Circuit standby judge to review the Wells Submissions as advocates to provide Commissioners with a meaningful judicial review to offset the discover edge that the prosecution has and which they undeniably use and in my case abuse.

The benefits of my strategic plan's implementation projects saves the SEC Commission $140 million a year (see Exhibit A and B) and I deserve a minimum of 10% of the savings associated with implementation of my plan. I asked the Commissioners to give me the justice that I was denied by the collusion and conspiracy two of its Enterprises as the law permits that if an officer of the court steals the assets of a defendant without due process, they are personally liable. In addition, it will serve as a lesson that Commissioners are not patsies for the prosecution division of enforcement. The documents provided the SEC New York Region in 2012 contravene each and every Wells wrongdoing allegation. The prosecutors withheld from the defendants and Commissioners the fact that three investor operators, Puccio, Lockett, and Heisterkamp, perjured their subscription warrantees that each was an accredited investor when the SEC knew it was not true from their discovery where they concealed the other five investor operator whistleblowers. At the same time, the prosecution had the transcripts of the WMMA Chapter 11 proving three other investor operators, Mr. Main, Mr. Sullivan, and Mr. Beckerdejian perjured that I gave Mr. Sullivan a directive not to file a 1099 for WMMA, and further that Mr. MacFarlane perjured that he was never WMMA's President. In addition, the prosecutors omitted the fact that it was Mr. MacFarlane who lost $1 million, not me. Prosecution further defrauded the Commissioners by omitting the material facts that I, CBI, and MKMA contributed $4,460,000 as capital to WMMA, alleging instead that I milked $1 million from WMMA. The prosecution omitted the fact that Mr. Nwugugu's Chartis Insurance claim on paragraph 6 he admitted he wrote 100% of the WMMA PPM. The SEC's own witness Mr. Guardino,

WMMA's Chapter 11 trustee, omitted that he reason that he may have written off the IMC data base value was because the WMMA/IMC contract provided if either party filed a Chapter 11, the contract rights were void. In addition, the prosecution failed to notify the Commissioners that Mr. Wolk, the IMC database owner, was offered $90 million for the database by one buyer, and $40 million by another buyer proving that MKMA and my projected value of $80 million was not exaggerated. That is also contravening the Wells Notice allegations. In short, the prosecutors substituted false facts for the true facts and used me as the red herring to insulate MacFarlane from heading up the conspiracy to reverse the blame for WMMA's losses to my alleged malconduct, when in fact, the facts proved he was responsible. The 2015 Commissioners that initiated the complaint against me were fraudulently induced by the fraudulent wrongdoing allegations that the prosecution had before they filed disingenuous the Wells Notice allegations against me. The proper way to stop this is part of my strategic litigation plan a portion of which the prior Commissioners adopted when they kicked our Judge Murray and replaced her with Judge Foelak. Judge Foelak won't have the time to review and or assist the ADJLs assigned case. She must be permitted to not delegate Commissioner cases because it conflicts her independence and she is an honest, brilliant judge. Let's do it right and let's pay me the fair value for the 11,000 hours I was forced to work for the SEC because they permitted shame to be placed on my shoulders by the Commission permitting fixers for the prosecution to adjudicate my case while being in contempt of Judge Foelak's finding of fact and the Supreme Court's Lucia order.

I brought to the SEC by isolating two SEC Enterprises that conspired together, bribed witnesses to testify falsely by concealing the fact that the WMMA investor operators all knew before they testified against me that they would receive a portion of the judgment made against me because of the perjury of their own testimony against me. There was

no disclosure that the witnesses were bribed other than Ms. Puccio, who they admitted that was a whistleblower. Therefore, I lost my right to cross examination on that issue, but Judge Murray's final order proves that they were bribed as they were beneficiaries of the judgments against me also prove that she ignored the fact that all the investor operators were perjurers. She relied in perjury testimony instead of the prima face facts contravening their testimony of my wrongdoing. The WMMA service contract was contained in each investor operator's employment contract; and each reviewed the service contract; and each admitted they knew of my felony before they invested.

Although my [redacted] eliminated my ability to properly defend myself, I did hear and read the admissions of the SEC witnesses testify that I was not a control person.

In the 2019 hearing, Mr. Main, WMMA's President and Director up to 2/17/2012, and Secretary and Director after 2/17/2012, and Mr. Lux was the second WMMA director, and CEO of WMMA. In my cross examination in 2019 in front of Judge Murray, Main and Lux admitted separately that they jointly admitted:

> "… that they controlled WMMA and the two of them jointly hired all the investor operator employees without using anyone else's opinion…"

In 8/29/2013 Mr. Lux's SEC deposition he testified:

> "…Mr. Daspin was not an officer, shareholder, or director of WMMA…none of the directors were required to accept any advice they asked of Mr. Daspin… Mr. Daspin did not voice over the Directors in Board meetings he was invited to attend…"

Mr. Lux also testified:

> "…that Mr. Nwugugu wrote the Lion's share of the WMMA PPM…"

Mr. McGrath was the questioner in the 2013 deposition. Would you believe that after McGrath settled out Mr. Lux and used him as a witness six years later in 2019 after the settlement included no financial obligation for Lux, McGrath asked the same question and now Lux perjured himself which was clearly the result of Mr. McGrath's subornation of perjury, as Mr. Lux now responded that:

> "…Daspin wrote 100% of the WMMA PPM by dictating over the shoulder of Mr. Young…"

Once, again Mr. McGrath was the questioner, so there is no question he suborned Lux's perjury because Mr. Lux was one year closer to the answer to the question in 2013 as compared to the seven years after he was paid off for a no money settlement to perjure that I wrote the WMMA PPM when Mr. Nwugugu, a CPA of corporate governance, included in his Chartis Insurance claim on page 6 that he wrote 100% of the WMMA's PPMs. McGrath had incontravertable proof in 2013 with the 10,000 documents Mr. Nwugugu delivered for WMMA's subpoena by the SEC. In each of wrongdoing allegations in his 2015 Wells Notice were false and these proofs were signed by documents he used at the hearings. This demonstrates criminal intent and defrauds the Presidentially appointed Commissioners, and to omit the exculpatory evidence he had three years before the SEC made the wrongdoing allegations and therefore were not only perjury, not only manifest errors of fact, but what the prosecution submitted represents a willful action by the prosecution to frame me as a wrongdoer knowing the documents signed by others disproved the wrongdoing allegations. Just

as in 2014 in WMMA's Chapter 11 Federal Judge Cambredella found as fact:

> "…Mr. Daspin did no wrongdoing in WMMA…"

Just as omission of the fact that the SEC whistleblower, Ms. Puccio, on 6/19/2012 in the dishonest shareholders' meeting on page 17 suborned the perjury to brainwash the other investors by saying:

> "…say Ed controlled all small and all large things at WMMA…don't say he controlled the Board of Directors, because he denied that in writing to us… and I will sign it…"

The 1/20/2011 service contract made MKMA and Mr. Daspin service consultants for WMMA for a period of five years (not employees and specifically with no permission for MKMA to bind WMMA). On 1/15/2011 my wife sold her right, title, and interest to the WMMA holding stock to the three directors in equal amounts of a third each to Main, Lux, and Agostini and on that day I lost any control I would have as a relative and that irrevocably eliminated any allegations of my control. In the service contract, MKMA had no binding power over WMMA and in it I, Daspin, was a subcontractor through CBI to provide consulting services for MKMA on a best-efforts basis only. The service contract was part of the WMMA Board of Directors resolution. The bylaws of WMMA make the Board of Directors resolution the control of WMMA and no other entity or individual has control as Lux testified in his 8/29/2013 deposition. In addition of the 40 WMMA/WDI employment contracts, Daspin is not a report to person for any WMMA employee and the consulting service contract terms are included in each of their contracts, and I signed for MKMA on the signature page to validate that MKMA would provide those services as in their employment contract. The WMMA perjury by so any allegation to the contrary, Ms. Puccio suborned the perjury for the McGrath Enterprise.

Please consider this in support of my motion that I receive a whistleblower fee for finding violation of the law (or a consulting fee for the time that I spent for conceiving the strategic inhouse plan to eliminate the SEC violating the Constitution's litigant rights that defendants can only be judged by an independent judge having no conflicts of interest which all delegates have to the Commissioners. Also I notified Judge Murray and Judge Grimes in the first hearing that after this trial was over I was going to sue them individually for their participation in the conspiracy and the commission of other torts mentioned herein. As a result, she had a monetary interest in self delegating herself to the second hearing making any findings by her void and a violation of the rules of law and Constitutional rights as discussed by self-delegating herself, she was in contempt of the Lucia order. All this in addition to the fact that each and every finding she made was a manifest error. I am clean and worse than the manifest errors of fact is that Judge Murray was being a fixer of cases for the prosecution as Judge Lilian McEwan declared to the Wall Street journal; as presiding Judge Cameron Elliot evidence by refusing to submit an affidavit to contravene Judge Murray pressuring Judge McEwan to find more cases for the prosecution. This failure for an internal affairs department in each of the Commissioners divisions and for the Commissioners not to have appropriate judicial time to review the Wells submissions and to protect innocent defendants from helter-skelter having complaints initiated against them (on average 32% have been found innocent) we must help the Commissioners clean their own house by use of consultants such as myself. If your expertise, brilliance, and compassion as my review of your resumes indicates, I ask you to compensate me by doing the right thing. This will also prove to the enforcement agency that they can't bring Commissioners perjured Wells Notice wrongdoing allegations making the Commissioners to initiate the complaint foolish. The relief I ask for are included in Exhibits A and B attached and made a part of plus all the submissions I have

made in this case. As discussed, the delegation by the Commissioners to the Administrative Judges voids their independence. Judge Murray's manifest errors of fact in her final order also prove the willful malicious fraudulent wrongdoing allegations that the prosecution put into the Wells Notice the OIP and the Complaint. The SEC's own fraud analyst found and testified in the 2019 hearing that the events budget for the 3/31/2012 even was only $450,000 inducing the Board to go forward with the event. However, the budget was fiction as the SEC fraud analyst testified that the event cost $1 million losing the $650,000 cushion that would have permitted WMMA to stay in business. Why did McGrath lie and state that I milked a million dollars in fees putting WMMA out of business, when the SEC fraud analyst testified that it was the event management that lost the million dollars. Mr. Lux testified in 8/29/2013 that it was Mr. MacFarlane's gross negligence that lost the million dollars in the 3/31/2012. This case was rigged against me by the McGrath Enterprise, the MacFarlane Enterprise members, the WMMA Investor Operators Enterprise, and the Murray/Grimes administrative judge enterprise members. It is a Civil Rico case, because there have been more than two predicate acts of fraud, perjury, subornation of perjury, and content of the Justices of the Supreme Court. They stole my assets, my wife's life, and broke my heart. The SEC and Judge Murray used me as Mr. MacFarlane's red herring by alleging that I committed the wrongdoing which they knew MacFarlane had committed.

Mr. Craig, the owner of the WUSA regional promoter regions, a member of MacFarlane's Newco Enterprise admitted sued me and WMMA and Agostini, alleging we committed a Securities fraud. We transferred his Arizona State Court case to NJ Federal District Court and the Federal Judge dismissed it with prejudice in 2014 as the allegations made in the complaint were completely contravened in the two exhibits that were mentioned in his complaint I attached to my answer and they contravened the allegations proved they perjured his

allegations against me. Another Res adjudicata that I committed no securities fraud in WMMA. How many Federal judges do I need to prove I am innocent to overcome Judge Murray's crucifixion of my persona?!!

We must stop the executive branch of Government, the SEC Commission from overpowering the Federal Courts power to find facts because my strategic plan proves that the Commissioners don't have the time to review the facts, and therefore succumb to the prosecutions Wells Notice allegations. 60% of the Commissioners time (1200 hours) is spent administrating 4500 SEC employees and handling the appellate work. That leaves 800 hours for five Commissioners to review on average 500 Wells cases a year. In other words, the Commissioners only have 8 hours to go over 15,000 documents in my case. In 2015 the Commissioners that initiated my complaint were defrauded by the McGrath Enterprise Members which included Barry O'Conell, Nicholas Koladny, Theresa Puccio, Doug Main, Catherine Richter, and Monica Petty. They concocted a case to save MacFarlane's reputation, by pretending I was a control person to help them get jobs with MacFarlane's Newco. MacFarlane perjured himself before Judge Gambredella in WMMA's bankruptcy in 2014 by denying that he was President. My two reply declarations included two signed contracts by WMMA with MacFarlane's signature as WMMA President. The prosecution perjured that wrote the PPM projections for WMMA to prove that McGrath, in addition to suborning perjury, would seek any criminal violation of the law, equity, and justice would make any man guilty. Why? In my separate cross examination in 2019 of Doug Main and separately Larry Lux (WMMA's disinterested Board of Directors) each admitted that:

"… they jointly controlled WMMA…without using anyone else's opinion…"

Doug Main's direct testimony in 2019 indicated that he and Mr. Tropello wrote the projections. This case was a total sham, probably costing the SEC over $2 million since 2012 besides breaking my wife's heart and mine, and I copied the Commissioners since 2015 which probably went to some mid-level management which you inherited when you took over your jobs. The willful, malicious, concocted wrongdoing allegations which Judge Murray found as fact proving her manifest errors of fact were willful is that the complaint against me alleged that I had disguised investment banking fees in the WMMA/MKMA service contract as human resources fees. Mr. Nwugugu's Brady recantation attached his OIP answers where he admits that he, not I, wrote the entire service contract. He admits that he used Chamco service contract as its template for the WMMA service contract (See my Wells Reply Exhibit C) Federal Judge Alpert's finding of fact that I violated no securities violations in collecting fees using the same Chamco contract as WMMA's service contract. A Res Adjudicata.

