

EDWARD M DASPIN PROSEE;

██████████ N.J. C ██████████

██████████@,073-919-0070 OPTONLINE.NET CASE 3-16509AT 12/11/18

Dear Mr.Field;

Enclosed is confidential brief and declaration and supplemental declaration .The settlement discussion's are **confidential** as is the potential harm that the agency will incur if this submission is made public. Therefore ;unless the commissioners so desire it is a sealed submission to protect the parties confidential settlement and confidential financial information and not to damage the reputations of the various adjls and prosecutors I refer to hear in.!

Im particularly disturbed by my being forced to oppose judge Murray as my recent hearings with her presiding demonstrate she is not as I thought before .I had the pleasure of hearing her. She is a brilliant jurist and she forced me to file this as her schedule for me, an ill aged Pro SEE was ill thought out as its speed to have a fresh start in a 3month time frame is absurd !It makes me believe that she either did not think or she believes that all defendants are guilty and do not deserve the time of day! A pun is intended.

There are a host of motions for the commissioners to digest and a recap is in order. The motions are darkened so that if they review those they will get the RES I need relief on:

A TRO motion for all other submissions until the motions covered here and which were previously requested and not answered is in order until answered.

2]A stay of judge Murray for her conflicts of interest as well as on any other **adjl** assignment for the same conflicts is spelled out.

3]MOTION TO ENFORCE THE SETTLEMENT MADE ON THE RECORD IN THE LAST JUDGE MURRAY HEARING WILL SOLVE ALL ISSUES.

4]motion for a restitution of the million dollar defense fund taken thru a fraudulent inducement by the old commissioners' under Hon, Mary Joe White, the 4 sec enforcement prosecutors named in the declarations, and all adjls for accepting cases while they knew they violated article 2 cost me my time and my litigation fund. They all have un-waivable conflicts as had one of them refused to defraud the defendants' each served we would not be here now[with exception of Judge Feolak and the three President Trump commissioners' he elected as their hands are not dirty.

5]motion for a change of venue and jurisdiction to the federal court if the other motions are not approved so that I can file counter claims and third party claims against the 3 enterprises that colluded and conspired against me. The three enterprises are guilty of 155 predicate acts of theft by deception and fraud, subornation of perjury, as well as filing fraudulent declarations in the WMMA chap 11and filing allegations of fraud that they all knew were false as the exhibit

sin the SEC vs Daspin prove in the 2,300bates stamped exhibits demonstrate!So me of the civil Rico charges against the enterprises for 155predicateacts are criminal violations as well as civil and since all the enterprises merged during the SEC VS Daspin as the is an overwhelming and true criminal as well as civil wrong doing in the Mc Farlane Newco enterprise which merged with the McGrath enterprise, When a prosecutor threatens a witness to commit a wrongful act and or t perjure themselves that to is a violation of the federal laws.

6]a motion to dismiss if the vacate motion lis denied is also asked for

7]last any on all proceeding given the litigation fund to hire a lawyer is asked for a stay.

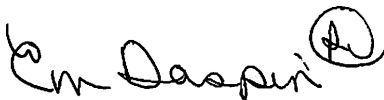
8[there are 2motions to eliminate any inhouse adjudications as it violates the equal rights amendment in 2 areas: one the fact that in house does not provide defendants the automatic right to a circuit court hearing whereas federal district court SEC defendants have the automatic circuit court right to obtain meaningful judicial review Two the new inhouse SEC rues expressly do not give a defendant the right to be represented by a lawyer which the civil rules of procedure used in federal court do give the rights..

9]In addition additional motions for relief covered in my prior motions which this submission makes reference of and included therein so that the Commissioners must will be in priority to start with Number 3,Enforce the settlement and work their way down.

10]Also included is the certificate of service, a breif and supplemental Declaration as well as the initial declaration.

Respectfully

Edward M Daspin

A handwritten signature in cursive script that reads "Em Daspin" followed by a circled number "4".

Edward < Daspin.pro see xx

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CASE3-16509AT & 3-16509

[courtesy copy]

12/10/12

**Supplemental declaration and brief.lets save the exc
branch\$3,800,000.00**

Brief and supplement Declaration to 1] order the settlement agreed on before Judge Murray at her schedule hearing.[I agreed to chip in what McGrath said was his concern when Judge Murray asked him what his concern was to settle as it's a no asset case as confirmed by my submission confidentially of my financial status.]He stated its my \$1,000,000.00 claim and the other claim against him for \$2,800,000.00 for theft of my time without due process[SEE my vacate motion].We agreed that I would donate it in settlement and if he wanted to accept a token payment each month he could receive a small portion of my SS!He agreed to write up the settlement as discussed subject to my financial disclosure which I sent him and after that he called for a meeting.On dec 6,2018 I had a brief conversation that culminated with his offer for me to pay \$75,000.00 knowing that my balance sheet assets are negative!.It is my understanding that if the parties reached a basic agreement in good faith it's a deal!I don't have the transcript of the hearing but judge murray could supply it for you to see and in the spirit of cooperation exacty what came down].

I motion for a stay of Judge Brenda Murray from being in my cases and all other adjs from being appointed to my case for the same conflicts of interest that work against me. .I also motion Judge Murray to participate in consumating the settlement as its consummation will result in the extinguishment of claims on both sides. The settlement should be confidential to protect the agency and its employees and the executive branches' reputation! Though non of my claims reach the Executive level . In fact the executive branch is a proponent of any settlement wherein the citizens' rule of law and an increase in Due Process rights dramatically offer to those potential defendants; in house availability of the right to be heard and implement due process rights in the advocacy part of the arbitration process. The rights offered to a defendant under my advocacy plan, if the commissioners' agree that that defendant is eligible to become an advocacy arbitration plan member, thereby giving the defendant who elects to participate and pay his portion of the costs directly to that unit of the SEC nder the [REDACTED] type contract and ill do my work from my home..In addition of The preventative wing of the advocate plan previews. the precomplaint stage costs of \$12,000.00per case,and we project that the commissioners'

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will accept half of our recommendations in a no bill over the 1,000 cases the SEC handles and the federal district courts' subcontracting costs will net a zero cost and in addition every case solved by the advocacy program is projected to result in reduction in adjudication costs on average of \$666,000.00 per case resolved thru the cost effective \$88,000.00 per advocate case paid for by the defendant at the defendants' option to the advocates division of the agency. Our projected per case cost on a melded average of \$750,000.00 using \$500,000.00 cost inhouse and a million cost [per case in federal district court]; for a whopping result of \$666,000.00 reduction of the federal governments savings for \$264,000,000.00 each year !

Under the whistleblower contract I'd also like to sign at settlement; and at the sole choice at 10% of the savings each year! If my projected savings come to fruition then I'll make \$26,400,000.00 [10%] each year for 5 YEARS BASED ON THE RESULTS EACH YEAR AND WITH START UP COSTS INDEPENDANT OF THE BONUS PORTION CALCULATIONS. Implimentation of the program most of all will generate the confidence in our form of government that we always had in the SEC, while giving the commissioners' control of whether or not a potential defendant prevails. Should go to the advocate division instead of the Federal district court or in-house. My application of the benefits of the WELLS pre complaint outcome will also represent a beta test, for a portion of the advocates divisions' contribution to finding justice for those deserving of it without jeopardizing any portion of the complaints' valid allegations' and after omitting all Wells allegations' exculpated by the disclosure of the exculpatory evidence that the enforcement division only has to attach the lux depositions' key complaint and Wells facts' that are discerned by exposing the truth to the commissioners.

IT IS A FEDERAL CRIME TO INFLUENCE, INTIMIDATE OR IMPEDE WITNESS! That is what Mr McGrath did to Luigi Agostini when he directed him to lie; that it was Mr Agostini who asked for the settlement when in fact Mr McGrath sent the email stating he would not be able to refuse the low penalty to obtain the settlement, invitation to Mr Agostini disproves that Mr McGrath subornation. Ms. Puccio subornation of perjury for the investors to believe that she controlled all small and large at WMMA, in page 17 of the dishonest shareholders meeting of 7/15/12, also violates the criminal statute when she was suborning their perjury as witness against me and agreeing to sign her name to it as if a fact when it was Bill McFarlane who wrote the script. Enforcement omitted the exculpatory evidence that disproves that any investor could rely on any representation which I allegedly made to induce them to invest in WMMA as each and every ppm clearly states on page 3 and 4:

" no one is authorized to make any representation that differs with the facts contained in the PPM, no one is to rely on any unaudited financial statements with respect to making any investment decisions with respect thereto,"

THUS DISPROVING ANY INVESTORS RELIANCE ON ANY ORAL ALLEGATIONS ALL INVESTORS WERE SUPEREDUCATED AND FINANCIALLY SOPHISTICATED AND EACH KNEW THAT THE

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SUBSCRIPTION AGREEMENTS THEY SIGNED ATTESTING TO THE DISCLIMERS IN THE PPMS ARE STRONG AND EACH TOOK THE OATH THEY WERE ACCREDITED.THEN IN THE WMMA CHAPM11 4 INVESTORS OR OFFICERS ALL PERJURED AND OR DEFRAUDED THE JUDGE AND OR MADE KNOWINGLY UNTRUE ALLEGATIONS IN THEIR RESPECTIVE DECLARATIONS.ALL INVESTORS CLAIMS WERE CONTRAVENED BY THE WMMA INVESTORS AND OR EMPLOYEES MADEIN SIGNED EVIDENCE THAT ENFORCEMENT HAD BEFORE THE WELLS;THESEN FACTS MUST NOW BE INSERTED IN A SUPPLEMENTAL WELLS LETTER SO I CAN RESPOND TO IT AND BY DOING SO WE ALL GET A FRESH START AS IS IMPLICIT IN THE SUPREME COURTS LUCIA VS SEC !.

