

May 19, 2023

I declare under the laws of the United States that the foregoing declaration is true. I know that if I willfully misrepresent, I am subject to punishment.

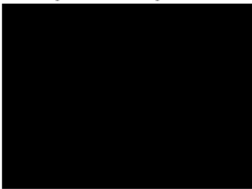
- 1) Please forgive me for adding an additional burden to this Commission, but I forgot to inform you that the day before the SEC filed its complaint against me, my lawyers filed an OSC for a TRO before Federal District Court Judge Bachman asking that if the SEC filed its complaint against me that the judge order that they only file it in Federal District Court and not in the inhouse forum. The prosecutor, Mr. McGrath aided by Judge Brenda Murray defrauded Judge Bachman, my lawyers, and me by not informing her that all of the inhouse judges were Constitutional violators of the Appointment Clause Article 2 of the 2nd Amendment. In my TRO motion I footnoted that I would be denied a jury trial inhouse and discussed my medical illnesses which precluded me from attempting to defend myself in 365 days with 15,000 pages of documents and 40 potential witnesses. Mr. McGrath and Judge Murray omitted the material fact that none of the inhouse judges had satisfied the Appointment Clause in the Constitution and they failed to inform her that the Constitution avoids any adjudication by a judge who was not appointed under the Constitution. Instead Mr. McGrath diverted Judge Bachman's attention by showing her the Dodd Frank Amendment which gives the SEC the right of first jurisdiction selection. As a result, Judge Bachman dismissed my TRO motion which denied me a jury trial that exists in Federal District Court.
- 2) Mr. May just read the fact that the United States Supreme Court on April 14, 2023 in Cochran v. SEC the Supreme Court Agreed that Ms. Cochran was entitled to a jury trial as a prerequisite to an inhouse proceeding. Also, as you know, in Jaresky v. SEC the Fifth Circuit also ruled that Jaresky was entitled to a jury trial which he was denied by being forced to participate in the SEC inhouse hearings.
- 3) I therefore appeal under the SEC's violation of the 7th Amendment that this honorable Commission find in my favor my appeal to you. Before Judge Bachman they promised they would finish my case in one year. It has now taken seven years and due to this disingenuous complaint filed against me my private merchant banking business was destroyed because I had to inform prospective investor operators that I was a target of an SEC investigation and they and I could not count on whether they would be dragged into this mess.

Therefore, I focused on cleaning up the SEC inhouse mess with its violations of the Constitution. It took me 13,000 hours to develop a strategic judicial inhouse plan that not only would eliminate Constitutional violations, but save the SEC \$1.6 million for each Wells Notice defendant that an advocate who has a standby Federal or District Court judge assisted by two SEC law clerks pre-complaint initiation would review the Wells dispute and over 30 days including up to three days testificandum with the lead lawyers and top witnesses write a

meaningful judicial review to the Commissioners before they initiated a complaint inhouse. I project that 20% at a minimum would succeed in obtaining a "no-bill" to save the reputation of the defendant and the SEC \$1.6 million as I project the fully loaded cost to the SEC had it filed its complaint against the defendant and had the defendant appeal all the way up to this Commission and average cost of \$2 million less the de minimis cost of an ombudsman was paid to administrate the advocates for the purpose of providing the Commissioners that they do not have the time to provide justice until after they initiate an inhouse complaint after deducting the cost of the ombudsman and assuming 1 out of every 5 defendants the cost of \$60,000 upfront for each Wells dispute and \$100,000 performance bonus for all 5 defendants in aggregate cost \$400,000 less the \$2,000,000 cost to the SEC leaves a net savings of \$1.6 million. The record shows I notified the prior Commissioners that as, if, and when they used my strategic plan, and as a precondition to my disclosing it to the Commission as well as the President and the Chief Justice of the Supreme Court, the then sitting SEC Commissioners would be responsible to pay me my hourly rate of \$350 per hour. The SEC judges and the Commissioners permitted me to submit components of the strategic plan as I developed it, so I had an implied contract with them and the SEC proved by the fact that they used half the components of my strategic plan by eliminating Judge Murray replacing her with Judge Carol Foelak and staying the inhouse judges from hearing cases (you know that you delegate administrative law judges to hear the cases that you initiate. The judge then becomes a delagatee, which is defined as an agent and representative and fiduciary for the delegator, which is all you Commissioners. As a result, the defendants have not gotten an independent judge to rule on their respective cases regardless of having been appointed by the Appointment Clause (See August 2018 Lucia v. SEC). I therefore respectfully request that you send me the \$4,550,000 (I am correcting my prior declaration amount) or communicate with me by submitting email to Mr. Larry May and certified letter to my address as listed above.

God Bless America.

Respectfully,



pro se