In my case Judge Murray not only made manifest errors of fact, but willfully defrauded me by concocting allege facts that other SEC witnesses in front of her in 2019 contravened. I.e. Mr. Heisterkamph in his direct testimony testified that I defrauded him by alleging that WMMA had $32 million on its balance sheet at his only interview with WMMA. In my cross examination, I asked him how did I tell him that and he answered that I informed him to look at WMMA's 1/5/2012 PPM and sure enough there was a starting balance sheet as $32 million. HOWEVER RIGHT ABOVE THE BALANCE SHEET IT STATES THAT THE FIRST YEARS' BALANCE SHEET WAS BASED UPON WMMA'S FIRST CHARITABLE EVENT. I THEN ASKED HIM WHEN HE JOINED WMMA. HE ANSWERED 2/2012. I ASKED HIM WHEN WAS THE FIRST EVENT.

"…THE EVENT WAS 3/31/2012 …"

Judicial notice should be taken that both Mr. Heisterkamph and Mr. Lockett in 2012 submitted a securities fraudulent inducement claim, not against me, but Mr. MacFarlane, whose resignation stated he was never WMMA's President and in Mr. Heisterkemph's claim to Chartis Insurance, he stated in the INDEMAND cable trailor that he was President. Heisterkemph says he would not have invested if MacFarlane was not President. At the same time Mr. Lockett filed a Chartis Insurance claim along with Mr. Heisterkamph, and declared Ms. Puccio fraudulently induced him at his interview to invest in WMMA. He stated:

> "…in Ms. Puccio's resignation she claimed that she, Sullivan, and Beckerdejian knew in December 2011 that WMMA was a ponzi scheme…"

He then claimed she interviewed him in January 2012 and she did not disclose to him that material fact, and defrauded him to invest. Ms. Puccio on 3/27/2012 emailed Mr. Nwugugu that she had on that day had invested $500,000 in WHLD, WMMA's parent!! Thus proving her falsity of her Ponzi allegation just as her 6/19/2012 dishonest shareholder meeting suborned all the investors perjury that I was a control person. Ms. Puccio was an extension of the McGrath Enterprise members and they built a case of fraud knowing it was disingenuous to defraud the very 2015 Commissioners that I am now asking you to provide me justice and make it right by payment to me as a whistleblower. Of the predicate acts and conspiracy by the Murray Enterprise and McGrath Enterprise against me in two separate cases we can't let this Commission be tainted this way. Judicial notice should be taken that Lockett and Heisterkamph did not include me in any claim to Chartis Insurance, but now after being bribed by the McGrath Enterprise to be covert whistleblowers, all of a sudden, the truth was forgotten and I become a control person through subornation of

perjury to give the prosecution a disingenuous leg up on alleging securities fraud against me.

In the 2019 hearing my cross examination of Main I asked him who had the responsibility of check writing. He denied that he had it. I then asked him the same question, and again he denied it again. I submitted to prove he perjured himself Schedule 1, Exhibit 145 the WMMA incumbency and Board of Directors resolution that Main prepared and signed as Secretary naming Sullivan as a co-signator with Mr. Agostini and proving that Main was in charge of signing checks, not me. Judicial notice shall be taken in Sullivan's Chapter 11 declaration he denied that he was given the CFO's respect and denied he wasn't given the right to sign WMMA checks. Another perjury. Yet Judge Murray used all of these perjurers knowing that in 6/19/2012 they all agreed to perjure that I was a control person.

The Commissioners relied on the Wells Notice wrongdoing allegations which the Commissioners relied on fraudulently induced them to initiate a securities complaint against me for wrongdoing which the McGrath Enterprise members suborned the perjury of the witnesses they intended to call. The Wells Notice omitted the material facts that contravened all wrongdoing allegations against me that were suborned in the Wells Notice.

We must help the Commissioners from being defrauded by their own prosecutors and balance the discovery time pre-complaint initiation with a meaningful judicial review with Federal Standby judges that are already on the books being paid. In Exhibit A and B, I offered a settlement to receive $5 million and I would release any and all co-conspirators. That was not taken. So now I ask for 10% of the savings of only the one year savings to the Commission that implementation of my strategic plan as discussed in Exhibits A and B as a whistleblower, since I have produced more than two enterprises that knowingly and

with malice of forethought conspired to frame me knowing the falsity of their wrongdoing allegations. They committed more than two predicate acts in the requisite amount of time of theft of my asssets; contempt of perjury of prosecutor fixing; of judge fixing; and violating the Supreme Court's order in forcing an ill man to testify. In that regard, I was informed that Mr. Nicholas Koladny quit this case as a McGrath Enterprise prosecutor, so he did not appear in the 2019 Murray hearing, because he realized that if he did, he would be subject to the mighty arm of the law even against officers of the court for aiding and forcing me to testify and for suborning the perjury in 2019 of Main, Heisterkamph, Sullivan, the Ringling Brothers general manager who had an interview. The Brady admissions by Mr. Lange, an ABC Sports Vice President and a Harvard MBA, disclosed that I voluntarily disclosed my felony at his first interview; Mr. Burnham's Brady admitted that:

> "…Mr. Daspin, whenever was asked by prospective investors to discuss WMMA PPM projections, always stated there is no guarantee intended or implied that such results would incur and you must be prepared to lose all of your investment…"

With respect to my strategic plan offered to the Commissoners in my declaration submissions, one of my recommendations was to replace Judge Murray with Judge Foelak as the Chief Administrative Judge, which the Commissioners accepted in 2019. President Biden and Chief Justice Roberts should implement my strategic plan and use Federal Judges as advocates to review the Wells Submissions for 30 days after the Wells Submission and with each judge having two SEC lawyers to assist. During the 30 days the advocate will have subpoena power for two days of the party's lead lawyers testificandum to provide the Commissioners a preliminary judicial review and opinion of whether or not to initiate a complaint with reasons. My projections indicate that 20% of the Wells Submissions will not be made complaints by the

Commissioners. The Commissioners will now have 600 hours of pre-discovery due diligence and a meaningful judicial review to counter balance the overwhelming prosecution discovery edge in time. Had that been done in my case, my wife would not be dead and I would have not spent 11,000 hours non-productively. I would have continued earning in my Merchant banking business instead of being crucified by a Government commission that was misled by Dodd Frank's violation of defendant's litigant's rights and by the judges being agents and representatives of the Commissioners and then the Commissioners getting the first right to appeal their own complaints finding of fact.

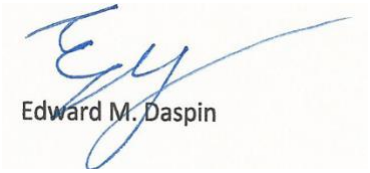
I ask you as brilliant lawyers and accountants to clean up the mess that you didn't create at the SEC and restore to the Federal Courts the only right for Federal judges to be fact finders. It is a conflict of interest for a Commissioner to rule on whether he and/or his colleagues initiated a complaint when we all know they don't have the time to do it and when it violates for the defendant the Constitutional right for independent finders of facts. You shouldn't have a second byte at my apple. Prove to the enforcement division that you will not permit them to not have internal affairs officers to prevent the perjury contained in the Wells Notice and Complaint against me. Because of the close association, we know the abuse will continue as in my case.

I was forced to testify at 80 years of age in violation of Judge Foelak's finding of fact, and forced to be a pro se in a securities case when I didn't have my proper hearing that the transcript demonstrates denying me to have a fair trial. The not only forced me to testify, but forced me to be a pro se, because after Judge Foelak stayed the case by her protective order, the McGrath/Murray Enterprise circumvented that order, forced me to testify, and forced me to be a pro se. Then in 2019 McGrath and Murray continued the same conspiracy against me by stealing my $1 million litigation fund, forcing me to testify, killing my wife, stealing my 11,000 hours, and breaking my heart all the while

making manifest errors of fact while they knew the true facts proved my innocence.

In closing a respectively ask for this panel instead of settling as requested in Exhibit A and B instead of extending the conspiracy and forcing me to appeal to the Circuit Court. Since my offer of settlement was rejected by Judge Murray, I ask you to consider a flat rate of $7,500,000 and I will sign general releases which I believe will save this Commission as backup guarantors for the Murray/McGrath Enterprise wrongdoing and damages all of which will be Civil Rico in Federal District Court case in Newark, NJ with treble damages bringing any Government indemnifications to $15 million. A settlement will set the example that you clean your own house instead of permitting your own fiduciaries to defraud the defendants.

I declare that this declaration consists of the truth to the best of my memory and knowledge under the laws of the United States. I know if I misrepresent, I am subject to punishment. I know that a settlement is a preferred method of litigation resolution and unfortunately this case along with the Supreme Court's finding in Lucia v. SEC demonstrates that the Commissioners avoided their duty to care to inform the Supreme Court of the United States that by omission of the material fact that the inhouse judges were merely delegates, they circumvented the appointment clause's independence thus defrauding me out of another 5,500 hours for a second hearing.




pro se

EXHIBIT A

Edward M. Daspin, pro se Case 3-16509 Nov 14, 2021

[redacted]

[redacted]

[redacted]

[redacted]

Declaration and Motion(s) supported by this Declaration included the motions as well as certificate of service.

Dear Ms. Cowboyman, Esq.:

I declare under the laws of the United States that the foregoing statements of fact by me are true and accurate to the best of my knowledge and memory. I know that if I willfully represent that I am subject to punishment.

I know that this Honorable commission was recently appointed by our President, the Honorable Joseph Biden, and that this commission was informed by me that the commissioners prior to your appointment were informed by me as my QUI TAM Complaint that they, Judge Murray, and the McGrath Enterprise members with the MacFarlane Newco Enterprise members, and the WMMA/WDI Enterprise members perpetrated a fraud and other crimes against the Government and me. This fraud occurred not only in my case, but in the cases of all other in house defendants that were found guilty up to the limit of

statute of limitations term because the administrative law judges were delegate(s)- of the very commissioners who initiated the complaint in the first place and who were delegators. A delegate- is an agent representative and fiduciary of the commissioners and stands in their shoes and therefore cannot rule independently

This is because the moment they accepted a case as a delegate- they gave up their independence that was gained in the appointment clause.

I have read your resumes and they articulate the financial sacrifices that you have made to protect our nation, to do so you must also eliminate the fraud, fiduciary and other Constitutional violations being perpetrated against our government, and me and you. You are a victim of a certain group of prosecutors that in effect perjured the wrongdoings they allege against defendants in their Wells Notice to you. I estimate that group equals 20% of the SEC prosecutors and that is why if you implement my strategic advocacy plan you will receive a meaningful judicial review pre-complaint initiation that will save our government $1.6 million per case as well as avoid the devastating the adverse reputation effects your complaint initiation produces against innocent defendants. This is based on the below stated assumptions I have used in the induction method to isolate the problems and cure them.

I estimate that it has cost our Government approximately $2 million for an inhouse defendant guilt finding based upon that defendant's appealing through this commission and your

finding innocence at the end of the very tragedy whereby the prosecution fraudulently induced you to initiate a complaint as happened in my case. I estimate approximately amounts to 600 guilty inhouse defendants whereby the Government was fraudulently induced to permit to expend our money to permit innocent defendants to be tried by non-independent judges as what happened to me. That amounts to the Government losing $1.2 billion which the Government was defrauded out of, as were the commissioners, and which would have been prevented if the commissions stopped relying on a certain group of reprehensible prosecutors who knew the evidence that they were given disproved their Wells Notice allegations before they made them. The defendants probably incurred greater litigation costs than the Government. Instead of learning that an independent judiciary is the most important element to have a fair hear that the Supreme Court taught us in LUCIA vs. SEC (8/2018) the commissioners kept the crutch of delegation forcing the judges to make non-independent findings of fact.

As part of your mission, it is to learn from the United States Supreme Court and to eliminate making any ADLJ a delegate-.

I had advised the prior commissioners as I addressed it in my strategic plan to clean up the inhouse process and that you must rid the commission with the McGrath Enterprise members to defraud the Government and me before Federal District Judge Bachman by their omission(s) of the material fact(s) when I filed my OSC for a TRO not informing her that all of the inhouse judges were Constitutional violators and delegate-(s). Part of

the damages to me by that fraud against the Government and me cost me my $1 million litigation fund; cost me 11,000 hours by forcing the wrong jurisdiction; cost me the loss of my wife's mind because her [redacted] that my wife's neurologist diagnosed was caused by alcohol which she started drinking only after the McGrath Enterprise concocted the false allegation that I was the control person of WMMA when they had the documents prior to their Wells Notice that proved Joan sold out in January 2011 and I caused CBI to sell it five year WMMA consulting service contract to MKMA; six months before any investors invested in WMMA/WDI and after Federal Judge Rosemary Gambredella found as fact in WMMA's 2014 Chapter 11 that:

…" Mr. Daspin committed no wrong doing at WMMA" while at the same time in Mr. Nwugugu OIP answer he exculpated me as the author of the service contract and declared that he used the CHAMCO service contract as the template for WMMA/MKMA's consulting service contract; the Federal Judge Theodore Alpert (See my Wells Replyy Exhibit C) found as fact) that Mr. Daspin violated no security violations using the same contract as WMMA's.

Therefore, my first motion requests that you dismiss this case and find me innocent because of the facts above stated and that no judge hearing my case was independent as they were delegate-(s). In addition, Judge Murray had a monetary interest in finding me guilty since I had informed the Murray Enterprise member (including Judge Murray and Judge Grimes) knew that

if they found me guilty that after this case was over I intended to sue them as co-conspirators for violating my Constitutional rights, for violating Judge Foelak's finding of fact "that if anyone forced me to testify I would be irreparably harmed", for playing musical judge chairs for substituting Judge Grimes for Judge Foelak who has ordered a postponement sine die, for co-conspiring to dissolve that protective order, while forcing me to testify. These two judges threatened my life and by so defrauding the Government of the United States as well. Both Judge Murray and Judge Grimes knew that they could use the "sour grapes defense when I commence by suing them: "Mr. Daspin is suing me because I found him guilty in his SEC case."

In Lucia vs. SEC the justices found that the in house administrative (ADLJ) were inferior judges and were not appointed under Article 2 of the Second Amendment's appointment clause. The justices ordered that each SEC defendant that appealed on those grounds was constitutionally entitled to voiding the guilty judgment and repeating the case by a judge that had not participated in the prior case's adjudication. Judicial notice should be taken that Judge Murray delegated Judge Carol Feolak to hear my case. Before I was served with a complaint, I made an OSC motion for a TRO so that if the SEC sued me that they did so in the Federal District Court. I had pleaded that I was [redacted] before the SEC complaint was served. SEC RULES/360 does not favor adjournments in the SEC rules and require a speedy 365 day hearing else the complaint is dismissed,. My

physical ailments could not take that type of stress, nor would I get through the 15,000 exhibits that are part of this case.