THE INVESTORS IN WMMA WERE SO SMART THAT THEY DID NOT FILE ANY CLAIM AGAINST US AS THEY KNEW THEY HAD NO CASE NOR DOES THIS AGENCY AS ITS CHASING ITS TAIL.I DID NOT DO IT,I WAS NOT A CONTROL PERSON,NOTA DEFACTO CEO,NOR DID I WRITE THE PPMS,I ONLY GAVE RCOMENDATIONS' AS A CONSULTANT IS SUPPOSED TO DO!! LEFT THE REST TO THE EXPERT AND IF WE DISAGREED WE WENT TO THE WMMA BOARD FOR THE FINAL DECISION,IT HAD THE POWER,NWUGUGU WROTE THE PPMS AND ANY ERORS ARE HIS FAULT OR IF HE DISAGREED WITH ANY ADVICE HE WENT TO THE WMMA BOARD WHICH MADE THE CALL FOR THE THE FINAL WORD .

We know that pre supreme courts order of a fresh start post lucia, the commissioners and adjls and enforcement were of one mind and the adjls were inferior officers of the commission just as the division was joined At the hip with the commissioners.Therfore the prefresh **start deck was fixed** and or could have been fixed.As a result the acceptance that the complaints initiation by the commissioners constitutes a bias against the defendant and the complaint derived therefrom omitted the same material facts that the Wells letter passed over **whithout the slightest hesistation of the commission as it was talking to itself!**.

The effort thatimade for the 8,000hoursspentonthismheineous complaintlooked for the solutinntotheunfairmdodd frnk amasculationofour fromof government by presumptionof guilt,by eliminationof full discover,byno juryand noiinderstant the commission exempted itself from the responsibilityofmpermitting a defendat to be served by alwyer.In my case one is needed and I cant defend myself for fear of a [REDACTED] or [REDACTED]

[REDACTED].So I focused on learning what we could do to ofset the slant to the justice board away from the defendantand called it the **advocate division**.We project a savings across both in and out house method[s]to eliminate 30% of the would be enforcement Wells letters reference.That is what the fresh start should give me a winas if allexculpatoy evidence is put in the wells it's a sure thing the commissioers wont initiate the law suit.Thats' 300 persons' a year saving svng year for a total savings to the United States of \$264,000,000.00 a year.With this plan inplac the Secs inhouse program can continue to save the jobs of the inhouse alternative[s] to the federal district court as by its adoption we level the playing

[Type here]

field so that justice is attainable provided this type ombudsmen program is in operation as by not implementing it as the governments' alternative to catch enforcement errors' . Presently the playing field is biased and slanted against all defendants and will be a baned ,if not corrected by adding another division independant of enforecement and visa versa and the commission will select the dodd frank alternative,the middle of the road alternative the advocate, or the Federal district court approach ! The commission is in control.

1]A stay is requested to postpone the case until the settlement orally agreed on in general terms before Judge Murray with myself , Mr Kolodny and Mr. Mc Grath,Mr Kolodny present and to whom his concerns' were satisfied by me on the record.Although we all have judge Murray to thank for getting the enforcement issues solved by my agreeing to giving up all my claims of\$1,000,000.00and \$2,800,000.00 and potental treble in damage sfor total \$45.400,000.00 , with respect to the civil Rico enterprise allegations.Those directly involved as members' of the McGrath Enterprise including JudgeMurray as she appointed 2 adjls that she knew were violaters of article 2 as she also wasnd byso doing she wasinterferinginmy case by removing jdgeFeolak right after she found as fact thati would beirreperablyhrmed if frced to testify.Nio sooner did that finding occur JudgeMurray out ofno where pupiteer judgefeolak out!She is also a member of the SEC enterprise composed of the Commissioners,,judgeMurray and the ajls[except JudgeFeolak as far as im concerned as she resisted the domination of judge Murray's paranoid onsession with the guilt of eachand every defendat that wolks in on herspace which is as faras I can see the entir SEC agency.Wheni recentlymether at the first scheduling hearing I found her a delight to be neer.Her intelligence and drywit as well as insight into by her granting the ;pstpo.In this democracy that's spells fraud and im sorry to say that it appears to have been practiced for 8 years over 5,000 defendants' and with her appointing adjls in 150 cases so that there have been 150 predicate acts by the SEC enterprise and its sub-enterprise, the McGrath enterprise,is directly judge exclusive of the SEC enterprises as the violation of theft of the150 defedants refered to by the US Supreme courts' finding that the adjls were inferior officers and that furthermore those150 defendatmsuffered theftby fraudand deceptioof their respective time.In regard to JudgeMurray she participated as a member in those150 cases of which mine is oneand thereby proof of them150 predicate acts that judge murray and the former commissioners under mary Joe White ,as well as every enforcement officer and director SEC of the SEC region [Ie; Ms. leslieKazon, in which enforcements heavy hand as enterprise member[s]participated in the Rico fraud.The conspiracyand collssion topretend the adjls wereliogitamate..Why they allparticipatedin it exceptthe 3President Trmp appointee and whythe ajls went along with this sec conspiracy and enterpriseof allcommissionerand alladjl is beyond me.Men an oman of the chloth so to speak allbeing derilictintheir duty tocr,honesty to

2]In my case im refferding to enforcements 4 prosecutors [McGrath thelead bully who has no regard for the old and ill ,uchlike the commodntinShindlerslit who sold the jws for\$1,100.00aperson,tretinus as animals to use and abuse for his creature comfort.His last

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act of rebellion showed his true spirit punching me under the belt by taking it out on my wife, There is no punishment too bad for him. I get sick thinking of him.... scum. Get him out of my site or ill buy a page in the Star ledger and let it tell all about what ive endured at the hands of bulling filthtatinamomentof thruth demstrates thelevelofmtheunferground he is willing to go to harm me emotionallyandmentally wherehehas the udacity to subpeonamy Alzheimer illwife that dosnt remember themove we saw the day ater we sawit,doesnet kno thenamesof friends of 50years duration.Whtkind ofpersons fabrictedhim.Doyouknow whatnourlettinginfect your otherjnior[rosecutors tht heoperates by taunting thepoor defensless defendats intheir front making them coconspirstors with him accepting as their own his violating my illwife! I DO NOT BELEIVE THAT YOU WOULD LET HIM DO THIS TO JOAN.

3]Fake judges awarded cases for over 8 years.By my calculation that means 5,000.00 inhouse defendants were so abused by this and prior comissoners,at the hands of an enterprise on top of another enterprise which committed collectively theft by fraud and deception over and over again and again and with my poor wife ,the carcass left after the group of enforcement division mobsters gang raped her mentally, whith me at thisime defensless but that will notbe the ending to the story of that i assure you. I will use my last bit of strength to ensure she is no longer bused by him anad or anyone in the agency.. that wouldusemy wifeas the straw man .Judge Murraysedmy wife to infer thati was hiding behind her,but no were as horrible when she accused me of hiding behind my wife wheni explained thatIDO NOT DOTHAT EVER ASIM DEVOTED TOJEROWEVERIGH :Believe me more than ever before Its'going to be very difficult for me not to try to get even for the sick minded mentality that would dare use my positions' against this final abuse.