I motioned Judge Murray to recuse herself because she participated in Grimes/Murray default judgment by refusing to reverse Judge Grimes disillusion of Judge Foelak's protective order and is forcing me to testify in 120 days. She orchestrated my default judgment and facilitated it by playing musical judge chairs. She was Judge Grimes' co-ADLJ in the first hearing and therefore her 2019 hearing should be stricken because she was in willful contempt of the justice's order and forced me to testify.

Judge Murray's sole reason for switching judges midway through my case was that she alleged Judge Murray's schedule was too busy despite the fact that Judge Murray had found a finding of fact that if any judge forced me to testify, I would be irreparably harmed. It was Judge Murray that delegated this case to Judge Foelak and it was Judge Foelak that found as fact that if any one forces me to testify, I would be irreparably harmed and Judge Foelak ordered a postponement sine die.

Judge Foelak found that the facts she obtained from my medical records proved that I had a [redacted] anxiety and depression. In addition, Judge Foelak found that I failed all seven factor tests which proved my inability to participate in testifying. In fact, at the first SEC hearing

deposition midway through it my [redacted]. When Judge Foelak found as fact that any one forced me to testify, I would be irreparably harmed and Judge Murray was made aware of her adjournment of my case and the McGrath enterprise members failed to appeal Judge Foelak's decision.

At the time I filed my OSC for a TRO Mr. McGrath, the leader of the McGrath enterprise members (consisting of Theresa Puccio, Ms. Kazon, the NY Regions assistance director, Mr. Barry O'Connell, Mr. Nicholas Kilodeney, and Mr. William MacFarlane). Both Mr. MacFarlane and Ms. Theresa Puccio were also members of other enterprises, for instance Mr. MacFarlane was the leader of the NEWCO enterprise members as was Ms. Puccio and Ms. Puccio was also a member of the WMMA/WDI investor operator enterprise members.

Before Judge Bachman ruled to dismiss my case Mr. McGrath omitted the material facts before Judge Bachman that Dodd Frank did not apply and that he had no first jurisdiction benefit and that the enforcement division could not use the in house because Dodd Frank did not give a first jurisdiction right to a case being heard by Constitutional violators.

Judge Murray was also complicit in defrauding the Government and me and Judge Bachman by her failure to have the Administrative Law Judges Constitutionally appointed and by Judge Murray's continued facilitation of delegating Administrative Law Judges to hear cases while they were Constitutional violators and agents, representatives and fiduciaries to the delegators – the commissioners. Judge Murray gave us all the impression that the SEC was conforming to the Constitution Amendments as she continued delegating cases to Constitutional violators and to delegate-(s). As my previous submissions indicated the fraud against me, The Government, and Judge Bachman resulted in theft of my million dollar litigation fund and they stole my 11,000 hours for which I charge $350 an hour, ($3,850,000) by fraud and deception and without due process and are all sanctionable under THE FALSE CLAIM (QUI TAM). In fact, I as a class member, that with the Government were fraudulently induced to permit this circus in house. The Government is obligated at the least to void all statute of limitations defendants' in house guilty findings, if no to reimburse their costs of litigation as well. I submitted my copies of my appeal to President Trump and he had an obligation to stop his commission from violating our Constitutional rights. His duties include the administration of the SEC and the inductive method of reasoning proves that the commissioners do not have the time to fairly initiate a complaint along with their other duties of administrating 4,500 SEC employees in five divisions and hearing appeals such as this. It is apparent there are no satisfactory internal controls against prosecutors' perjury in their Wells Notice so the strong inference is that the commissioners punt to the prosecution

relying on their allegations of wrong doing despite the fact that there were 3 res adjudicata in my favor. I and the Government paid the penalty for the fraud perpetrated against us and under the QUI TAM complaint I am entitled to a portion of the recovery that the Government gains from the tortfeasors.

Because of the fact that the SEC rules violated my right to retain my lawyers after they ran us out of litigation money, and after knowing I didn't have the strength to testify, I was forced to be a pro se. I request that any technical deficiencies that I did not implement with respect to writing the QUI TAM complaint be waived due to the fraud perpetrated against me, forcing me to be a pro se against my motion that Judge Grimes not dismiss my law firm, not violate my rights to the benefits I would have received had a lawyer represented me to file the Qui Tam complaint in accordance with the rules whatever they may be. I prepaid my law firm to learn the whole case, but because of the fraud perpetrated against Judge Bachman and me and the cost of litigation time that proved that if anybody forced me to testify, I would be irreparably harmed, Judge Grimes and Judge Murray violated my Federal rights in New York and in New Jersey by using SEC in house rules which was the improper jurisdiction in the first place.

My experiences with Judge Murray in this case proves that she was the perpetrator of a conspiracy whereby she controlled the in house adjudications to favor the prosecution, i.e. playing musical judge chairs to violate my protective order and using

Judge Grimes to not only replace Judge Foelak but also Judge Cameron Elliot, former presiding SEC judge.

A 2015 Wall Street Journal Article by Ms. Eaglesham wrote "SEC WINS BIG WITH ITS IN HOUSE ADLJS". The article explains that for the three years ending 3/31/2015 the in house ADLJs found that 90% of the defendants guilty while during the same period in the Federal District court the judges found 32% of the defendants innocent. In fact, Judge Lillian McEwen "declared that Judge Murray pressured her to find more cases for the prosecution." At that juncture the SEC directed presiding Judge Cameron Elliot to contravene Judge Lillian McEwen's declaration that Judge Murray pressured her to find more cases for the prosecution. Judge Cameron Elliot refused to submit an affidavit to the Wall Street Journal to contravene Judge Lillian McEwen's but instead submitted a note stating he would never submit an affidavit in this matter. The only reason I can figure for Judge Elliot not to contravene Judge McEwen was because the Judge McEwen told the truth and it was common knowledge that Judge Murray wanted all her judges to find more cases for the prosecution.

Judge Murray and Judge Grimes participated in conspiring to fix cases for the prosecution in house. Thirty days after Judge Elliot refused to sign an affidavit Judge Murray to contravene Judge Lillian McEwen that Judge Murray pressured her to find more cases for the prosecution. Judge Grimes was promoted to be the presiding judge. In my case 30 days after Judge Foelak found as fact if any one forces me to testify I will be irreparably harmed

Judge Murray relived her in my case by playing musical judge chairs. Judge Murray fixed my case.

Judge Murray and Judge Grimes implemented their conspiracy to make more defendants guilty and for more judges to find more defendants guilt. Judge Murray played musical judge chairs and by switching on my case to Judge Grimes. Then Judge Grimes, knowing I would be irreparably harmed dissolved my protective order while "ordering me to testify in 120 days." I promptly appealed to Judge Murray to reverse Judge Grimes' dissolution of my protective order and Judge Murray failed to do so proving that Judge Murray orchestrated a conspiracy to make me a guilty party.

Judicial notice should be taken in LUCIA VS. SEC, the justices ordered that if the defendant did not want a judge to hear the post LUCIA case and if that judge participated in the adjudication of the first pre Lucia hearing that judge must recuse herself. It was Judge Murray who orchestrated my default judgment. It was Judge Murray who circumvented finding Judge Foelak's fact of finding my irreparable harm. It Judge Murray who refused to reverse Judge Grimes dissolution of my protective order and it was Judge Murray that enforced Judge Grimes' order that I testify in 120 days. In other words, Judge Murray didn't care about my physical disabilities, didn't care of a fellow judge's finding of fact that I "if I would be forced to testify I would be irreparably harmed." This proves that Judge Murray and Judge Grimes were dead set on violating my constitutional right to life and liberty and that they disregarded

Judge Foelak's find of fact and if they forced me to testify, I would be irreparably harmed and I was. (in the second hearing, judicial notice should be taken that prosecutor, Nicholas Kolodney quit being part of the McGrath Enterprise because he did not want to participate with Judge Murray and the McGrath Enterprise in forcing me to testify).

At the second hearing Judge Murray was in contempt of the justice's order that no judge that participated in my adjudication before Judge Grimes could hear the second case if they participated in the first case's adjudication. Judge Murray orchestrated and facilitated the Judge Grimes default judgment. She was a co-defaco ADLJ with Judge Grimes and violated Judge Foelak's finding of fact by her and the McGrath Enterprise forcing me to testify in the second hearing causing me and my wife irreparable harm while defrauding the United States Government by participating as a delegate-. In addition, Judge Murray had a monetary interest in finding me guilty as in the first Grimes/Murray hearing I advised them and McGrath in writing I was going to sue them for their participation in the four Enterprises concocting I was a control person when their own employment contracts proved I was a consultant when I and my wife had sold out our positions six months before any WMMA/WDI Investor Operators invested and when the SEC's own witness,

Mr. Lux, before he was bribed, by a no money payment settlement, testified in his 8/29/2013 deposition that I was only

a consultant…that the WMMA board resolutions controlled WMMA…that I was never an officer, director, or shareholder of WMMA…that Nwugugu wrote the lion's share of the PPMs and in that respect, he never saw me type in WMMA. In other word, the McGrath Enterprise members knowingly used perjured testimony which heir agent, Ms. Puccio, suborned concocting I was a control person (See my Wells Reply 6/19/2012 Exhibit A page 17- the dishonest shareholder's meeting (THE SMOKING GUN) were in she stated:

"… say Ed controlled all small and large things at WMMA…don't say Ed controlled WMMA's board of directors because Ed denied that in writing to us…and I will sign it…" See page 17 line 21 to 25, the Freudian slip. In essence Puccio admitted who controlled WMMA by saying:

"…let's collude and say we went to WMMA's board many times asking it to fire Ed and MKMA…"

The burden this case brought upon me and my family while the Murray McGrath enterprise conspired to fix my case by supporting the perjury of the witnesses they them bribed covertly by not including them as whistleblowers and by Judge Murray paying them off in her final order to distribute the judgments against me conspired to fix my case by bribing the WMMA/WDI investor operators to perjure their testimony which is all disclosed in the 6/19/2012 dishonest shareholders meeting (see my Wells replay Exhibit A page 17) wherein Ms. Puccio informs all investor operators to:

"…Say that Ed controlled all small and large things at WMMA…don't say Ed controlled any WMMA directors because Ed put in writing…and denied any director control...and I will be the first to sign it…I will sign anything you put in writing that demonstrate Ed was a control person…"

If you ever learned anything about this case you know that every finding of wrong doing alleged by me was made by Judge Murray as a manifest error of fact and was concocted in the Wells Notice by the McGrath Enterprise members and was 180 degrees in opposition to the truth. You now know that Judge Murray pressured the ADLJs beneath her to find more cases for the prosecution by reading the 2015 Wall Street Journal article, "SEC earns big with its In house ADLJs". In that article by Ms. Eaglesham, she quotes Judge Lillian McElwain who declared that "JUDGE MURRAY PRESSURED ME TO FIND MORE CASES FOR THE PROSECUTION." In other words, Judge Murray was fixing cases against defendants for three years before my case even started as the article states that for the three years ending March 31, 2015 the inhouse judges found 90% of the defendants guilty while during the same three years before the Federal District Judges in approximately the same number of cases, the Federal District Judges found 32% of the defendants innocent. In fact, Judge Murray's own presiding judge, Judge Cameron Elliot refused to submit an affidavit to contravene what my case substantiates is a fact that Judge Lillian McElwain was pressured to find for the prosecution more cases. Thirty days after Judge Elliot refused to submit an untruthful affidavit, Judge Murray fired him as presiding judge and named and appointed in his

place, Judge James Grimes 30 days after Judge Foelak found as fact that if anyone forced me to testify, I would be irreparably be harmed. Judge Murray played musical judge chairs and flipped Judge Foelak off my case and inserted her case fixer, Judge Grimes. That was a reprehensible act as proven by the fact that Judge Grimes dissolved my protective order and forced me to testify violating the finding of fact of my ill health. I appealed to Judge Murray to reverse the dissolution and forced testimony in 120 days. She dismissed my motion proving she perpetrated a fraud against the Government and me and violated my Constitutional rights while the prior commissioners let her refusal stand.

I will be irreparably harmed by any further delay in adjudicating this case as I am past the actuarial age for death and I should be allowed to prove my innocence and I should be paid as a whistleblower not only for reporting the fraud against the Government of the United States, but for using my time to provide you a strategic judicial plan, which if adapted in whole or in part, will eliminate violating the Constitution by having in house judges as your deletage-(s) will eliminate the three year discovery edge the prosecution got by withholding for three years the perjured Wells notice wrong doing allegations in the face of 3 Res Adjudicatas proving I did not wrong at WMMA, proving I never did any securities fraud at WMMA, and proving that a Federal bankruptcy judge found in 12/31/2012 that the Chamco service contract, which Mr. Nwugugu used as the WMMA service contract template did not disguise investment banking fees as human resources fees, but rather found me

innocent of all securities violations using that same form of almost identical service contract as Mr. Nwugugu's OIP answers- state (see my Wells reply Exhibit C to the judge's order).

I believe this commission has a duty to report the frauds perpetrated against the Government of the United States and me. It is too understated to use the genteel language that Judge Murray made a manifest error of fact in her alleging of facts that I committed a wrongdoing.

My cross examination testimony against Mr. Lux and Mr. Main proved in essence that:

"…they jointly controlled WMMA without use of anyone else's opinions…"

As a matter of fact, Judge Murray was informed by me and the record that on 8/29/2013 Mr. Lux's SEC testimony proved Mr. Nwugugu wrote the lion's share of the PPM (Mr. Young's cross proved Mrl Nwugugu's Chartis insurance claim of 2012 admitted in paragraph 6 that he wrote the 100% of WMMA's PPMs, Mr,Main's direct testimony proved that he and Mr. Tropello wrote the WMMA PPM projections, not me as alleged that inflated them to defraud WMMA investors. Judge Murray saw the 1/20/2011 WMMA board of directors MKMA consulting agreement with my accepting being a subcontractor consultant to MKMA and she saw all 40 WMMA/WDI employment contracts with not one of them making me and or MKMA a report to and she knew before Mr. Lux was bribed with a no money settlement that he testified that Mr. Nwugugu wrote

the lion's share of the WMMA PPMs. She was also informed that all the WMMA/WDI investor operators perjured themselves in proceedings as in the WMMA 2014 Chapter 11 when Main, Sullivan, Beckerdijian ad MacFarlane perjured their declarations in opposition to my motion to dismiss an defrauded he court by omission of the material fact while Mr. MacFarlane perjured he was never WMMA's President in his delaration by my two reply declarations, whose exhibits signed by the aforementioned proved they were perjurers and Judge Murray also knew Ms. Puccio, Mr. Heisterkamp, Mr. Lockett perjured their accreditation warranty while MKMA's contract to provide services nor mine with MKMA requires us to audit each investors warranty. In addition, she read the SMOKING GUN transcript proving all the investor operators were breaching their fiduciary to WMMA, yet she used these perjurers' testimony as if it should be used to find my guilt, not because I was guilty, but because she wanted to avoid being a defendant in the case I threatened her and the other enterprise members that I would sue them for defrauding the Government of the United States and me.

You also know that Judge Murray is a control freak as when Judge Foelak found in my favor, Judge Murray switched my case to Judge Grimes. As when Judge Murray found that Judge Cameron Elliot would not lie for her, she let Judge Elliot lose his presiding judgeship. Judge Murray did the same thing with Judge Foelak when Judge Foelak found that if any one forced me to testify I would be irreparably harmed so she switched me to Judge Grimes.

Please bare in mind that my actions proved that I had no Scienter. No man would permit his wife to lend or advance of $500,000 to WMMA, if he knew of any wrong doing going on at WMMA. No man accused of making WMMA's mission for me to be permitted to milk all of its assets would ever forgive in 2011 $4,460,000 of fees to capitalize WMMA. In fact the million dollars the Wells Notice and Complaint alleged I milked WMMA driving it out of business was contravened by Ms. Beir, the SEC's fraud analyst, who testified that I/MKMA/CBI only received $240,000 (for which I only received $180,000) at the same time Mr. Lux in his 8/29/2013 testimony testified Mr. MacFarlane lost $1 million in his negligence in the 3/31/2012 WMMA event; and Ms. Beir testified that he lost $1 million in that event while she also testified two weeks before the event was $450,000. What a disgrace for the McGrath Enterprise to team up with the real crooks in this enterprise. Who paid them off. How dare they, McGrath Enterprise, use me as MacFarlane's red herring. They knew from their receipt in 2012 of all WMMA financials that I only a portion of $240,000 and they knew by the interview of their own witness, Mr. Lux, in 2013, two years before the Wells Notice was filed, that MacFarlane lost $1 million in the 3/31 event. Why did they disguise it???. Why did they accuse me and MKMA of exaggerating the IMC data base value which we put at 83 million, when the Brady disclosure if Mr. Wolk, IMC's offer testified he was offered $90 million for the data base Main. Why



**OS Received 04/29/2022**

did they accuse me of creating the IMC appraisal to defraud WMMA investors when Mr. Lux testified in 2013 that the Board of Directors ordered MKMA to appraise the data to be used for Mr. Sullivan to present to the Texas Boxing Commission a WMMA balance sheet as a precondition to grant the 3/31/2012 license for the event. Why did they allege that I and MKMA submitted he non GAP IMC appraisal with the footnote not to be used for investment purposes when Mr. Lux testified that there were 8 senior WMMA executives (including most of the investors) that met for over three hours which appraisal amount should be use and at the end all agreed that the $83 million was the right number. Why did the McGrath Enterprise knowingly concoct fake wrong doing allegations against me when they had in their own hands documents that disproved those wrongdoing allegations?

I have succeededin over 50 cases over the years and never lost a case (or settled for cents on the dollar as my lawyers indicated the remaining fees would be twice as great) and most of them tried to use my four decade old felony which had no relevance to their cases. The State and Federal cases all found in my favor or agreed to settle I could for cents on the dollar because my lawyers convinced me that their hourly rate would be more than the settlement amount to finish the case. How did the SEC use my felony to defame me. They fraudulently alleged in Sullivan's Brady that I disclosed it at the 11th hour before he invested. The truth was in Mr. Young's direct testimony when he admitted on Sullivan's first interview day after I had mine, Mr. Main told Mr. Young, "he didn't think Sullivan would invest because of Mr.

Daspin's background." In fact that Mr. Burnham's Brady admitted at the end of Mr. Sullivan's first interview date, Sullivan asked for a telephonic meeting between he and Mr. Main without Daspin present and at that meeting Sullivan wanted to know if Daspin was only a consultant, which he and Mr. Main admitted that was all that I was." In other words, Mr. Nwugugu's recantation of his Brady as fraud and or gross negligence proves prosecution fooled around with the Brady for their own interest. You don't have to be a genius to know that Mr. McGrath suborned Mr. Lux's perjury after he settled Mr. Lux's case with no money as he suborned Lux's testimony as to who wrote the WMMA PPM. In 2013 Mr. Lux testified to the question of who wrote WMMA's PPM. Answer: "Mr. Nwugugu wrote he lion's share…". In 2019 Mr. Grath asked the same question to Mr. Lux as to who wrote the WMMA PPM. Answer: "… Mr. Daspin wrote the entire PPM dictating it over Mr. Young's shoulders.." Right after his testimony we had a break and I passed Mr. Lux in the hallway and called him a F…G L…R. It seems Judge Murray was more interested in Lux's alleged allegation that I threated him than the fact that he lied and perjured himself before her. I was 80 and Lux in his mid 50's and I need a cane to walk, let alone threaten him physically. These are the tactics of the McGrath Enterprise. We produced 15,000 exhibits which incontrovertibly proved my innocence of wrong doing. Federal Judge Gambreddela found no wrong doing. When Mr. Craig sued me and WMMA for securities fraud the New Jersey Federal judge dismissed it with prejudice. How many times do I have to be found innocent before this commission does the right thing? My actions disprove scienter which can

only be found if the judge follows the crooked trail the McGrath Enterprise hallucinated.

Both Federal Bankruptcy Judge Rosemary Gambredella and her Federal trustee, Mr. Giordano, after reading the perjurious declarations and the omissions of material fact not contained therein of Mr. Sullivan, Mr. Main, and Mr. Beckedjian as well as Mr. MacFarlane's hysterical declaration that he was never WMMA's President together with my two replay declarations and exhibits disprove all the allegations of the WMMA investor operators and prove that they perjured themselves in the daylight to a Federal Judge and trustee by perjury and omissions of material facts made Judge Gambredella and the trustee realized that those investor operators of WMMA and their attorney Ms. Katherine Richter who suborned their perjury and fraud in the declarations she prepared for them were no non-credible that they found as fact:

"Mr. Daspin committed no wrong doing at WMMA."

Scienter is the knowledge of wrong doing that a person has without disclosing it to all interested parties and then committing the wrongdoing. Judge Gambredella found that I did not commit scienter in her all inclusive finding of facts "that I committed no wrongdoing at WMMA." My conduct while at

WMMA proved I didn't milk WMMA. That was a perjury by the McGrath Enterprise in the Wells Complaint and Allegations. No man with a brain who permit his wife to lend and advance to WMMA et al over $500,000 unsecured as I did if he had knowledge that any wrongdoing was being perpetrated at WMMA and Judge Gambradella's finding that I committed no wrong doing to WMMA disproves scienter. My/MKMA/CBI capitalizing WMMA with of $4,640,000 of which we only received $240,000 of forgiveness of fees totally disproves the allegation that I made WMMA's mission to milk all of its assets. Who paid them off the reverse the truth by 180 degrees in each and every wrongdoing allegation and who paid her off to make fictitious findings of fact which she knew contravened the truth because the documents in this file disprove all he wrong doing allegations. You have no idea now sick I am about the lack of internal audit by the enforcement division and I have given this commission when each and wrong doing by the SEC personnel occurred a blow by blow description the prior commissioners should have already adjudicated this. They falsely believed that if they find some of their members guilty it makes them bad. In fact, the reverse is true because someone will byte the bullet.

I have provided this commission with my strategic litigation plan subject to the President using his executive powers to correct the wrong doing by communicating with the Chief Justice of the United States Supreme Court receiving his approval for each of the presiding circuit court judges to make available each quarter a list of standby Federal and Circuit court judges to work as ombudsman subcontractor advocate with a

team of two SEC law clerks and the ombudsman's administration will review each Wells cases submissions receive from the enforcement all exculpatory, all omissions of material facts, a draft complaint, Brady, such that the advocate knows where the parties have valid disputes. The advocate can order up to two days lawyer's testificandum and after receipt in 30 days draft an advocate opinion to give the commissioners who are the parties being neglected in this process a meaningful judicial review pre-complaint initiation. I project this will save 20% of he Wells defendants by the commissioners ruling a no bill and saving 20% (minus up to 10% equals a minimum of 18%) defendants reputations. For each defendant saved I project a savings of $1.6 million after deducting all advocate and ombudsman's costs. The SEC in house staff for ADLs will increase up to 8 more ADLJs while eliminating all Federal District Court Judges at the same time the commissioners will no long need the first appellate right since they initiated the complaint after receiving the advocate's opinion so that they have received meaningful judicial review. An appeal will go to the Federal District Court. That is what it is there for. Based on assuming 500 Wells cases a year minus the 20% (minus up the 10% equals a net of 18%) we should save 100 cases a year approximately at $1.6 million per cased saves $160 million for the SEC plus the incremental cost of 8 ADLJs and the incremental administrative cost. I have asked for a $3,500,000 up front settlement payment plus a $2.5 million performance bonus if the commission finds a minimum of 18% no complaint initiation for a total of $6 million or for a cash out settlement cash amount of $5 million in lieu of the performance bonus because of the individuals of the SEC fraud perpetrated against me and the

Government. My wife has lost $2.5 million of assets and I have lost $3.5 million of hourly fees as no one in heir right mind would do business with the outlandish, perjurious allegations of wrong doing and I am not talking about compensatory damages for civil RICO which are triple. I have very little of my life left. If you find against me I have to appeal immediately before I die to clear my name if you find for me that I am innocent but faile to pay me the compensation I have asked for under the whistleblower and as a consultant being forced to represent myself when Judge Foalak found I cannot even testify that it would irreparably harm myself. Then the Government our fore founders envisioned will have changed for the worst. I believe in you and I am hopeful that all of you will settle this case in the time I need or I will be irreparably harmed.

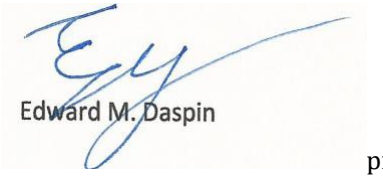
The allegation that I disguised investment fees as human resources fees was contravened by Mr. Nwugugu's OIP declaration attached to his Brady recantation. He accepted full responsibility for writing the WMMA/WMKA consulting service contract in the section where I am alleged to be a disguiser in the OIP. He stated he used Chamco as the template and they were almost identical. Federal Judge Alpert in my Wells Replay Exhibit C finding of my innocence of all security violations is a res adjudicate and the allegation makes no sense because the average investment was $350,000. Using the Lehman, 5% of the investment equals $18,000 as the investment banking fee, while the human resources fee is the greater of 25% of the base

compensation which averaged $150,000 which equals $38,500 proving that the allegation makes no sense. Then the SEC tried to make the auditing the accreditation part of my responsibility and the service contract between WMMA and MKMA has no provision for that responsibility. After Main and Lux's testimony that they selected the investors without any one else's opinion proves that I had no culpability.

If for any reason you do not comply with my request within the 30 day period I will file an appropriate motion in Federal Court asking for such relief as that court my grant. It has taken six years, caused my wife [redacted], financially damaged us, and irreparably damaged us. I hope none of you have to go through what the SEC wrong doers forced upon me and the Government of the United States. I want nothing more than you to help the commission solve the problems that have been committed because the enforcement division had no satisfactory internal audit system. Their gross negligence fraudulently induced prior commissions to initiate complaints when those commissioners did not have the time to receive a meaningful judicial review pre-complaint initiation that a standby Federal judge can provide an independent ombudsman to administer this commission and other commissions standard operating reporting procedures with no conflict of interest and by it not being part of the SEC, but an independent contractor with a fiduciary only to the commissioners. There is no question that the commissioners are looked at short term hindrances by the enforcement division. I am using myself as an example, because I have agreed to take a lie detector test if you don't believe Judge

Gambredella's finding of fact, and if you don't believe Judge Alpert's finding of fact that the same service consulting contract used in CHAMCO as used in WMMA prove I violated no securities violations as did the dismissal with prejudice in the Wayne Craig vs. Daspin et al case.

Respectfully,



pro se

EXHIBIT B

January 20, 2022

Enclosed is this Supplemental declaration to my November 14, 2021 declaration and motions to the Commissioners

E.M.Daspin, pro se
[redacted] Apt A
Case 3-16509
[redacted]
[redacted]
[redacted]

re: SEC vs. DASPIN Commission

Dear Ms. Cowboyman, Esq.:

Enclosed is a supplemental declaration by me. I recently was called by a friend who advised me that the commissioners had ordered a second adjournment of the time to answer my appeal after they received my November 14 declarations and motions.

I declare under the laws of the United States that the foregoing is true and correct to the best of my knowledge and memory. I know if I willfully represent, I am subject to punishment.