4]This Macfarlane scumb and who recently as a payback for my to all adjls with judgeMurray as the leader; i exclude JudgeFeolak for the independance she mustered the power, honesty non of the others' based on my limited knowledge committed. Their silence and accepting cases knowing that they were violaters of article 2 and the enforcement teams litigating before the adjls and submitting wells letters to the commissioners',knowing all the while that their recomendations ,as here,would be accepted to be put in a case file sent to JudgeMurray who would pretend it was a non violater but nevertheless would fake it in the adjls case file, knowing that I would be abused as the consequence of my being a dumb boy from Brooklyn and relying that i was put before a real adjl with the governments guarantee of the legitamcy of the adjl and his/ her authorization that his/ her findings were solid when in fact the Mc Grath like prosecutors used the power of knowledge to leverage the knowledge they had to inflict punishment on defendants regardless of guilt or innocence.Thats the same facts as occurred here..The problem here is that the enforcement plyed both ends against the middle by knowing the falsity of the wells letter llegtionsas defrockedby the evidence bt enforcemen has theupperhand as knowledgeispowerand themwhitholdingof exculpatory evidence in the Wells assuresea complaintisintiated bythe commisionersand after thatits toolat.Butnot this time the supemecourtordered a fresh

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start and that's at the Wells level as if not brought up now I lose my right to do so later. Only a person in up to his./her s' would object to enforce the disclosure of fresh startup to wells supplemental being used to also be a beta test that the SEC will save \$264,000.000.00+/- as it will save years of court time if I prove my case. What does Judge Murray have to lose. Oh if forgot she has the ominous allegations in the federal district court law suit ill file if not settled, vacated and or dismissed.

5] Judge Murray assigned to each adjl was a violator of article 2 and that the enterprise members were all in it together and they should pay for its disservice together as some adjls ie ; Judge Murray was a member of both the SEC enterprise and the McGrath enterprise which was infected by the newco WMM Mainvestirs enterprise covering the adjls and at the same time were also members of the entire conspiracy and collusion of the enterprise and Sec members. Since by accepting my case knowing that was facilitating and perpetrating a fraud against me and therefore an aider and abettor and each knowing the falsity they each conspired to steal the times of each defendant which made each a member that participated in collectively violating in the 150 predicate acts of theft against the defendants and 2 separate acts of theft against me without due process to myself

.6] Every subornation of perjury as perpetrated in my SEC case by an enterprise member includes a criminal act taken against me such as the 4 McGrath witness participation in omitting material facts in their declarations in the WMMA bankruptcy that on June of 2013 [+/-] omitted the fact that Mr Berjedekian and Sullivan knew that there was no crime perpetrated against WMMA whether I directed Mr. Sullivan to omit sending a WMMA 1099 to MKMA [which I did not do nor did I have the authority ;] as Mr. Sullivan, Main and Berjedekian contract states that no one reports to me, I can't bind WMMA and am not authorized to provide any representation differing from those the WMMA represented in its PPM drawup different; y for each next submission.. in that with WMMA explicitly states that none of them reports to me witnessed to WMMA/MKMA service contracts which I am and employee and subcontractor of MKMA stipulate they either I have the authority to bind WMMA [that means any of its officers which the 3 declarers' were to eliminate 1099 forms while in the dishonest shareholders meeting of 7/15/12, one year before the chap 11 Berjedekian stated to Mr Sullivan that price water.. and KPMG stated WMMA was in the clear by not reporting [the later fact was omitted for the declarations in the chap 11, thereby leaving the bankruptcy judge with the option I wanted WMMA to commit a violation and fraud by WMMA against IRS and further I was in position of power in WMMA so that I could not be put in control of WMMA. That said the judge said she would not accept the lies by her putting me in charge of WMMA as its trustee!

7] THE CASE OF THE SEC IS PUT TOGETHER, NOT BY EXHIBITS SIGNED BY THE INVESTORS; WHICH IF USED IN THE WELL ABOUT ME, MY CONTRACTUAL LETTER PROVE THE FALSITY OF THE INVESTORS ORAL DECLARATIONS' RUNNING AGAINST THE EXCULPATORY WRITTEN EVIDENCE! ABOUT ME WHICH NO ONE CAN CHANGE! AS IE ; AS SPECIFICALLY DISCLAIM ANY

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ORAL REPRESENTATIONS' MADE BY ME see wmma ppm,pg3 &pg4,wherin ON pg 3 para1 of the 7/31/2011,WMMA PPM,it states;;

.."no one is a thORIZED to make any representations about wmma not contained in the ppm!.."ION PG 4 it states:

.."THAT NO ONE IS AUTHORIZED TO RELY ON:

.."any finacial information about the company that is not audited and /or certified is not to be used for investment decisions" nor to rely on.."

8]The Sec tries to use a **non gaap, oct,31,2011combined wmma/wdi balance sheet** that is a **compilation** whith footnotes,that the goodwill appraisal of the value of IMC database\$83,000,000.00[\$7million less then Mr Wolk was offered[SEE the Brady Wolk section] MKMA had conflict of interest disclaimer as the authorized appraiser,MKMA[andme]had conflicts of interest disclimers asppraisers as we wereowedover \$1,800,000.00 at that time and after a **\$1million forgiveness of debt associated with theIMC contract byCBI[My consulting firm],MKMA as ignee for the wmma service contract as in the related party section!**

9]HAD THESE EXCULPATORY EVIDENCE BEEN RELECTED IN THE WELLS AND THE HEARUNDER REFFERED TO SUBORNATION OF PERJURY ON THE PART OF THE INVESTORS,MCFARLANE THE NEWCO ENTRPRISE FOUNDER WITH THE WMMA INVESTORS TO CONVERT MEMEBERS WHO AGREED TO COLLUDE AGAINST ME AS "BILL"[MACFARLANE]was quoted byTerresa , the SEC whistleblower ,mashaling them on the tape to agree that:

.."ed controlled everything large and small at WMMA..."

WHEN IN FACT BILL NEVER MET ME,EXCEPT FOR 3TIMES FOR ONE HOUR EACH +/-] DEMONSTRATING THAT HE COULD NOT LEAD A CONSPIRACY TO L IE ABOUT ALLEGED CONTROL AS IHARDLY KNEW HIM AND HE NEVER WORKED OUT OFNEW JERSEY,NOR I OUT OF ARIZONA WE HAD NOTHING IN COMMON AND HE HAD NO REFERANCE TO MAKE ALLEGATIONS ABOUTMY ALLEGED CONTROL AS HE WAS NEVER IN NEW JERSEYEXCEPT 3TIMES AND THEN OUT OF MY PRESENCE LEADING THE COMPANYS MARKETING AND OR CHLOTHING LINES..ITS THE BLIND CONSPIRTORS LED BY THE BLINDMC FARLANEINVESTEDNO CPITAL RECEIVED 410,000.00AMONTH ANDMKMA INVESTED \$4,200,000.00 IMCAPITAL AND PERFORMED THE CREATION OF MANY WMMA ASSET WHILE THEY EITHER FORGAVE MILLIONS TO WMMA AND /OR SUBORDINATED THE REST,EXCEPT FOR \$250,000.00,AS CAPITAL WHILE INVESTING CPITALNDORFORGIVNESS OF FEEM12TIMES GREATER!CING955 WITH WMMA AS CAPITAL RAISED BY MKMA CONTRIBUTED TO WMMA!THUS PROVING THE SEC ALLEGATIONT THAT I AND MY COMPANY CBIANDORMY WIFE AND MKMA WERE THE WMMA MILKING MACHINES WHEN THE FACTS PROVE THE OPISITE AND THAT WMMA WAS ENRICHED BY \$4,25,000.00 AS THEY DEFFERED THE

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CONTINGENT RECEIVABLES THEY EARNED!, HAD THE SEC INCLUDED THAT IN THE WELLS LETTER NOT ON A MAJOR ALLEGATION ABOUT ME WOULD HAVE INTERFERED WITH THE BIASED ENTERPRISES ALLEGATIONS!

10] THE INVESTORS AND SEC WITNESS PERJURIOUS ALLEGATIONS AND THE OMISSIONS OF MATERIAL FACT IN THE WMMA BANKRUPTCY AND SUBORDINATION OF PERJURY IN THE DECLARATIONS THE INVESTORS SUBMITTED THEREIN AND THE 3 OF THE 6 WMMA INVESTORS LEID IN THEIR RESPECTIVE SUBSCRIPTION AGREEMENTS WARRANTS PROVES THAT 9 WITNESS OF THE SEC'S 11 I KNOW OF ARE LIARS, PERJURERS, SUBORNATION OF PERJURY AND 7 OF MY MATERIAL INDESPENSIBLE WITNESS TO BE USED TO CONTROVERT THE ALLEGATIONS IN THE COMPLAINT CAN NO LONGER DEFEND ME AND THIS CASE MUST BE DISMISSED AS THE MEMORIES OF ALL WITNESS HAVE BEEN DAMAGED BY TIME. I CAN NOT DEFEND MYSELF DUE TO ILLNESS AND THE FACT THAT IVE ALREADY BEEN FOUND BY AN ADJL JUDGE THAT ILL BE IRREPERABLY HARMED IF I AM FORCED TO TESTIFY [AND ACT AS MY PRO SEE AS ██████████ AND REPOSIBILITIES ARE ██████████ BY 3 YEARS OF AGING AND THE ██████████ STRESS OF ME BY ██████████ ██████████

11] I CANNOT DEFEND UNLESS A LAWYER OF MY CHOOSING BECOMES THE LAWYER TO DEFEND ME AND THAT CANNOT HAPPEN UNLESS I CAN PAY HIM/HER AND THAT WONT HAPPEN UNTIL THIS COMMISSION GRANTS MY MOTION OF RESTITUTION OF MY LITIGATION FEE DEFRAUDED OF ME TO BE USED TO DEFEND AGAINST ENFORCEMENT AND THE ADJL INFERIOR OFFICERS WHOM WERE RUBBER STAMPS OF THE COMMISSIONERS/ COMPLAINTS' ALLEGATIONS AS EVEN IN MY DEFAULT JUDGEMENT ORDER BY JUDGE GRIMES, WHEN I WAS HOSPITALIZED HE FOUND ME GUILTY OF ALL OIP ALLEGATION

BY THE FRAUDULENT INDUCEMENT BY ENFORCEMENT AND JUDGE MURRAY ASSIGNMENT OF FAKE JUDGES THAT ENFORCMENT KNEW AND HIS AS IF AUTHORIZED ARTICLE 2 OFFICERS KNOWING THE FALSITY OF IT AND KNOWING THAT I WAS BEING EXPOSED TO DOUBLE JEOPARDY, OF THEFT OF MY LITIGATION FUND BY THE CONSPIRACY AND COLLUSION OF BOTH ENTERPRISES OF ALL AJJLS AS THE FORCED SCHEDULE TO APPEAR REQUIRED MY LAW FIRM TO BURN THRU THE LITIGATION MONEY BY ORDER OF THE COURT AND BY ORDER OF JUDGE MURRAY'S SCHEDULE. I CANT GO ON IN THIS WAY. THE MATTERS UNDER MOTION HAVE NOT BEEN RESOLVED AND JUDGE MURRAY HAS MASSIVE CONFLICTS OF INTEREST AS DOES THE ADJLS, AND THEN AFTER IT USED UP THE LITIGATION FUND AND I CANT DEFEND MYSELF AS TIME HAS TAKEN ITS TOLL ON MY DEFENSE MATERIAL INDESPENSIBLE WITNESS, AND THE THEFT OF MY TIME THIS CASE MUST BE DISMISSED FOR ALL THE ABOVE CAUSES OF ACTION AND I HAVE NOT EVEN SCRATCHED THE SURFACE OF ALL THE INTERRELATED ISSUES WHICH ALSO MAKE ANY LITIGATION IN HOUSE UNCONSTITUTIONAL

.12] The current wells letter is fraud perpetrated against the commissioners and ajls as it excluded the evidence it must include for a fair assessment of the merits of a case being brought. In this case there are not included over 50 exculpatory evidence including willfull

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misrepresentations of facts, representations of half facts which if supplemented by the left out material facts' would have ended in an NO bill ;but because of such exclusions defrauds' the commissioers to initiate acomplaint which was fraudulently obtainedby the exclusionof material facts!This problem in house unconstitutional as discussed herinabove and below.;

JUDGE MURAYS DENIAL OF MY FRESH START MOTION BEGINNING IN INCEPTION WITH ENFORCEMENT INCLUDING A SUPPLEMENTAL WELLS LETTER AS THE INITIAL WELLS LETTER ELIMINATED THE EXCULPATORY EVIDENCE AND DEFRAUDED THE COMMISSIONERS INTO NOT GIVING THEM THE WHOLE PICTURE.ADD TO THAT THE FACT THAT THE COMMISSIONERS HAVE BEEN FOUND TO HAVE ALREADY CAUSED THE JUMP STARTING OF VOIDING ALL 150 CASES DUE TO THE FIX ;ATTRIBUTABLE TO ALL ADJLS BEING INFERIOR OFFICERS UNDER THE COMMISSIONERS' ;WHITH THE APPARENT REQUIREMENT TO FIND THE COMPLAINT ALEGATIONS AS FACT AS NOT DOING SO WOULD BE THE EQUIVELENT OF THE ADJLS OVERULING THEIR SUPERIORS AS JUDGE MURRY EXPLAINED TO THE 8EFENDAT THATSKED FOR A DISMISL.ITISNOTA CONSTITUTIONPEROGATIVE FOR A GROPOKDGTHE REASON THEY FOLLOWED AS A FACTAND THAT IN IT THE ADJLS MUST SEE THE POINTS OF IT AS AN ORDER OF THE COMMISSIONERS TO ENFORCE THE ORDER

13]In fact the adjls should be either majistrates, securities judges and not under the excutive branch but rather under the federal district court or the circuit court sililar to bankruptcy judges with limited authority as the federal bankruptcy judges are as the way it is now they are enforcement officers once the commissioners rule on the wells as thais the trialinabsentia.Once the commisionersinitatethe defendthas been found guiltyand the judge will carry out the defendats case like the those defendants assigned to it are already judgeGuilty when we are not.That is the reason that my case is outside of the administrtion of having a real hering but rather a funnel for which the adjlases the degreeof guilt,thatis the reason the Wells letter must be accurate and ifthe exculpatory facts are left out left then the rest of the time wasted isbecause the 2yearsthat theinvesigtiveand enforcement time vs theonemonthof a defndt'slawfirm tolearn the caseisanunfairmatch for a defendatshis guiltinhouse system was arranged when hicouncil cannot possible even the scalesof justiceat thepostwels precomplaint stagr..That is the only way to obtain as fair a wells judgement by the commissioners.Its the entry point which can save the inhouse guilt verdict which is the complaintand at this critical stege the choice is federal district court for those cases the commissioners' believe should go to really decied guilt by a fedearl judge,or a no bill or if the advocate has implemented it smission to convince the commissioners of middle of the road choice[the arbitratin if guiltisless but not totally convinced of a no bill, and not totally convinced of either the federal judgement or the more convincing case such as my case whrein the current result brought out by the advocate convinces a further sorting that can lead to a no bill or an arbitration settlement hearing.

14]In my case the sorting system was biased by the **elimination of the exculpatory evidence!** There was no ombudsmen to save there was no depositions of me as i was

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ill, could sense a fix but had not had the time to analyze where the injustice broke down. I knew that I was not a control person and I gave up all vestiges of it around Jan 10, 2011, with respect to my wife's sale of WMMAH, only retaining warrants if it made it; & on 1/20/11 sale of CBI/WMMA's service contract sold to MKMA, Inc.

In addition, the supplemental wells submitted to no adjl violator must be instituted as the last well was not a true depiction of events nor allegations as enforcement withheld all the exculpatory documents including those documents that contravene the Wells allegations and the SEC had them in their possession and thereby gave the commissioners under Mary Joe White a false picture of the case as none of the evidence was in the Wells letter only the oral allegations of enterprise members that had 3 years to dress rehearse and I can't believe McFarlane went surface. He is a whore master, a drug addict [cocaine], a bank defrauder and a co-conspirator of aiding and abetting Moinca Petty to steal from WMMA!

14] I'M ALREADY IN DEFAULT AS I HAVEN'T BEEN ABLE TO ADDRESS THE COMPLINTS RESPONSE AS I'M OUT OF TIME trying to obtain the benefit of my motions before this commission as only it can eliminate this case. AND FOCUS ON A DISENGENUOUS SETTLEMENT as McGrath knew my financial position when I informed him and Judge Murray witnessed the nice tenor of the agreement. It was supposed to be a little amount of token payments if my net worth and cash flow demonstrated my representation. I did not get the good faith implicit in the settlements had I received that as my negative -\$12,000.00 on credit card and my negative living expenses of \$9,000.00 a year and my contribution of \$3,800,000.00 to the government plus also \$1,000,000.00 from new litigation and a recovery by me of treble or \$11 million dollars and if I win the class that I'll solicit of 150 times that! Is it worth it to let him kill a settlement we made with the understanding if it wasn't fast no deal as I have 10 days left for a hard or home owner modification loan for my wife to refinance to save her home as yoursui stops them from giving it to her! He agreed to the settlement and be poiler as the case is caused by his malfeasance in office, his billing ways the threatening my wife Alzheimer with more of his stupid getting even tactics. How can you permit this bad faith breach of settlement engineered by Judge Murray a week ago if the other defendants get wind makes any commissioner so foolish a settlement breach case continues and another million as pre-remand cost of my case enough without the \$3,800,000.00 and none of my wife's separate tax form filings for 40 years will ever attach on to her and her family living partnership assets that comprise 50% of her assets and she owes it the remaining cash in her account as it subsidized her home for 3 years. As assets in partnership for estate planning and protection as all anyone gets is a charging order not any cash. As she earned the money and inherited it from her parents' death and no judge would make a contribution when I owe her more than all her collective net assets combined and she has almsufficient to protect her if I die first!. she will need every dime!