Since Judge Murray's manifest errors of facts in her final order are so outrageous and contravene the true facts which proves my innocence and since I know you only have a short time to review my appeal, I am compelled to supplement some of the facts that completely contravene

her alleged fact finding in her final order and further proof that she participated in a conspiracy to frame me with the McGrath prosecutors and others mentioned below as the McGrath Enterprise. I have previously informed this commission that the prosecutors were given nine days to put on their case and unfortunately when it was my turn, I believe it was a Friday, Judge Murray indicated to me that she wanted to get back to either Boston or Washington. I also informed you that instead of nine days for my defense, Judge Murray only gave me about two hours. I asked her on the record to let me put the Wells Notice wrongdoing allegations on the record so that I could prove the prior commissioners under the Honorable Judge Mary Joe White were fraudulently induced to initiate the complaint against me. Since Judge Murray was a delegate, agent, representative she had a fiduciary to the commissioners and she stood in the Commissioners' shoes. Her violation by denying my litigant right to demonstrate the prosecutor's fraudulent, its omission of material facts, its omission of exculpatory information was inexcusable and so I believe you will be interested in this declaration's facts that she denied me the right to inform her of. The below facts are what should have been on the record in my summation on the record and which also prove the absolute innocence of the wrongdoing allegations that Federal Bankruptcy Judge Rosemary Gambredella found as fact:

"…Mr. Daspin committed no wrongdoing at WMMA…"

I thank you for the consideration as the below declaration demonstrates the reprehensible conduct of the Murray/Grimes and the McGrath Enterprise Members including Ms. Catherine Richter, Esq, William MacFarlane, Theresa Puccio, Doug Main and the others defined below captioned in a parenthesis.

Judge Murray aided and abetted the McGrath Enterprise to defraud Judge Bachman and me which caused the theft of my assets in more than two predicate acts within five years by fraud and deception without due process. She also participated in bribing the WMMA/WDI investor operators by concealing the fact from this defendant as did the prosecutors and except for Ms. Puccio, the SEC whistleblower, the remaining investor operators had a covert deal to get paid off pro rata portions of any judgments the court made against me without admitting the fact in the Brady they submitted but which Judge Murray put in her final order.

In the 2019 hearing before Judge Murray after the prosecution had nine days to put on their case, it was my turn as the defendant. After two hours of my putting on my defense, I informed Judge Murray that I wanted to put on the record the Wells Notice. I wanted to prove that all of the Wells Notice wrongdoing allegations were knowingly false as the prosecution received 10,000 documents in December 2012 and another 5,000 documents in 2013 just before the Wells Notice was served in mid-2015. Since Judge Murry was a delegate, agent, and representative of the commissioners she had a fiduciary to permit me in my defense to demonstrate that the Wells Notice fraudulently the prior commissioners to initiate a complaint against me which also included not one true fact that I committed wrongdoing. Judge Murray refused to let me put on my defense and I will include in this declaration some of the prosecution's disingenuous Wells Notice and Complaint wrongdoing allegations which prove that the prior commissioners would not have a complaint against me. In addition, this case being dismissed by this commission for the aforementioned reasons, it is tragic that I was forced to spend six years and submit to two separate hearings with each hearing being heard

inhouse by a Judge that was not impartial, by a judge that was not independent, by judges that knew that Judge Carol Foelak had found as fact that if anyone forced me to testify, I would be irreparably harmed. I copied the commissioners this violation of my Constitutional rights under her honor Head Commissioner Mary Joe White and then under the President Trump commissioners and they took no action to stay the Constitutional violations. I also informed the Mary Joe White commissioners and it is on the record that before I was served with an SEC complaint, I filed a motion in Federal District Court before Judge Bachman asking for a TRO enjoining the SEC from filing their complaint inhouse, but only in the Federal District Court. The prosecution as aided and abetted by Judge Murray and Judge Grimes with delegating cases while all the inhouse judges were Constitutional violators of the appointment clause and while further, in the case of Judge Murray's hearing, she was a delegate of the commissioners, which defines her as an agent and presentative and fiduciary of the commissioners. When she accepted the case, she violated the appointment clause oath that the Supreme Court in LUCIA vs. SEC ordered all SEC in house judges must be Constitutionally appointed. Those are reasons to dismiss her finding of guilt against me and the crucifixion I suffered by the violations of the rule of law and Constitutional Amendments should be taken into consideration by this commission in my motion that I should be paid a whistleblower fee and/or a consulting fee since I have pointed out the inhouse process of our Constitution, the facts that the prosecution can hold back filing a Wells Notice while investigating a case for 2 ½ years enabling the prosecution to obtain a 2 ½ year discover edge and then in 2015 filing a Wells Notice giving my defense lawyers three months to learn a case having 15,000 documents. My Wells reply was 3 months

after service of the Wells Notice approximately and there was no way that they and/or the prior commissioners initiating the complaint would have the amount of time required that the prosecution grasped by filing the Wells Notice.

The McGrath Enterprise members aided and abetted by Judge Murray omitted the material facts above which defrauded Judge Bachman and me into believing that the inhouse process was being Constitutionally being adhered to when it wasn't. The effect on me and my family was theft of 11,000 hours of my time, being forced to testify inhouse in violation of Judge Carol Foelak's finding of fact that:

"…if anyone forces Mr. Daspin to testify, he will be irreparably harmed…"

On those grounds alone this commission must reverse Judge Murray's final order and in addition based on my strategic inhouse litigation process plan through contracting with an independent ombudsman to administer standby Federal and Circuit judges to serve as commissioners' advocates for 30 days after the Wells submissions to give the commissioners pre-complaint initiation review as a cover over the Wells submissions, I project its implementation will reduce approximately 20% of the commissioners complaint initiation of Wells defendants. Assuming 500 Wells a year, that is a potential reduction of 100 cases a year with a savings to the commission of $1.6 million for each case not initiated after all costs except an increase of 5 more inhouse SEC judges and the administration staff required. In this manner all security cases will be heard inhouse. The appeals, if any, will be held by the Federal District judge in the appropriate jurisdiction freeing up the commissioners' time to impower them to implement change for the better. The meaningful pre-complaint initiation judicial review will undeniably include for the

advocate two days of testificandum of the lead lawyers for each of the parties. Each advocate will have two SEC law clerks and I will be happy to assist if permitted so that in six months the ombudsmen to administrate the advocates will be able to commence a beta test in the New York, New Jersey, Southern Connecticut, and Eastern Pennsylvania jurisdiction regions and with arrangements contained in the President's executive order and the request of Justice Roberts to order the presiding Circuit Court judges provide the ombudsmen the names of all the standby District and Circuit judges that would be available to work from their own home for up to one year with the ombudsmen's payment of up to a quarter of a million a year to the advocate in addition to the compensation received by the standby judge. The law clerks in addition to the compensation they are currently receiving about $125,000 based upon a performance basis of convincing the commissioners to sign a no bill and/or permit the advocate to settle the case at commissioner per-approved amount of compensation by the Wells defendant.

Below are the points that are important for the commissioners to know before they adjudicate on February 22nd because I believe the commissioners won't have time to isolate the facts that prove non-guilt from the time of the commissioners' last order.

To set this record straight I was not only the victim of a fixed case of guilt that the four enterprise groups conspired against me, but the evidence shows Judge Murray relied on perjurers' testimony or declarations to find guilt. The testimony of the WMMA/WDI investor operator Enterprise members in the 6/19/2012 dishonest shareholders meeting wherein all the WMMA/WDI investors agreed to suborn their perjury to make it appear that I was a control person of WMMA is documented (See my Wells Reply Exhibit A Page 17 wherein Ms. Puccio, the overt SEC

whistleblower suborned all the other investor operator perjury when she said:

".. say Ed controlled all large and small things…don't way Ed controlled WMMA directors because Ed denied that to is in writing…and I will be the first to sign it…"

(I'll attest as true whatever you concoct that Ed was a control person))

This WMMA/WDI Investor operators' disingenuous allegation that I was a control person is contravened by WMMA/WDI investor operators that each employment contracts wherein each contract provides that Edward Michael Daspin is a consultant for MKMA that has a five year consulting contract to provide consulting services to WMMA (the 1/20/2011 WMMA, CBI, Edward Daspin, MKMA, WMMA Board of Directors resolution discloses that am a subcontractor consultant in the MMA industry exclusively for MKMA and for MKMA to provide to WMMA five years exclusive consulting services. The WMMA Board resolution also limits and caps the amount of fees that MKMA can be paid upon consummating a service at no more than 10% of the incremental equity and pre-tax profits leaving any remaining fees owed to MKMA by WMMA deferred subordinate and contingent which can be capitalized on WMMA's books at the full value of the fee cost. In addition, it provides that MKMA cannot bind WMMA unless WMMA's Board Resolution authorizes that one of its directors and additional officers of WMMA sign the contract. In addition, Exhibit A to the WMMA/MKMA consulting service agreement, Paragraph D, provides that at WMMA's sole discretion WMMA does not have any obligation to pay any fees if WMMA believes that the payment of such fee(s) will adversely affect WMMA.

There is no judge that I ever heard of that could allege that I committed Sceinter that Judge Murray alleges in her findings of fact, when the documented facts I have already submitted proved the reverse is true as I permitted to wife to loan and/or advance $515,000 to WMMA. No man in his right mind would permit that if he knew of wrongdoings of WMMA.

I and my private merchant bank, CBI, sold on 1/20/2011 its WMMA consulting service contract for five years to MKMA and the three of us collectively capitalized WMMA during 2011 by $4,640,000. The 1/20/2011 sale of the service contract, which bound me exclusively to provide subcontractor services to MKMA for WMMA capped any fees that I, CBI, or MKMA could receive at 10% of the incremental equity and pre-tax profit leaving 90% to WMMA. That completely contravened the Wells Notice allegation that I made WMMA's mission to let me milk all of its assets. Contrary to the Wells Notice, the SEC fraud analyst testified that I, CBI/MKMA only received $240,000 in cash fees which was exactly was the cap on incremental equity and 75% less than Wells allegation that I milked $1 million in fees causing WMMA to go out of business. In fact, Exhibit A to the service contract written as part of WMMA's corporate resolution signed by a majority of WMMA's disinterested directors in its paragraph in essence states:

"…WMMA has no obligation to pay any fees to MKMA if it believes that WMMA would be damaged by paying any fee(s)…"

That forementioned proves my dedication and belief that WMMA was a legitimate company to provide legitimate services in the sports entertainment industry. If I had Sceinter, I would have never capitalized WMMA with $4,640,000 in 2011 of which $4,400,000 was left in WMMA as capital and goodwill (See CBI's forgiveness of the $1,000,00 IMC fee

and see the December 8, 2011 forgiveness of all hourly rates of $350 per hour for the remaining 8,000 hours of the contract ending in 2015 and see CBI and MKMA's conversion of $880,000 of fees into preferred shares of WMMA/WDI). No man in his right mind would co-invest if he knew of any wrongdoing in WMMA. In addition, Exhibit A attached, the November 14 declaration discloses that the SEC fraud analyst (named in attached Exhibit A) contravenes the complaint's allegation that I milked $1 million out of WMMA. She testified in front of Judge Murray that I, MKMA, and CBI collectively only received $240,000.

On 8/29/2013 Mr. Lux's SEC deposition testified that it was Mr. MacFarlane as WMMA's President that lost $1 million that the McGrath Enterprise disingenuously used me as MacFarlane's red herring, alleging that I milked the million dollars and the McGrath Enterprise adapted the falsity of such allegation in their Notice and Complaint. The SEC fraud analyst testified that whoever ran the 3/31/2012 WMMA charitable event lost $1 million and that was MacFarlane. In addition, the fraud analyst testified that the WMMA financial team (Puccio/Sullivan/Beckedejian) final budget for the 3/31 event was only $450,000 yet, the MacFarlane, Crain, Jeryll Enterprise members running the event diverted another $410,000 as discussed here and below as discussed by outright theft of WMMA's assets as discussed below.

Sceinter is knowledge of an act of wrongdoing without disclosing it. It represents knowledge of wrongdoing and participation in the wrongdoing. The record proves that there was no wrongdoing that I knew of by WMMA or any of its employees that I knew of, except after MacFarlane and some of the MacFarlane Newco Enterprise members burned $1 million in the 3/31/2012 WMMA charitable event (Mr. Lux's 8/29/2013 SEC deposition testimony, he testified Mr. MacFarlane was

grossly negligent and lost WMMA's $1 million in equity – Lux became an SEC witness and settled out for no financial payment). Some of the MacFarlane Newco Enterprise member(s) stole 15,000 WMMA t-shirts by selling them at the event and pocketing the cash. The t-shirts retailed at $20 each at WMMA's charitable event, which is grand theft of $300,000 that WMMA would have been enriched had they not converted its assets. In his 5/10/2012 self-serving email, Mr. Craig admits that without any Board approval he says to support the theft, he took the t-shirts by letting WMMA use his Octagon event Fighting Ring. A new ring costs only $15,000. In 2014 Craig filed a securities fraud claim against me, WMMA, and Mr. Agostini. Our lawyers removed the complaint to Federal District Court in New Jersey judge read our answer which included to two Exhibits referred to in Craig's complaint. The exhibits referred to in Craig's complaint contravene the securities fraud allegations and the Federal judge dismissed Craig's complaint against me, WMMA, and Agostini (another Res Adjudicata). The 3/31/2012 event was being run by MacFarlane, Jeryll (WMMA COO rig operations) and Wayne Craig's (WUSA owner of the eight regional promotion areas in the USA). I, my wife, and my nephew were spectators in the event in El Paso, Texas in which I counted 5500 seats occupied. Ticketmaster reported it sold 1100 seats and paid for them $25 per seat. The only people that were left to steal the remaining revenue that had access to the tickets for the seats for the additional 4400 seats occupied were the McGrath Newco Enterprise members running the Event. That is a total theft of $410,000. Mr. Lux did not attend the event so he reported the loss as gross negligence in his 8/29/2013 testimony.