15] It's a dead end and this scumuck wants to destroy her little person by subpoena her knowing that she doesn't know one day or movie from the other in 5 minutes, He wants to punish her to make me eat crow.. I can only tell you what I feel for her and then him, It's not nice and he is a

[Type here]

sick reflection on your word thru him it's shit! I actually thought I had given him such a side that is little man characterize what you permit this permission you the sec power to get even for my declarations demonstrating the thought so this very little man our President will hate you people. That doesn't fit in the reduction of 5% of the departmental budget cause if the other 150 defendant latch on or start to latch on to my cases damage claims cry out for the true meaning of the Lucia the leaders will be fired as the contingent liability could exceed \$75 billion including Rico fraud treble! real smart!! My wife is carrying my room food and board leaves me a deficit.

16] You know what good faith settlements that stop the government's expense on uncollectable defendants are supposed to be like ie; Mr. Lux well I got a non good faith settlement which I ask you apply your settlement rules as it's all agreed otherwise and I was counting on his good service breeds rules and sign it as in another 10 days I lose the incentive of a hard loan for my wife to refinance! Then I'm out of the settlement benefit as non exists as your law suit has stopped the banks from giving the home owners modification loan which expires year end... he has my finances and credit report approval. In effect he was just playing me and 80 year old innocent defendant lying with me or angry or both as in this case Mr. Lux had a zero payment, Mr. Aostini 25,000 over a year and he earns \$75,000.00 a year and I \$20,000.00 SS! Release on \$3,800,00 and my wife were given it by Judge Gamreddala you don't then knowing a man has a decent net worth ask him from 75,000.00 to falsely get his net worth statement which demonstrates if we look back on his settlement

.17] In addition the in house procedures are violations of our constitutional rights as outlined herein and prior submissions and my motion to vacate, my motion for dismissal against enforcement as aiders and abettors my motion to stay judgment for the conflicts of interest she appointed 2 adjl violators without informing me so that I spent my litigation fund due to her fraudulent inducement in Judge Grimes culpability in accepting the case knowing he was a fake imposter; playing me as if his findings were the law is such a reprehensible act perpetrated against all of us as to make me believe the unclean hands of the prior commissioners, the express damage to my reputation as the people don't know he was a fake judge they just think that I'm a mullinger as his finding order states!! I'll sue him forever as I don't need a lawyer whenever I ever get well or on a contingency as there are still some around.

18] Judge Murry has a latent conflict of interest and I motioned her to recuse herself and she did not so I now motion for you to dismiss her from the case. she refused to do, and the other judges participated in the fraud by accepting cases knowing by so doing each and every defendant would be defrauded into believing that they were all article 2 authorized adjls. They participated with the other primary judge white commissioners to accept cases and they are all part of the SEC betrise dealing out millions and billions of guilt verdict. All that money must be replaced in my estimation. There is no upside to prevent those fake judge decisions as they adversely effected so many.. The simple truth would have been so much better, I still can't believe it judges committing a mass fraud, participating in violations of the very constitution they are supposed to hold

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up.Was it worth it.?My appeal is to the the President.President Trump and' commissioners as remain just became effecticve and my case never started as,I protest her schedule which demonstrates it wants to speed up my conviction to hide what happened to me..The failure of the commission to promptly rule on my motions tends to make me believe that the commission believes' that I will just go away! I wish I could but I cant as mc grath beched the settlement on the record in a bad faaith breach as we have deal assuming that he wil live up to the promise that any up front money,if any will be contingent on my financials !ive delivered one to him and the good faith agreement was that whatever they show a capability for is what I front or do not front if I don't have it and I tolled him up front that I don't have it!so the government is locked in unless it wants to let him breach!! the settlement.I held him to its implied terms and it will save us all greif. The settlement is firm Its not game over whearin a kid negotiates a deal then doesn't like the cake so he becomes ornery ;he is as much locked in as im!The moment he he tried to backout he should be punished!!Whats wrong with this intimidator! he is a curse far as im concerned he threatened my wife to get even whith his perception of me not accepting his cowardice bullying ways its a sickening freek ,to make a deal and then have a sniveling bully try to make the US Government part of the breach.Is he crazy trying to embaress the President!! Its almost like he did not want this sick compliant he structured to go away,to stop and that he is willing to destroy himself and make the government become a coconspirator! He cant do this to our President, His word is good..This is the Presidents executve division!Not McGraths playhouse.!He doesn't care about spending our moneyand embarrsingourPresidentbybreaching a deal..Im inocent of all allegations,ive offered to take lie detector tests if mc Grath,JudgeGrimes an JudgeFeolak and JudgeMurray does.

19]My motion to vacate which by reference I include hearin as if attached hearto are included in this group of motions as if attached hearto as referenced herin as well as all the unanswered motions that this commission has delayed,Justice delayed is justice denied.I can not do this pro see any more,Im settled this case in good faith.So thats the first motion im being harmed,necessitating the tranfer to federal district court whearin I will merge my cival rico claims in to that case as entire controversy provides if this commission doesn't back the deal and wants this craziness to contine foranother 4years,;But the motion for my restitution of the litigation fund comes right after the motion to consummate the settlement,

20]Then I need a TRO asTHE 7 FACTORS THAT TEST THE FEDERAL DISTRICT COURT USES WHEN COMPLETED BY JUDGE FEOLAK WHO FOUND AS FACT THAT I WILL BE IRREPERABLY HARMEDNEEDS TO BE ENFORCED..Please GRANT ME A TEMPORARY RESTRAINING ORDER UNTIL I CAN RECEIVE A LAW FIRM TO REPRESENT ME AS WELL AS A REFUND OF MY LITIGATION FUND AS IM TO ILL TO CONTINUE MY PRO SEE REPRESENTATION as even with my [REDACTED] and and [REDACTED] and [REDACTED] for control ; [REDACTED] [REDACTED] !They No LONGER WORK AS [REDACTED] MY COMPUTING THESE MOTIONS' HAS TAKEN A WEEK AND ITS UP TO 200/100 ,This is after a 2hour cessation, and [REDACTED] [REDACTED]

[Type here]

[REDACTED]

[REDACTED]

21].I have asked for my doctors appointment next week still not reserved by this office.CASE UNTIL THOSE MOTION ARE RULED ON.Any more action or hearings until all the motions are answered by this honorable commission ,Iwill not be able to be given any attention by me as im up to the hilt with [REDACTED] if it doesn't settle i ask the 2 hold over commissioners to recuse themselves as even though judge Murray refused and which gives rise to **my current motion for this commission to stay her from this cases** although I feel very bad as in one hearing she did more to resolve the case than the last 3yearscombined!!,I **also motion that this commission vacate me** as if by my reference it is attached hearto and I make the same motion[s] I submitted to this honorable commission as ifmade apart hearove all previous motions I referenced previously which iinclude herin as if referenced hearto and which includes but is no tlimited to the attached by reference as if attached hearto as in my file of submissions to this commission of motions' A, **A vacate motion,a dismissal motion,a motion for change of jurisdiction and a motion to transfer this case unless vacated andor dismsed to federal district court,newarkn,j** wherin the entire contravesy.can eliminate redundant litigation cost as no harm can be done this commissionby suchchangeof venueandjstiction.By so doing llmy complaint against the enforcement prosecutors,the adjls exceptjudgeFeoalkand ll commissioners except the three PresidentTrump Nominees,and to include the remaibg johndanjane Does in enforcement asdiscovery demonstrate should be included as well as the MacFarlane conspirators and Newco enterprise members! ,

22]JudgeMurrays refusal to hear the fresh start case ordered by the supreme court as they did not know the specifics of my case.I advised judge murray as well as this commission that there was no way i could keep up with this cases time requirements causing me to be in technical default and I reiterate this fact and believe any default attributable to denial of my motion to transfer juritiction and venue are not my fault as ive tried and no one has responded to my plea[s[so please fogive any default by me as the times in the schedule is not fair,just and i motion that this commission stay the schedule so that my lawyer,can pariipate as i had requested before JudgeMurray insulted me by not listening to my prayer evidentlyl seeking to punishme for her own torts!.