In 2014 WMMA filed a Chapter 11. I and Mr. Agostini filed motions to dismiss the Chapter 11. In opposition to the dismissal three McGrath Enterprise members. Ms. Richter, esq, Mr. Main, Mr. Beckedijian, Sullivan, and Mr. MacFarlane, who were also McGrath Enterprise and MacFarlane Newco Enterprise members filed opposing declarations. Mr. Sullivan and Beckedejian, WMMA/WDI Enterprise and WMMA's CFO and Treasurer respectively, also submitted declarations in opposition to the dismissal motion. I submitted two opposing reply declarations with exhibits attached that proved the opposing declarations consisting of perjury and fraud which was the reason that Judge Federal Bankruptcy Rosemary Gambredella and Mr. Giordana, the Federal Trustee found as on the record:

"…Mr. Daspin committed no wrong doing at WMMA…" (Res Adjudicata proving that the SEC complaint of 2015 and 2019 put me in double jeopardy). Mr. MacFarlane's Chapter 11 declaration stated that he was never President of WMMA. My opposing declaration attached two WMMA contracts with In Demand and Bell Canada were signed by both those two company's authorized officers and for William MacFarlane's signature as WMMA's President on each of those contracts. Mr. Sullivan's Chapter 11 declaration alleged he was treated like a bookkeeper and never allowed to sign WMMA's and its affiliates checks (see Schedule 1 of this appeal wherein Sullivan submitted 17 financial statements from 10/5/2011 to 6/1/2012 and Be3ckedejian submitted 10 financial statements. They could only submit those statements with access to the books of WMMA and its affiliates. See Schedule 1 Exhibit 145, the 1/5 to 1/10 encumbrances and affiliate of WMMA Board of Directors' resolutions authorizing Sullivan as a mandatory co-signature with Agostini!!!) and further that he never participated in providing for

the WMMA PPM content (and further that he, which Main and Beckedijian also included in their declarations, never participated in any WMMA PPM recommendations). Mr. Andrew Young, WMMA's VP Public Relations as given the assignment by WMMA Board of Directors to review each content submission by any WMMA employee for Mr. Nwugugu to include in the WMMA work in process PPMs. Young was an SEC witness and testified that I for MKMA submitted content for those consulting services mentioned in the contract, that Main, Sullivan, Beckedjian, Lux, Puccio were also contributors. In fact, in the 1/5/2012 WMMA PPM Main testified in his direct that he and Mr. Tropello prepared all the WMMA projections (contravening the Wells and Complaints allegations that I wrote the projections and the PPMs and inflated the projections to defraud potential WMMA investors. Mr. Nwugugu's 2012 Chartis insurance claim in paragraph 5 and 6 admit he prepared 100% of WMMA/WDI's PPMs respectively. The aforementioned individuals were all SEC witnesses. In addition, Sullivan's declaration alleged:

"…Mr. Daspin directed me to not file a 1099 against MKMA…"

Both Mr. Main's and Mr. Beckedejian's Chapter 11 declarations corroborated Sullivan's testimony that I directed him not to file a 1099 against MKMA. Mr. Beckedejian's declaration also mentioned that he was denied access to WMMA's records so he and Sullivan could not do their jobs as Beckedejian was WMMA's treasurer and Beckedejian and Main declared that they never provided any content for WMMA's PPM. My reply declarations provided exhibits that proved that Main, Sullivan, and Beckedejian perjured their declaration that they all witnessed me directing Sullivan not to file a 1099 against MKMA. I included an abstract in my reply declaration of my Wells Reply Exhibit A in the dishonest

shareholder meeting transcript, I showed the Mr. Beckedejian informing Mr. Sullivan and all the other WMMA/WDI operators in essence that:

> "…I spoke to a partner at Price Water and KPMG… and they both told me that WMMA is in the clear by not filing a 1099 against MKMA…"

(See glossary under Price Waterhouse) This proves it was Beckedejian who directed Sullivan and Sullivan's employment contract only reports to Doug Main, the WMMA then President until MacFarlane came in February 2012 and Main was Secretary throughout (proving that Main was in control of who check signature authorizations were contravening the Wells Notice and Complaints allegation that I controlled the checks and check signatures). Main and Sullivan's declarations omitted those material facts thereby not only perjuring themselves, but committing a fraud against the bankruptcy judge. Each of their employment contracts, which are exhibits in this matter in my reply, mandated that each of their respective employment agreements made them each responsible to review and submit content for the WMMA PPMs, so each of their denials that they participated in the PPMs was proven perjury that they did not participate in the PPM content was another perjury. In 2019 Mr. Main's direct testimony that he and Mr. Tropello wrote all WMMA PPM projections (judicial notice should be taken that the Wells Notice and Complaint and OIP alleged that I wrote the PPM and that I exaggerated the WMMA projections to defraud investors!!). Main's perjury and his direct testimony prove that neither he and none of the other individuals opposing the Chapter 11 could ever be believed by any tryer of facts could ever rely on their testimony after reading the perjury and fraud they perpetrated against the Federal Bankruptcy judge, but Judge Murray relies on the testimony of the aforementioned WMMA/WDI

investor operators and even gives them a percentage of the judgements she found against me! Judge Murray knew the truth as she had all these submissions that I referred herein and hereto before. Therefore, Judge Murray is guilty of concocting manifest errors of fact to make an innocent defendant guilty just as the Wall Street article in 2015 put:

"… SEC WINS BIG WITH ITS INHOUSE ADLJ …"

Control of who signs the checks of the WMMA corporation was in the hands of Secretary/President was in the hands of Doug Main. Main prepared the encumbrances and Board resolutions in 1/5/2012 for Sullivan to be a co-signator with Mr. Agostini of all WMMA checks. In fact, my cross examination before Main asked Main who controlled who the check signers were. Main denied that he was in control of who signed checks twice. I then submitted for evidence Exhibit 145 demonstrating Main's perjury, not once, but twice. In fact, the record shows I requested Judge Murray to permit me to add for evidence Main's 6/24/2012 self-serving email from Main to Mr. Agostini alleging that Agostini still had not given finance team WMMA's books and records, while six months before on 1/5/2012 Mr. Agostini signed all four WMMA/WDI/WHLD/WUSA Board resolutions directing TD Bank and Capital One require joint signatures with Agostini and Sullivan in order for checks to be negotiated by the banks. That is six months before the self-serving email. Judge Murray denied my submitting that email, however it is in the case because WMMA submitted 10,000 to the SEC subpoena and it is one of them. In exhibit 145 Lux and Main were also authorized in the Board resolutions to be co-signatures with Agostini. Proof that my cross examination of Main and Lux separately and respectively demonstrates they each admitted that the two of them had joint control of which investors to hire and the amount they invested and

further they each acknowledged they did not rely on anyone else's opinion. (The SEC's alleged wrongdoings in the complaint that I had a responsibility I had a responsibility to warrant the subscribers accreditation, yet there is no contractually that I or MKMA have to audit who is an accredited investor. In fact, 50% of the human resources fees were deducted by WMMA before they paid MKMA and paid the difference to Mr. Burnham, WMMA's Senior VP Human Resources. Burnham owned a mortgage bank giving him the credentials to check the credit and accreditation of each investor. The Wells Notice and Complaint allege that I disguised in the WMMA/MKMA five-year service contract of 1/20/2011 investment banking fees as human resources fees. The McGrath Enterprise members had in their possession before the Wells Notice and Complaint allegations Mr. Nwugugu's Brady disclosure to which he attached Nwugugu's OIP answers. In the section of the OIP alleging I disguised investment banking fees, Mr. Nwugugu contravenes that and admits he wrote the entire MKMA/WMMA service contract of 1/22/2011. Nwugugu declared in his OIP answer that he used the Chamco consulting service contract as the template for the MKMA/WMMA service contract and the two were almost identical. Mr. Nwugugu then declared Federal Bankruptcy Judge Theodore Albert in Chamco/Zxauto found me innocent of all securities and all securities fraud claims with reference to the Chamco service contract and the service contract was clearly understood, another Res Adjudicata (see my Wells reply Exhibit C page 3 Judge Albert's finding of my innocence proving that the Chamco service contract being identical to the WMMA/MKMA service contract proved that there were no investment banking fees disguised as human resource fees and further proves Judge Murray's manifest errors of facts in that regard, and because of that I

find that she was guilt as a judge of violating the Constitution forcing me to testify and knowingly making a manifest error of fact. It becomes comical since investment banking fees using the Lehman Formula are 5% of the first $1 million investment. WMMA's average investment was $350,000 times 5% equals an $18,000 fee. The human resources fee in the service contract was a minimum of $25,000 or 25% of the first year's compensation. The average compensation for the investor operators was $150,000 times 25% equals $38,500.

Nobody with a brain, no crook would purposely disguiser investment banking fees as human resources fees when the human resources fee computes to two times the amount that the investment banking fee. Crooks are stupid, but not stupid enough to disguise an investment banking which would cut their fee in half. This is proof that Judge Murray's manifest errors of fact and the prosecution's allegation that I violated the exchange act in order to get paid an investment banking fee to circumvent the licensing requirements was the hogwash that Judge Murray to find that I violated Sceinter. In addition, the charge by prosecution proves they threw wrongdoing allegations against me that they concocted and they must be held accountable. The prosecution also participated in forcing me to testify violating Judge Foelak's finding of fact. The only prosecutor that did not violate forcing me to testify was Nicholas Kalodny who quit the prosecution team on the first day of the Murray 2019 hearing. That hearing violated Judge Foelak's finding of fact and Judge Murray had the transcript of Judge Foelak's finding of fact which proved that I [redacted] Only for the grace of God am I alive now, and for you to hold responsible those you have the authority

conspiring to frame me as a guilty defendant for plucking allegations out of the air that don't even make sense, for violating my Constitutional rights, suborning perjury of witnesses who were bribed by the McGrath Enterprise aided and abetted of her final order that distribution of the judgments show. The 1/05/2012 to 1/10/2012 documents for the four WMMA companies, WMMA/WDI/WUSA/WHLD (the parent of the aforementioned) Board authorizing TD Bank and Capital One to change each of the aforementioned company's check signatures to mandate co-signatures of Mr. Agostini and Mr. Tom Sullivan signed by the Secretary of each of the four companies, Mr. Main, demonstrate whose control the check signatures would be for each company and he was included and Mr. Lux as alternative co-signatures as well. Exhibit 145 proved Mr. Main's perjury in my cross examination that Mr. Main was in control of the signatures of the WMMA companies as Secretary of each. The signatures were authorized by Main. In my cross examination of Main and Lux, which were each taken separately, they each in essence admitted:

> "…that I (Main or Lux) jointly controlled who invested and who was employed by WMMA without taking into consideration anyone else's opinion…"

This proves what the books and records of WMMA, and the by-laws prove, that the Board of Directors controlled the corporation, WMMA. The Board consisted of Lux (CEO/Director), Main (President/Director), and Agostini (Chairman of WMMA). Since Mr. Main and Lux controlled 2/3 of WMMA's Board of Directors the cross examination testimony was true. They called the shots. Nowhere in any WMMA employment contract am I mentioned as a report to for WMMA, but rather I am a consultant for MKMA to WMMA. In each employment contract there is

paragraph that I and MKMA are a consultant to WMMA and attached to that contract for investor operators was a consulting contract resolution by WMMA's Board of Directors signed by me and the full Board of directors' resolution of WMMA making me MKMA's exclusive contracted consultant for MKMA to provide WMMA services. There was never a question about me being in control until McGrath Newco Enterprise members busted WMMA in the 3/31/2012 El Paso charitable event. After that the exhibits prove that the Enterprise members wanted me to be MacFarlane's red herring. They wanted to put me in control of a company my wife sold her controlling interest of 90% of WHLD to a WMMA HLD approved Board sale of her right title and interest to Main, Lux, and Agostini, each received 30% on 1/15/2011 six months before any investor of WMMA/WDI invested a penny in WMMA. Mr. Main and Lux convinced me it would be best if WMMA did not to suffer by association with my felony four decades before. Mr. Nwugugu was supposed to prepare for WMMA's Board approval the sale and purchase agreement of Joan's shares with a non-dilution clause and warrant for Joan to purchase back at the end of five years, or it the recipient resigned at a WMMA director for higher price than she sold her shares to them at. Nwugugu put his own spin and made the sale a trust agreement. Everyone signed it trusting that Nwugugu got it right. The next day I read what I signed and I pointed out Nwugugu's error. Nwugugu rewrote the contract between Lux, Main, and Agostini and dated on the same date 1/15/2011 that he had mistakenly written a trust agreement and everyone was supposed to rip up the trust agreement. When Lux and Main resigned, I had purchased Joan's warrants and I exercised those warrants and paid the price in the sale and purchase to Lux and Main proving it was a sale and purchase agreement. On another point, Mr.