23]JudgeMurrays accelerated hearing schedule was purposely made to position me to make an involuntary default lviolation of my rights as a defendant and is evidence of her bias against all defendats in general and me specifically as FormerAdjl Lilian McEwen declared to the IG and WSJ and which led her to state that JudgeMurray wants all adjls to improve their respective record of guilt verdicts!.JudgeMurray dd not contravene that statement.Judicilnotice shouls bemade she did not contravene that biasedcomment,at..Imold,tired,havemore responsibilities thani cnhandlend motion for a TRO restraining any and all scheduling,a fresh start is not a 3month schedues asit was the fraus perpetrated by the old commissioners the current adjls except judge feolk as well as JudgeMurray who is one of the leaders of it will not perform the

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conspiracy and collusion to provide each other with perjured and subornation of perjury so that the McGrath conspiracy and collusion formed into the McFarlane Newco enterprises scheme to blame me for McFarlane's theft with the McGrath conspiracy and collusion to steal my time and then my litigation fund believing the McGrath Enterprises BS that I and WMMA's mission was to milk WMMA assets! the reverse was true as MKMA wanted to extend credit to WMMA as my wife had a warrant to own 90+ percent of WMMAH that had ownership of more than 92% of WMMA, once the warrants were exercised

27] In my case the McGrath and Newco McFarlane enterprise members cojoined the McGrath Enterprise and its members and as such the combined enterprise members committed theft of my litigation fund and theft of 8,000 hours +/- of my time without due process at \$350.00 per hour and theft of inventory, cash and other assets generating more than 5 separate predicate acts over 2012-2018. If I settle it all goes away.

if the McGrath team doesn't settle in the good faith we made on the record and breaches the oral agreement they made in front of Judge Murray when Mr McGrath knew that I had a negative net worth and negative cash flow and he then demanded 75 [\$75,000.00] times my liquid assets; then when I refused to agree as he knew when he offered it I could not, unless I violated my fiduciary to her as a fiduciary power of attorney and raided my wife's assets, which would leave her with 6 months working capital and bankruptcy; and upon seeing my declaration he turned despicable, depraved and demanded my wife subpoena on DEC 27, 2018 for a deposition knowing she has [REDACTED]!!!. After a day he realized that his hatred of me and the government's powers that all bullying cowards use when spurned to get even with me he uses the powers vested in him as prosecutor, and turned it on my wife and by an email the next day he tries to retract but alleges that if he is given proof of the [REDACTED] he may rethink his subpoena!! Just to cover his ass!! WIL NEVER BE IN A ROOM, TALK TO THE FILTH AGAIN. HE USED THE GOVERNMENT POWERS TO HARM ME BY HARMING MY WIFE FOR NO REASON OTHER TO GET EVEN!! After I read his subpoena email I had [REDACTED], had to take 3 nitros to get [REDACTED] down. I will only be physically and emotionally harmed in any association with the IS DOG OF A MAN. I'm through with this process. McGrath ran true to form as he tried to suborn Mr. Agostini's perjury while Agostini agreed to be a settled defendant and witness which is criminal in federal court.

28] If President Trump finds out that one of his citizens was tormented emotionally in this way he'd jail him! McGrath HATRED OF ME was not equal to his love of himself and the next day tried to allege that if I really proved she had [REDACTED] he might take his subpoena away. THE MAN IS A FREAK OF NATURE!. First he settles on the record and with the understanding that if my balance sheet and p/l prove that there is no token money, which I informed him on the record there was none, that he would do the right thing as he did Mr. Lux's case! I informed him on the record and by sending him my current financial statements, that any financial settlement would be fair as all the terms were settled except the amount to be paid as I had just agreed to pay him \$3,800,000.00 in claims this agency

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would have to put up even if the claims for civil rick were personal and not agency as the agency would never do the wrong thing as he just had done!

29]As a result Judge Murray cannot be an adjl in my case she was the leader of the adjs when the supreme court identified that the 150 of us were defrauded into believing that the adjs were all senior officers' which their finding of fact proves that they had practiced for being a judge but they had no intelligence to do so until they received the appointments clauses consent they were INFERIOR OFFICER making any finding by them a fraud upon the defendant as it was an absolute FIX, A FIX SO BAD THAT EVEN THEY COULD NOT ERASE IT AND THEY SHOULD NOT ERASE THE FRAUD THEY PERPETRATED AGAINST ME

30]istAll of the enterprise members collectively hid the **theft of our time by fraud and deception**; Judge Murray knows that she must try to protect her position as a Mc Grath and SEC members of both enterprises'. Due to the conflicts of interest with respect to the allegations' made by me against her, judge murray, is and was the lynch pin; since she threw Judge judge feolak out as a result of her [judge murrays] misplaced loyalty to the commissioners', who she was an enterprise member of first & foremost and which enforcement was an enterprise commission resource. Judge Murrays/ blunder of firing judge Feolak who refused to find against my lawyers motion for a adjournment, she showed her hand, threw Judge Feolak and went to her servant, Judge Grimes, who did not care for the finding of fact that judge Feolak found that if I was forced to testify I would be irreparably damaged and he dissolved the postpiement sine die, forced me a testify!..She would never assist in my offer to take a lie detector test; but she wont get the chance as I cant be heard by her! She is an enterprise member of the commission and interfces with the Mcgath assault since and her interest is ramming a quick trial down my throat, knowing that I cant take the stress even if its protracted over the average time period of 19 months! So either the [REDACTED] while she defaults me. Ive asked her for the normal time frame if there is an affirmative decision to pay me the direct damages of the \$1,000,000.00 which there was and if she were to grant my motion for the fresh start period to be as a requirement of my getting a fresh start, that enforcement file a **wells supplemental** t containing the he exculpatory evidence so the new commissioners could make an informed decision, as the prior commissioners were enterprise members' adversely using inferior officers to **fix cases** solely through the efforts of Judge Murray effecting! the constitutional rights of this defendant down to the point of manipulating judges schedule to deny me of a fair trial **Judge Murray denied that oral motion and so im appealing that as well**! Now judge Murray wants to compress the fresh start to a 3 month hearing instead of one year under DODD Frank!! I also informed her, on the record, **that i cant answer the tainted Complaints allegations' in 2 weeks** as i just received the path for me to get the complaint 3 days before any answer could be made, if I could master the strength and time to do so which would probably take me a month or more on my own!.. **In any event i motion that the fresh start be the new Wells' supplement a that would finish the case in a no bill! Not the fraudulent WELLS** one wherein all the agencies parties were enterprise members

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so that it culminated with a hearing in absentia while I was in the hospital. before a fake adjl who wasted and stole 8,000 hours with enforcement and judge Murray of my time.

31]I do thank her for her efforts to eliminate those damages for the agency and its employees as until settled the ramifications of multiplying that charge by the 150 defendants that benefit from the Supreme courts' fresh start decision to void any judgements and files and at the same time punish the agency by doubling its SGand A and direct costs and ongoing defendants doubling up litigation costs which the division spent\$1,500,000.00{+/-} thus far, on a no asset case !which it hid from the Wells letter disclosure[s]setting up the very commission they are a division of thus setting the commission up for and by non inclusion of the exculpatory evidence and non liquidityl defendants inability to pa;; they could at least practice up on this case for the next one coming up after the judgement was violated !!.

By enforcements willfull elimination of the exculpatory evidence in the Well letter the commissioners were setup; as I wasted a fresh start to me should include voiding the wells letter to correct the biased complaint which includes all the facts that by disclosue in the Wells gave rise to initiation of a defective complaint eliminating the fresh start implicit in the Supreme courts order re Lucia..

32]THE WELLS WAS THE WOMB AN ITS FILTH BY OMISSION OF THE EXCULPATORY FACTS TO BE DERIVED BY REVIEW OF THE **NWUGUGU PPM OF 7/31/11**,was grounds for an abortion and a real fresh start that caused the complaint to be issued wherin: **he admits he,not I,prepared and filed each PPM[Para5 and para 6 and the par 42 last section].,denounces the SEC allegation that I prepared them!!!!and he admits he was the better writer in his chartis claim as I did not type,compute and or prepare any of the work product with exception of general reveiw periods with 15 other wmma employees and/ or consultant like me. I was not empowered ,as IN THE LUX deposition, to have any of WMMAS'contract binding powers attesting to the Wells letters falsity alleging that I was the wmma Defacto ceo and a control personl.**

33]In fact not one [1]wmma employee contract[see my 2300 Bates stamped documents]has any wmma employee to **Report to me**,but only to the ceo and or WMMAS'President further demonstrating the falsity and omissions of these exculpatory facts' **falsly alleging that i controlled WMMA** as its Defacto ceo and Mr. Lux also stated that WMMAS BOARD OF DIRECTORS' RESOLUTIONS' CONTROLLED AND RAN WMMAS OPERATION WHICH,IS PRECISLY THE UNDERLYING POWERS TO BE IN WMMA!,**NOT IN ME, AS DISENGENUOUSLY COMPLAINED OF IN THE WELLS ADMISSIONS BY NON INCLUSION TO CONTRAVENE THE ENTIRE RES OF MY RELATIONSHIP WITH WMMA.THEN THE DIVISION EXCLUDED FROM INCLUSION IN THE WELLS LETTER,THE FACT THAT THE MKMA AND MY APPRAISEL OF THE IMC DATABASE ONGOING VALUE FOR APPRAISEL OF THE IMC DATABASES GOOD WILL VALUE TO WMMA,OMMITTED THE FACT THAT THEIMC OWNER,MR BERYL WOLK,[DECEASED]BRADY INFO ADMITS THAT HE WAS OFFERED \$90**

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MILLION FOR IT WHEN WE VALUED IT ON A NON GAAP COMBINED COMPILATION OF OCT 31, 2011 AT \$83,000,000/00. THAT WAS NOTATED THEREIN IT SHOULD NOT BE RELIED ON FOR ANY FINANCIAL INVESTMENT AND IT WAS A COMBINED WMMA/WDI BALANCE SHEET REQUESTED BY MR. SULLIVAN TO HAVE MKMAS' PERMISSION TO INCLUDE IN THE BALANCE SHEET OF WMMA FOR THE TEXAS BOXING COMMISSIONS LICENSING OF WMMAS WOUNDERED WARRIOR EVENT. Mr Sullivan's letter to the Board with the attached balance sheet of OCT 31, 2011 proves the falsity that is alleged in the complaint well's letter that Mr Sullivan, WMMA's CFO, was barred from seeing the WMMA monthly postings by the consultant book keeper Mr Sullivan hired !!

34] How could he prepare the Oct 31, 2011 combined balance sheet, if Mr Agostini hid him from WMMA financial statements!? He did not hide them as proven by Sullivan's email admission with the draft of the combined financials of WMMA and WDI. He could only have prepared the 10/31/11 used from the company's books and records?? He had access and lied to and with Mc Grath's subornation of perjury. The exculpatory evidence stands in your face as proof there was no legitimate claim to do the WMMA financial reporting thus proving Mr Sullivan TO OBTAIN ITS CONSENT. MR SULLIVAN'S PREPARATION OF THAT BALANCE SHEET WAS INCLUDED A DISCLAIMER THAT IT WAS NON AUDITED COMPILATION, NON GAAP, NO RELIANCE ON INVESTORS USE TO MAKE AN INVESTMENT DECISION TO INVEST ON IT AND THE WMMA BOARD DIRECTED MR. SULLIVAN INCLUDE IT IN HIS JAN 5, WMMA PPM THE WMMA/WDI COMBINED NON GAAP BALANCE SHEET IN THE JAN 5, 2012 WMMA PPM THAT PPM ON PG[S] 3 & 4 STATES THAT NO ONE CAN RELY ON ANY PERSONS REPRESENTATIONS IF THEY ARE NOT CONTAINED IN THE PPM! as WMMA does not authorize such representations unless contained in the PPM's proposal ANSWERS TO DECIDE TO INVEST. Had it been included the complaint would have knocked 6 paragraphs of allegations.

35] MKMA's appraised good will value for the IMC Database component was derived by many factors and different values came from looking at the cash flow contribution that WMMA could receive from its utilization as by that time WMMA was investing the database cost AT THE TIME WHEN WMMAS' BOARD OF DIRECTORS WANT 900,000,000. DATABASE as that is exclusively forbidden on the Service contract understanding it 1/20/11 CBI assignment and sale of its service contract with WMMA to MKMA approved by WMMA and its board of director resolutions. which Mr Lux testified as WMMA's CEO and director, Mr Main' WMMA president, as that was the exclusive proprietary authorization of the WMMA board of directors, The Nwugugu chartis insurance claim wherein he accepts full responsibility for the preparation. MKMA were asked by the WMMA board to provide its subjective appraisal as the WMMAS IMC value was needed for the Texas boxing commissions query of the financial assets available to WMMA. It was not prepared to trick investors and its publication in the Jan 5, 2012 WMMAPP was at the board direction and converse to the divisions foul allegation of its purpose being to exaggerate the value for investors considerations, IN FACT IT WAS A NON GAAP COMPILATION THAT NO ONE COULD RELY ON AS THE DISCLAIMERS IN THE PPM INFORMED IN PAGE 3 AND 4 " NO ONE CAN RELY

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ON ANY NON AUDITED FINACIAL STATEMENTS its footnote disclosure that it was MKMAS appraised value,not to be relied ON AS THE RELATED PARTY SECTION DISCLOSES THATMKMA HAS A CONFLICTINTHATIT A EBTOROFwmma.!

336]The only 2 investors signing up after jan 5,2012was locket[deceased],and Heistercamp ,both of whom chartis insurance claims made no reference of the balance sheet as an excuse to ask for their investment back as they each stated that ms.Puccio[the whistleblower]andMr.McFarlance[the newco enterprise organizer],were accused as defrauding them to invest in wmma ,not me,not the oct 31,2011 published balance sheet prepared willingly buy Mr.Sullivn the CFO..In the PPMS related party transaction section it specifically demonstrates that MKMA has conflicts of interest as its a beneficiary of over \$3,250,000.00 contingent receivable and its'forgivness of \$1,000,000.00 in debt obligations owed to MKMA by WMMA for the acquisition of IMCS database excludivity in the MMA industry.lthat disclosure of a conflict of interest put all investors on guard that it should take any representation by MKMA as in fact one made with a conflict as it was in itsinterest to look at the glas ashalf ful

37]This fact was ommited from the wells letter as was the fact that instead of looking at MKMA and my interests to allegedly serve to milk **WMMAS'** assets the predominate theme of the wells and complaints allegations the reverse was true.M Shapankas book of the ingoing assets by he a into WMMA the outgoing fromWMMA to the Daspins'**DEMONSTRATE THAT I,MY FAMILY AND CONSULTING CORPORATION[CBI] INCLUDING MKMAS 50/50 JOINT VENTURE INVESTED \$4,250,000.00 INTO WMMAAND WMMA GAVE OUT TO ME/MY WIFE AND MKMA \$725,000.00 AS CALCULATED BY MS BAIR ,THE SEC FRAUD ANALYS,.OF THE LATTER AMOUNT MRS DASPIN WAS PAID BACK HER LOANS AND ADVANCES OF \$500,000.00 INCLUDING STARTUP ADVANCES, LOANS RECEVABLE AnD BOARD AUTHORIZED T and E footenoted by my amex card and ausdted by Mr.Sullivan,and of the \$240,000.00 collected by mkma i received \$125,000.00 for 3years fulltime efforts.In other words **WMMA benifited 95% more income than it gave out** excluding th eloans,advances and Tand E payments from the calculaton.!Proof that the Wellsletter was fraudulentand the comissiners werejotinformed ofit.pleaselet enforcement deal froma straight eck>>**

38]**HARDLY ANY TRUTH COULD BE DERIVED BY THE ALLEGATION REVERSE OF THE TRUTH AS IN THE WELLS AND COMPLAINT ALLEGATIONS.INFECTED IN THE FALSE,MISLEADING,UNTRUTHFUL AND DISENGENIUS ALLEGCTIONS CONTAINED IN THE WELLS LETTER .IT IS AND WAS INSULTING,FALSE AND FRAUDULENTLY MADE AGAINST ME;YET JUDGE MURRAY BELEIVED THAT CRAP AS THE ADJLS' ARE TAUGHT BY JUDGE MURRAY TO TAKE THE WELLS AND COMPLAINT ALLEGATIONS AS TRUE1 WE DONT THINK INDEPENDANTLY WHEN YOU WORK FOR THE VERY COMMISSIONERS' THAT INITIATED THE LAWSUIT BASED ON THEIR BELIVING IN THE TRUTH OF THE WELLS ALLEGATIONS! THAT TYPE REASONING GIVE RISE TO THE COMPLAINTS AND OIPS' ALLEGATIONS BELEIF IN / TO**

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THE EXCLUSION OF THE INNOCENCE OF A DEFENDANT . IT IS THE TASK OF EACH JUDGE TO MAKE FINDINGS INDEPENDENTLY AND THEREFORE COVER THE COMMISSIONERS BACKS FROM THE ERRORS!

39] They mistakenly made hearing reliance on the prosecution's allegations if unproven as here. Enforcement told Judge Murray at the hearing that they would need 2 weeks to present their case open and shut case!! She exclaimed 'WHAT' The point is that Judge Murray maybe seeing the light ;as there is no evidence to the allegations' in the wells and its contravened by the real facts. That is why Judge Murray's inability to permit a fresh start ran by a fresh judge and to permit a wells letter to not include the exculpatory evidence they had when the wells was issued and which contravenes' the wells allegations' needs to be given to me ,before i can respond to whether they repeated the **exclusions of material facts upon** which an initiation or non initiation of the complaint will be made. It makes no sense to go thru a year of submissions documentation if the documentation [The Wells 'letter] which the complaint was initiated on is proven false, wrong, fraudulently prepared and the defendant's response to it was not of my making IF JUDGE MURRAY WANTS TO SOLVE THIS CASE **SHE SHOULD SUA SPONTE REVIEW THE HEARING WHEREIN PAID THE CONSIDERATION ASKED FOR AND THE REMAINDER WAS POPPYCOCK AS MY INSOLVENCY BROUGHT TO HIS ATTENTION COMPELLED HIM TO LEAVE ANY CASH CONSIDERATION MINIMAL AND CONSISTANT WITH MY ABILITY TO PAY AS I CANT TAKE ANY FROM MY WIFE'S FAMILY LIMITED PARTNERSHIP AS IM SPECIFICALLY EXCLUDED FROM THOSE ASSETS AND AS HER POWER OF ATTORNEY ANY MILKING OF HER ASSETS WOULD BE A CRIMINAL TRESPASS IF I COULDN'T WONTON AN ILL WOMAN'S LIFE SAVINGS !and she is my wife who I love so that would make the action wrongful under GOD..YOUR MC Grath boy is a real deadbeat. He is a crook wanting me to invade wife's assets which are not sufficient to handle the rest of her life and protected by her inheritance from her mother and dad!! MYLANDHE DOES A 180 DEGREE GOOD FAITH TURN AND ASKS FOR 75 TIMES WHAT I HAVE! GREAT GOOD WIL LON THE PART OF THE AGENCY'S PROSECUTOR. Do you want to live up to the tenor and good will implicit on the settlement??**