Main perjured his testimony in 2019 before Judge Murray. He alleged that he relied on the 11/1/2010 WUSA draft PPM in which Mr. Neglia, owner of Ring of Combat, and four-time World Champion kick boxer, had agreed to participate in WMMA's USA regional Championships. After Mr. Main invested $250,000 to own WUSA shares, he had a 90 -day option to exchange those shares for 2 ½% of WHLD, the parent of WMMA which owned WUSA. I was Lou Neglia's father, Mr. Joe Neglia's best friend and joint venture partner in many ventures. After Mr. Main invested $250,00, Joe Neglia told me that Lou did not want to participate in WUSA as a regional director and promoter. The 11/1/2010 draft of WUSA's PPM was structured on WMMA acquiring regional promoters rather than forming them and using the best regional promoters in each of 16 countries for the World Championship. That strategic plan failed because each of the international regional promoters wanted sole ownership rather than participating as a partner with other regional partners of WMMA. Doug Main's son had fought for Lou Neglia's "Ring of Combat" where he promoted events six times a year in Tropicana in Atlantic City. Mr. Main and I visited his son in Atlantic City as they knew Lou as a fighter and a father of a fighter. I asked Doug Main if losing Ring of Combat for WUSA made him think his investment because I would gladly return his investment. At that time, I had negotiated an WMMA/IMC transaction. IT gave WMMA an exclusive marketing contract. IMC had the largest 830 million emails double opt on email sights of buyers of products and services around the world. In December of 2010 Facebook only had 750 million double-opt on sights and Wall Street appraised Facebook of having a $50 billion intrinsic value at that time. Mr. Main, not only refused to rescind his investment, but 60 days after he was offered his money back, he exercised his warrant for an additional $83,333.33 and

invested his WUSA stock into WHLD, receiving 2 ½% of WHLD. Rather than Main being fraudulent induced to jointly form WUSA with WMMA, Main wanted to invest more money because we changed WMMA's strategic plan to offering senior employees the opportunity to invest, sweat equity and/or sweat and hard cash investment with the sweat equity being warrants to purchase a certain percentage of WMMA common, a deferral of their monthly compensation until the company made $1 in profit after paying the deferred compensation. The prosecution was given 9 days to submit its case, then I was to receive my defense. After two hours of my defense, I asked Judge Murray to introduce the Wells Notice fraudulent inducement wrongdoing allegations so that I could provide her with what this declaration provides you. Judge Murray had a fiduciary to permit me to submit my defense as she stood in the shoes of the commissioners as a delegate, and I knew that if any Judge was impartial so the prior commissioners being fraudulently induced, they would dismiss the complaint against me. I intended to introduce the facts contained in this declaration to prove the none of the prosecutions were credible. Before Judge Murray made her finding of fact, I asked her to permit me to include Doug Main's 6/24/2012 self-serving email, wherein Doug Main sent to Mr. Agostini alleging that Mr. Agostini had not yet provided the finance team, Mr. Sullivan, with the WMMA books and records as discussed. Schedule 1 disproves the email allegations because it demonstrates the finance team submitted 27 WMMA's financial statements to the WMMA Board commencing 8/5/2011. That is ten months Mr. Main alleges in his email that Mr. Agostini held back those books and records! Mr. Main's perjury in his Chapter 11 declaration, his self-serving email to Mr. Agostini which is contravened by Schedule 1's 27 financial statements of WMMA and its

affiliates disprove Main's allegations that Agostini didn't give access to WMMA's books as Schedule 1 proves that the first financial statement prepared by the financial team was 2/5/2011, eight months before he alleges that Agostini didn't provide WMMA's books. Main's encumbrancy, on Exhibit 145, dated 1/5/2012 giving Sullivan and Main proves that Main was trying to frame the defendants knowing the falsity contained in that email. Main's admission in my cross examination that he and Lux controlled WMMA as the majority disinterested shareholders and further they jointly controlled and owned 66% of WMMA's parent and Mr. Lux's admission on 2013 that I was only a consultant and had no control needs no further proof that Lux and Main in 2019 were the SEC witnesses and Judge Murray participated in the frame to find me as a guilty person. Judge Murray knew about the dishonest shareholders meeting where all of the witnesses she relied on were perjurers. Ms. Puccio, Mr. Lockett, and Mr. HeisterKamph the SEC knows they admitted perjured their respective warrantees in their subscription agreements. You know in the WMMA Chapter 11 that Main, Sullivan, and Beckedejian perjured the declarations and where I was found as fact by the Federal Judge:

"… Daspin committed no wrongdoings at WMMA…"

You also know that on 6/19/2012 in the dishonest shareholders meeting, Ms. Puccio, the SEC whistleblower and a member of the McGrath Newco Enterprise suborned the perjury of all the other investors in WMMA telling them to concoct that I was a control person of all things large and small of WMMA (see my Wells Reply Exhibit A Page 17). On 6/9/2012 all six WMMA/WDI operating investors, including Ms. Puccio as none of them had resigned and they all breached their fiduciary by agreeing to concoct that I was a control person and by agreeing to harm me and

forcing me to sell WMMA to MacFarlane's Newco (In addition in that Exhibit A they collaborated to coerce as of that time I owned 64% of WHLD, WMMAs parent, by purchasing my wife's warrants and exercising them against Lux, who resigned from WMMA, and Main, who also resigned from WMMA). Please see Exhibit A's glossary under Lockett and "…sell on the cheap…" wherein Lockett told his co-conspirator operators that he would smash my head against the wall in essence to force me to give WMMA to MacFarlane's Newco on the cheap because in Exhibit A's glossary, Sullivan, Beckedejian, and Lockett advised the other three operators that MacFarlane had agreed to hire them and give them more stock in Newco than they owned in WMMA if they converted the preferred they owned to common in WMMA. Judicial notice should be taken that this dishonest shareholders meeting not only demonstrates breach of fiduciary, as they are still officers of WMMA, but they also co-conspired with Newco and the McGrath Enterprise to extort myself and Mr. Agostini to short WMMA's value while they were stockholders of WMMA because MacFarlane proposed to pay a monthly salary while their WMMA employment compensation was deferred until any month a dollar of profit was made after paying the salary that was deferred. The aforementioned evidence was known by the prosecution in 2013 and the MacFarlane Newco Enterprise was co-conspired with the WDI investor operators to coerce to give up the WMMA stock on the cheap as the record in retrospect proves to me.

In retrospect it is now obvious that MacFarlane's ego moved him to concoct a scheme to make it appear that I was responsible for the million-dollar loss, and to create a series of lawsuits and SEC investigation to coerce me to give up the WMMA shares. It is obvious MacFarlane asked Craig to write the 5/10/2012 self-serving email alleging that I and

Agostini committed securities fraud against Craig. As you know, a Federal District judge in Newark dismissed Craig's securities fraud complaint with prejudice. Then Monica Petty, a Newco Enterprise member was suborned by perjury by MacFarlane as she filed a claim in the Texas accounting division of the Texas Boxing Commission at about the same time Craig filed his lawsuit. Petty produced a series of emails between she and MacFarlane which proved he concocted a breakup fee that he allegedly gave her for an April and May 2012 WMMA event for her to be the event planner. MacFarlane forgot that Mr. Tropello, WMMA's COO Event Scheduler, said that the schedule had no events for WMMA until the 30 regional champions were selected in the four countries participating in 2012 for the World Championship with no events for April and May of 2012. Monica Petty lost her claim in the Texas accounting division. In addition, Lockett advised me before he died that it was MacFarlane that brought Monica Petty to the SEC. I believe that he and Ms. Catherine Richter joined the McGrath Enterprise and convinced them to join in suing me and to rig the case against me when the documents produced by subpoena of WMMA and the 8/29/2013 Lux deposition and the WMMA 2014 Chapter 11 all prove just what Federal Bankruptcy Judge Gambredella found as fact in 2014:

"…Mr. Daspin committed no wrongdoing at WMMA…"

Some additional relevant disclosure prove that Judge Murray chose to rely on the testimony and deposition of perjurers that were the WMMA/WDI investor operators rather than making her findings from the documentary evidence signed by those investor operators that contravene their testimony and/or declarations causing the manifest errors of fact in her final order findings of alleged fact.

Judge Murray heard Mr. Heisterkamph's direct testimony, where he admitted that he had perjured himself in his subscription agreement by claiming he was an accredited investor which he contravened in front of Judge Murray. He then perjured that at his first interview when he asked what WMMA's balance sheet was, he testified that I told him to read the WMMA PPM and that I informed him that WMMA has $32 million on the balance sheet (the PPM states that no WMMA officers and consultants can only represent what contains in the current PPM). Then Heisterkamph testified that Mr. Main told him:

> "… WMMA was well funded…"

Then Mr. Heisterkamph testified that Daspin fraudulently induced me to invest because told me that WMMA had $32 million on its balance sheet. On my cross examination I asked him that:

> "… did I tell him WMMA had $32 million on his balance sheet…"

Heisterkamph testified that:

> "…no, but my review of 1/5/2012 PPM current financial statement and projections disclosed $32 million in cash…"

I then pointed to Mr. Heisterkamph the paragraph on top of the balance sheet, which stated in essence:

> "…this balance sheet is based upon the assumption that WMMA has had on that date its first charitable event which included the projected revenue, costs, and profit …"

I then asked Mr. Heisterkamph:

> "…when did he get the PPM…"

He responded:

> "…In February 2012 when I invested…"

I then asked him:

> "…when did WMMA have its first charity event…"

His answer was:

> "…at the end of march 2012…"

Heisterkamph then admitted that he had perjured that I told him WMMA had $32 million on its balance sheet. Heisterkamph did not contravene the fact that was put on the record that the reason he invested alleged on the same day of his interview which his contract and subscription agreement state was because after he got home from the interview the divorce matrimonial judge ordered a stay of his use of any of his pension funds so that Heisterkamph concocted a story that the fact of his employment contract and subscription and his wiring of his pension funds to WMMA was because he said:

> "…Mr. Burnham, WMMA's Senior VP, human resources wanted all the documents to be dated the same date..."

The facts are that Mr. Burnham informed me when he was resigning that:

> "… Mr. Heisterkamph asked that the documents be back dated before the matrimonial court's stay order…"

Burnham had no reason to have the documents signed on the same date. In fact, the subscription agreement states that Heisterkamph is an accredited investor, when his direct testimony admitted he lied. Heisterkamph attended the dishonest shareholder's meeting. He was

still an officer then conspiring with the other investor operators to perjure that I was a control person, and to aid and abet MacFarlane's Newco to steal WMMA stock on the cheap while they were all WMMA shareholders. As you will see the McGrath Enterprise members and Judge Murray made the other investor operators, other than Ms. Puccio, covert whistleblowers. The plaintiff never disclosed to me that the five other investor operators had been promised a portion of the judgments that Judge Murray found against me by her reliance on non-credible witnesses who co-conspired to fix a case of guilt against me when they all knew it was untrue. Judicial notice should be taken that all the WMMA/WDI investor operators were Masters of Business Administration, financially sophisticated. Mr. Sullivan was Treasurer of a $10 billion Public utility; Beckedejian, Treasure of an $8 billion hedge fund; Puccio, Assistant Treasurer of AIG's $30 billion public security purchasing fund subsidiary; Lang, a Harvard MBA was VP Finance of AB sports; Lockett was CTO of a $5 billion Avon Products; Heisterkamph was VP Sales of a $500 million wholesale distributer and they read the risk section in the PPMs and warranted in the subscription agreement that were given all documents they asked for and that management answered all of their respective questions satisfactorily. The PPM risk section which their subscription agreement warranted they read informs them that WMMA is a startup, is losing money, and the investor must be prepared to accept the loss of a portion and/or their entire investment. They warranted that if they lost their entire investment, they would still be able to provide their family with the same life style they had prior to the loss and they all warranted they were accredited investors, yet Puccio, Lockett, and Heisterkamph perjured accreditation and the SEC found that I had the responsibility to audit each prospective investor's

net worth. No contract that I or WMMA signed that responsibility. It was dreamt up by McGrath just like he pulled out of the air that I disguised investment banking fees all of which judge Murray's finding of fact used to say I committed Sceinter. This commission must hold the McGrath Enterprise members and Judge Murray and Judge Grimes for the conspiracy they participated in against me and for them with malice of forethought overlooking the prima facie evidence submitted by WMMA three years before they submitted the Wells Notice and Complaint which contravened each and every wrongdoing allegation and documents signed by the SEC witnesses that contravened their testimony before Judge Murray and contravened their declarations before Federal Bankruptcy Judge Gambredella. No commissioner I have ever heard of would permit Judge Murray and Judge Grimes and the McGrath Enterprise members violating Judge Foelak's finding of fact that "…if anyone forced Daspin to testify they would irreparably harm him…" Judge Murray and Judge Grimes and the prosecutors violated the finding of facts at the first hearing. Then Judge Murray and the prosecutors violated that finding of fact at the second hearing at 2019. Judge Murray was also in contempt of the Supreme Court's order that if any judge participated in the first hearing (in which she was the orchestrator, and initiator of my default judgment by violating with Judge Grimes forcing me to testify aided by the prosecutors). The Supreme Court forbade any judge who participated in the first hearing to participate in the second hearing if the defendant objected. I motioned her recusal for that reason and because she was an agent and representative of the commissioners and because she had a monetary interest in finding me guilty to no avail. I was forced to be a pro se by Judge Grimes and Judge Murray and the McGrath Enterprise when they omitted the material before Federal

Judge Bachman that all the ADLJs were Constitutional violators making them ineligible to hear my case. This in addition to her manifest errors of her findings of alleged facts mandates this commission to reverse her findings, find me innocent, and order that I be compensated whether as a whistleblower or consultant for my demonstration of my strategic inhouse litigation plan eliminating ADLJs as delegates, eliminating the commissioners first right of appeal, and providing meaningful judicial review pre-complaint initiation by a standby Federal Judge. This will eliminate the inadvertent fix that the inhouse process has the ability to violate a defendant's litigant's rights as happened to me.

Mr. Main led the McGrath Enterprise, submit a Wells Notice that I wrote the WMMA PPM projections and that I wrote them to defraud prospective investors. Main's testimony in his direct prove he testified that he and Tropello wrote the PPM projections. Mr. Nwugugu, WMMA's Senior VP Corporate Governance, submitted a $1 million Chartis insurance claim and admitted in Paragraphs 5 and 6 that he was the 100% author of first WDI, the WMMA PPMs respectively. Nwugugu's lawyer's Brady recantation submitted and attached thereto was Nwugugu's OIP answers. In it the section I disguised investment banking fees Nwugugu accepts 100% responsibility and says that he was the author of the entire WMMA/MKMA/CBI/Daspin contract proving before the Wells Notice and complaint in the Brady which eliminates all the security claims against me and proves I had no control of WMMA and therefore cannot be held responsible if there were errors in the PPMs, however Nwugugu's OIP declaration admits he used the Chamco service contract the WMMA/MKMA service template and that they were almost identical and that with the same contract as WMMA/MKMA found me innocent of all securities violations, both Federal and State (Res

adjudicata on 12/31/2012 see my Wells Reply Exhibit C page 3 start Judge Albert's finding of innocence when I used the same consulting contract as WMMA/WMKA). All those wrongdoing allegations were contravened by the McGrath Enterprise own witnesses and Judge Murray chose to disregard the 10,000 exhibits of documents WMMA delivered before the end of 2012 to the SEC which disprove every finding of fact that she made if we add the Lux 2013 deposition testimony, the WMMA Chapter 11 transcript, the Craig securities fraud Federal District Court dismissal with prejudice in 2014, the Petty Texas Boxing Accounting Division's investigation, and the testimony before Judge Murray wherein my cross examination prove Lux and Main were in control at WMMA, not me which also prove the witnesses Judge Murray relied on she knew were perjurers and that my cross examination in each proved they continued perjury in front of her.

No merchant banker that I ever heard of, except MKMA, signs a contract limiting and capping the fees earned by 10% of the incremental equity or pre-tax profit leaving the remaining 90% as a subordinate non-interestbearing contingent subordinate note. In addition, it is unheard of the Exhibit A to the consulting agreement, Paragraph D, it gives WMMA the unilateral right to never pay any fees to WMMA if the payment would negatively affect WMMA, yet the complaint alleges I made WMMAs mission to milk all of WMMA's assets. If you read the contract in detail, you will see the McGrath Enterprise fabricated and concocted acts of wrongdoing that were non-existent. They were pulling them out of the air making a dismissal impossible. I participated in those good works for WMMA because my wife owned warrants for a majority of WHLD, the holding company of WMMA/WDI. If I had scienter, I never would have let her lend money to WMMA and I never would have participated and

using my and MKMA's sweat equity to capitalize WMMA on 12/8/2011 by over $4 million. On 1/15/2011 when CBI forgave a $1 million fee associated with its services to obtain a lifetime contract with IMC for its 830 million double-opt on email sights. In the contract IMC also agreed to distribute the contact via the internet paying all distribution costs for only 10% of the pay per view revenue after deducting 3% for Paypal's collection. This left WMMA with an 83% gross margin before its G&A costs, while UFC, the major promoter in the industry, received $4 billion at 10 times cash flow in a private sale with only a 55% gross profit margin. This a sight where the user has a right to direct emails to the email owner without violating spamming.

As previously discussed, the Wall Street Journal article authored by Ms. Eaglesham titled:

"…SEC wins big with inhouse judges…"

That article disclosed that the three-year average ending 3/31/2015 with the same approximate amount of SEC inhouse cases that the Federal District Court also had for the same three years the inhouse judges found 90% of the defendant's guilty while the Federal Courts found 32 % of the defendants were innocent. In addition, former Judge Lilian McEwen declared in the WJS article:

"…Judge Murray pressured me to find more cases for the prosecution…"

In 2016, I reviewed case in which Judge Murray was the hearing judge having eight defendants in the case. The defendants motioned for a dismissal. Judge Murray informed them that only the commissioners have the first right of appeal and that she believed a dismissal to her

tantamount to her overruling the commissioners' first right of appeal. So inhouse process provides no jury, no full discovery, no due process with the presumption of guilt and based upon Judge Murray's interpretation, no dismissal rights. My 11,000 hours strategic implementation plan proves that all the ADLJs are delegates, representatives, and fiduciaries of the commissioners thus the inhouse judges cannot be independent and that violates the defendant's Constitutional rights. It also proves that in six years I were heard by judges that had no Constitutional appointment clause and then were not independent as they were delegates of the commissioners. My strategic litigation plan cleans the act up. I have asked for a dismissal and finding of innocence. I have also asked for compensation of either $3,850,00 at $350 an hour for 11,000 and a performance bonus if the beta test I discuss proves a minimum of 18% of Wells Notice defendants are dismissed or advocates settled with the consent of the commissioners plus a $2.5 million performance bonus or at commissioners' option, $5 million in settlement and I will sign an NDA and release each and every one of the four enterprise members providing they give the same release to me. If we settle it will eliminate a contingent liability, I believe that the commission has for the Supreme Court to find for the statute of limitations which I assume 500 defendants were tried inhouse by non-independent judges in effect spitting in the face of the Supreme Court justices in LUCIA VS. SEC. Once a judge accepts a case as a delegate, they violated the independence obtained in the appointment clause. It is embarrassing the Honorable President Joseph Biden would never have permitted the Senate Judiciary Committee to have passed the Dodd Frank Amendment knowing the way it would be abused inhouse because it violates the appointment clause when a judge is delegated a case lets the first right of appeal to Federal District Court

judges while releaving them of hearing half the SEC security complaints, let's leave all of the securities cases to the inhouse ADLJs with the appeal to the Federal District Courts not the inhouse judges. Judge Murray cause presiding Judge Cameron Elliot to submit to the Wall Street to contravene Judge McEwen's allegation that she was pressured to find more cases for the prosecution. Judge Cameron Elliot refused to submit an affidavit. Instead, he sent a note to the Wall Street Journal that he would never submit an affidavit in this matter. I believe the presiding Judge Cameron Elliot would have submitted an affidavit to the Wall Street Journal if he had never heard Judge Murray pressure Judge McEwen. The inference is that he heard Judge Murray pressure Judge McEwen and therefore couldn't sign an affidavit as it would be perjurious. Judge Murray terminated him as presiding judge 30 days after refusing, and replaced him with Judge Grimes. In the same light, when Judge Carol Foelak found as fact that:

"…if anyone forced Mr. Daspin to testify, he would be irreparably harmed…"

Thirty days after Judge Carol Foelak made that finding, Judge Murray abused her scheduling powers and concocted that she had overbooked Judge Foelak, using that to move my case to Judge Grimes, the same judge she used to dethrone Judge Elliot. Judge Murray is all about control rather than me. Two weeks after he received the case, Judge Grimes dissolved Judge Foelak's protective order of me and in his dissolution forced me to testify in 120 days. I appealed to Judge Murray to reverse Judge Grimes' order and she refused, proving Judge Murray participating in the adjudication of my default judgement and violating my Constitutional rights by forcing me to testify. Judge Murray's contempt of Judge Foelak's finding of fact also demonstrates her contempt of the

justice's order in LUCIA VS. SEC. In that order they voided my default judgement and 149 other defendants' judgments as well. The justices ordered that no judge that participated in the pre-LUCIA hearings could hear the post-LUCIA second hearing if they participated in the first hearings judgment and the defendant did not want them to participate in the second hearing. As I previously discussed, Judge Murray refused to recuse herself as she orchestrated and initiated the violation of Judge Foelak's finding of fact and the Supreme Court's order when she refused to recuse herself in my motion. I had another reason for recusal of Judge Murray. As pre-LUCIA I warned Judge Grimes and Judge Murray that I would sue them for conspiring to frame me and participate in the conspiracy against me to continue to find an innocent man guilty to violate my Constitutional right to life by forcing me to testify. Collectively the enterprises committed more than five predicate acts of fraud by fraud and deception, by subordination of perjury, by contempt by bribing covert witnesses without disclosure to this defendant within a six-year period under the Civil Rico statue treble in damages can be awarded. I am a victim here and I refuse to pay twice for a felony I already paid four decades ago in which the SEC admits I disclosed before any investor invested in WMMA.

WMMA was a legitimate company until the conspirators consisting of four enterprise members decided they could use a four decade only Federal plea by me for an act in 1975 that I spent six months in Federal prison for. During my career as a private merchant banker, I appraised over 10,000 companies of which I bought approximately 350. Most of the 350 companies had investor operators running the businesses. Four Federal Bankruptcy judges found me as an expert business appraiser by four Federal Bankruptcy judges and did two State court judges where I

testified as an expert valuating businesses and business assets. Most of the 350 corporations I acquired were operated by junior operating investing partners. I was only sued 50 times and no investor operator ever testified that I did not purchase the companies from a discount for what those industries were selling companies for. My average was 3.5 times EBITDA, while brokers were selling those companies at 6 to 7 times EBITDA. I was sued 15% of the purchases, about 50 companies' investors and I never lost a case because we have an excellent judicial system that provides due process, full discovery, and does not suffer from the presumption of guilt as inhouse.

In this case, the McGrath Enterprise members perpetrated a fraud by pleading that I fraudulently inflated the value of the IMC database with MKMA in order to defraud prospective investors. In fact, MKMA and I appraised the IMC data base at $83 million. The owner of the database was offered $90 million for the data base. They hired a business appraiser and the subpoenaed as a witness WMMA's Chapter 11 Trustee Mr. Giordana and asked him:

> "…Isn't it true that you found all WMMA's, including the IMC database, have zero value upon liquidation …"

He responded:

> "…I don't remember why I found the IMC database zero dollars upon liquidation…"

My cross examination showed Mr. Giordana the IMC contract with WMMA which voided the contract if either party filed a Chapter 11 it was void. Then I asked him:

"…could that be the reason you found the IMC database of zero value…"

Over the last seven years in over 11,000 hours I developed a strategic plan to clean house of the inhouse processes that violate the defendants' Constitution rights as had happened to me and to eliminate appr0ximately 20% of the Wells Complaint initiation by providing the commissioners with meaningful judicial review 30 days after the Wells submissions by a standby judge as an advocate for the commissioners and reporting only to the commissioners and not being part of the SEC by the use of an ombudsman to do the administration. I could construct the ombudsman personnel to conform with the commissioner's secretaries administration protocol while the President could sign an executive order to implement this plan if Chief Justice Roberts agrees to cause the presiding Circuit Court judges to provide the ombudsman a list every three months of all standby District and Circuit Court judges recommended to act as advocates working out of their homes assisted by two SEC law clerks and providing their opinion with the right to subpoena the lead attorneys for each party for two days testificandum. For the first time the commissioners won't be pressured in punting to the prosecution for fear they would let a Madoff go free. All the prosecution has to do is investigate all the documents subpoenaed and take three years before they file a Wells Notice leaving the defendant three months to respond. It is unfair and unjust and must be counter balanced by the advocate's opinion pre-complaint initiation. This will save the SEC the cost $160 million while adding five inhouse ADLJs and the extra administrative support staff costing between 10 and 20 million netting $140 million less commission costs. As a whistleblower I would be entitled for up to 20%. As a consultant and full settlement with my signing an NDA and general releases I ask for $5 million without a beta test or $3,850,000 I was forced to spend to develop the strategic plan

plus a $2.5 million bonus if the beta test proves a minimum of 18% reduction of complaint initiation for a cash out of $5 million. The settlement may save this commission the cost to reimburse all defendants tried by non-independent inhouse judges over the statute of limitations. Reimbursing for their costs if the justices void any guilt verdicts and mandate new trials by the commissioners using ADLJs that are not delegates of the assigned cases by the Chief Administrative Judge. I believe the Chief Administrative Judge should interview the five ADLJs and not the mid-management of the SEC. Since I have reported two enterprises that violated the Constitution and the consequential damages to me and my family with the proof of their respective torts as a whistleblower, I would be entitled to the damages such foul prosecutorial misconduct and participation with Judge Murray's Enterprise has inflicted damage to other inhouse defendants. My case is not an isolated one as evidenced by the disparity of inhouse guilt findings of 90% of the three-year average ending 3/31/2015 while during the same period with the same approximate SEC security cases the Federal District judges found 32% innocent. The spread shows a deficiency of 20% more guilt findings inhouse supporting my advocate strategic ombudsman plan.

This fraudulent filing a complaint against me where the evidence before the complaint was filed contravenes all the wrongdoing allegations against me destroyed my reputation, scarred my wife's mind, harmed my child and grandchild, and other relatives holding my name.

The dishonest shareholders meeting of 6/19/2012 Exhibit A to my Wells Reply proves I had no control, because there would be no reason to suborn the perjury of the investor operators to have them invent control. summation, anyone with an IQ over 100, judge people by their conduct

and actions. In this case I let my wife loan and/or advance over $515,000 (See Mr. Shapanka's six- part book of every bill and every payment made to my wife for her loans and her advances as per her expense reimbursement). Anyone with an IQ over 100 knows that my capitalizing using CBI's fees and MKMA's fees WMMA 2011 with $4,640,000 does not have any intention to steal assets from WMMA, but that conduct proves that I wanted to add capital to WMMA not as the McGrath Enterprise alleges that I made WMMA's mission to take all of assets. Anyone with an IQ over 100 knows that there would be no need on 6/16/2012 dishonest shareholder's meeting that Ms. Puccio suborned the alleged perjury that:

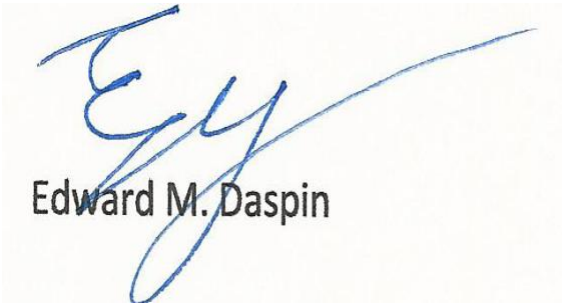
> "…say that Ed controlled all small and large things at WMMA…don't say that Ed controlled the WMMA's directors, because Ed denied that in writing to us …and I will sign it…"

These fundamental facts contravene the core allegations in the Wells Notice and in the Complaint. It is up to this commission to hold those parties responsible that conspired to concoct my guilt, to teach other prosecutors that they can't participate in omission of material facts and exculpatory evidence in their Wells Notices to fraudulently induce commissioners to initiate a complaint. The only way we can stop that, because the commissioners really don't have enough time to monitor 4500 employees, take appeals, and then review 100 Wells submissions per year. With 800 hours, 100 cases the average Wells with case law referrals is 1000 pages. That is a half a minute per page. It is an impossible task unless they use their own sub-SEC lawyer staff and then the defendant is not getting what he asked for which is to be judged by the commissioners. This commission has an obligation to hold the McGrath Enterprise members accountable and has an obligation to hold

Judge James Grimes accountable. He is the judge that permitted Judge Brenda Murray to play musical chairs and flip out of my case Judge Carol Foelak, a brilliant, compassionate, and wonderful Chief Justice that my strategic plan recommended before she was promoted, and accountability is what this commission has a fiduciary to perform. My offer of settlement by dismissing the finding of guilt because of the manifest of errors that Judge Murray made, and I pray this commission will have the compassion to reimburse myself and my wife for the crucifixions we have endured while I copied every commissioner group (three commissioners starting with Mary Joe white, then the Trump commissioners, and now the President Biden commissioners). I copied all the commissioners with every motion I made with proof that Judge Murray and Judge Grimes were forcing me to testify in violation of Judge Foelak's finding of fact that if anyone forces me to testify, I would be irreparably harmed. Certain members of the MacFarlane Newco Enterprise in concert with Mr. Main, who admitted in his cross examination in 2019 that he and Mr. Lux jointly controlled what investors would be selected, how much they could invest, and told the commission that the by-laws of WMMA make the director's resolutions that control the company, and the over 37 Board resolutions in 18 months.

I request we settle this before February 22nd. I did not receive your request for an extension which indicates to me that you do not have my address and my computer is 10 years old and doesn't work sometimes so that I request that you certify mail to me any orders.

Respectively,




Edward Michael Daspin, pro se