40] At that time we believed the process was fair! Little did we know that the enforcement employees and ADJLS ' were extensions' of the commissioners' and that the adjls were violaters of article 2, and as such the commissioners' and adjls and enforcement were ,in dereliction each of their respective duties to the defendants, which they wish to hang based on fraudulent Wells letters as her recent [ermission not being granted to me makes her suspect that being properly appointed did nothing to make her reign converse to fair calls. Why should she deny a legitimate request.? Why shove a fraudulent document down my throat?. I appeal that decision and submit herin lot of fraudulent Wells allegations **proven by the exculpatory information i disclose hearing that is not subject to argument and that the new wells will include, if my motion is granted.** so that the commissioners know the defendant's and by this motion that enforcement repeat a new Wells letter containing all exculpatory evidence they previously withheld.. Now I know that Judge Murray, the

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operations leader of all adjls was sinking more and more into a fix for the very commission members' cases that enforcement had,as inferior judges' beleived that the Commissioners were right, as the adjls were in so deep with conflicts of interest they had to devise steps to carry the ball as if it were a "hot tamale "[Only judgefeolak resisted]and they were throwing it on defendants' plate to rid themselves of culpability.

41]I thought that this was merly a look alike to the federal district court Process.Now im tolled a new set off in house rules does grant authority **for the defendant to be prepared to represent himself in house.I believe the rules not guaranteeing that a defendant has a right to a lawyer to represent him is a violation of the equal rights amendement as SEC federal district court defendants' have the right to guarantee that a defendat is justified in being represented by a law firm SINCE MY INSURERS MONEY WAS STOLEN BY THE JUDGE MURRAY,COMMISSIONERS,ADJLS AND ENFORCEMENTS NON DISCLOSURE:**

42] **Elimintion of my right to a lawyer inhouse;Its'unconstitutional as the equal rights protection under the law does grant the SEC federal defendants' the right to be represented by counsel of their choosing as the SEC federal district courtdefendats receive!; Im not in shape to run a trial, [REDACTED], [REDACTED] and or [REDACTED] [REDACTED] 80 years old and this commission has all the medical records and my infrastructure is wearing thin by each day.Being a lawyer requires strength,it requires an organized mind which a review of my submissions proves I do not have any longer.That capacity is not within me any longer and therefore I would have a fool for a client by representing myself. If my infrastructure was that of a 50 year old,if I was free of the burden and pleasure associatted with satisfying my beautiful wifes needs and if I had asistants to cross index submissions and seek out the MIS systems combination on each issues factual allegations with the evidence and submissions of others required that my interests to defend cant be handled by me.I require a lawyer and this agency is required put the cash into my bank account,we all kow whathappend tome,whose fault it was and the intentions of the supreme courts lucia VS Sec findings,By their 8;2 verdict ,there is no hiding nor is there any doubt.Judge Murray harmed me and now judge Murray can make it up to me and prove she will differ from any enforcement person doing the wrong thing! Ms Kazon harmed me as well as the remining adjls except Judge Carol Feolak.Had mr McGrath talked to me and stated :**

.."hey Mr. Daspin were upset and wanted to know would you consider dropping thse claims and we sign mutail releases ...:

id have said" Kevin its my pleasure". You all have real problems on your plate.Of course I would but it was up to JudgeMurray to solve our problems and I do not want our President upset by this .,Lets get it over with and please consider putting my consultancy on Team America so we can reduce the cost to operate your very important work on the Madoffs of

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the world as the Daspins' of the world work honestly have no recidivism in 45 years and won every lawsuit as a defendant, because I'm honest, fair and a man of integrity. If I wasn't I'd have had several visits in the federal penitentiary jail but I did not have one federal court foray! The reason I'm honest, I don't lie and I'm not a sneek but my patience is wearing thin is that it turned a new leaf when I left in 1978! The proof of that is my spotless record over 45 years and not one complaint that the complainers' won in court. I'm too old for this rope a dop a..

42] Such settlement was facilitated by Judge Murray's request of Mr McGrath of :.. "what stands in the way of such settlement "

as I explained to Judge Murray that the enforcement had spent over \$1,500,000.00 while knowing from the financials being subpoenaed that enforcement knew and failed to bring to the courts attention that this was a **no asset case**; This was a grudge lawsuit instigated by William McFarlane who violated a bank's agreement not to participate as a buyer of the company he was selling for the bank! That's a real ..ed b..! them! That's a dishonest man, he comes from Scottsdale Arizona, paid the bank \$1,000,000.00! to get out of his violation of his word and non-competes; then when he was WMMA's president for 6 months and caused the downfall of WMMA by not paying attention to business and moving on young ring girls young enough looking that anyone of them could have held WMMA upon sexual misconduct charges and then he wants to be with Monica Pttya 40ish something tired war horse and she uses him to assist her in theft of \$5,000.00 by back billing an alleged breakup fee for her to provide event planning services for the next 2 months after the wounded warrior event! Despite which the WMMA schedule demonstrated there would be none!! It's tragic but his, McFarlane lack of character goes over the hill when he propositions her, in his email to her, that he would like to do lines of coke and she invites him to hallucinate as she is, she represents a great private secretary and he'd be pleased with her service. Then he defrauds a federal bank he was appointed by them to sell a foreclosed asset and he promised he would not directly and or indirectly be a buyer, he hid behind their back and was found to own 31% of the buyer when he represented the seller. He is a crook! He then settled for \$1,000,000.00 cash, than I caught him; McFarlane's 'whistleblowers', Teresa Puccio, a financial score by the agency paying her off to get the other investors to join the McGrath conspiracy attempt to use the system to make retribution because I would not let him rip the defendants off. His lack of character shows up when he perjured himself to the bankruptcy judge informing her he was never WMMA's President when we produced his signature with On Deand Bell south and Bell Canada as WMMA's President. I mean the man appeared on national and introduced himself on 3/15/12 as WMMA President!! but didn't want to admit he drove it into the ground and 2 nights before the televised event he totaled his car and was hospitalized. Leaving the company he led in the hands of the investor who had no experience operating a MMA event.!

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43]I agreed to donate my \$3,800,000.00 claims to be released by me in exchange for granting the SEC general releases and in exchange for my general release. Mr McGrath was fine with that and I wanted to leave these young SEC prosecutors with a way out for them. That is the reason that they should finish the lawsuit up now. If they want to vouch on the deal it is easy all they have to do is call me. Mr McGrath stated that was his objection and I agreed to capitulate it by signing a general release of and for each of the parties and with respect to all SEC employees being covered as released parties at the same time my release from each of the parties claims as against each other. The consideration asked for and agreed to by me became the considerations each party agreed to with the remaining stipulations and with no other considerations requested and or agreed to by the parties. **I motion for the above stay of the 11/27/18 SCHEDULING ORDER!**

44]I am filing this to ensure I am not in default. I sent my declaration to the Commissioners through Ms Kathy Shields on 12/7/18. If I had my druthers Judge Murray would not have filed it [Scheduling order] so that there would be no stress, but by not doing that she forced me to file this motion. **I am appealing Judge Murray's schedule that I've motioned orally on the record when she ruled her schedule would take effect and I indicted that the schedule would be implemented regardless of whether the parties had implemented the Settlement and signed the releases or not.**

45]Therefore I must go on record as the 12/7/18 is upon us and the order is unacceptable as my motions above request that they be stayed and the dates be moved over 1 year and be moved for her to recuse herself which she denied and appealing that as she is conflicted out of taking part in her not in line on my lawyers schedule and whether the SEC rules in house reflect that I can insist on a lawyer as I am not able to represent myself and the Adjs and enforcement owe me the money for the fraud they perpetrated on me and Judge Murray be stayed as the Supreme court's intention in the granting the Lucia decision that no one connected with the prior judgments be involved in the fresh start. That none of the submissions be used as that would represent bias. I know where Judge Murray wants this case to go against me; unless it was settled and that way she exculpates herself away from the wrongs associated with her sending 2 Adjs violators in to fix the case against me. Judge Feolak refused to go along with a fix and so he is not involved and more importantly being paid back for resitting fixing cases' as best she could! So Judge Murray can save the day by implementing the settlements good she can once again save the agency.

46]Since this appeal must be made against the scheduling order of Judge Murray and since I informed Judge Murray as this appeal must be timely made that I cannot provide the dates in her order as that's not a fresh start why doesn't she ask for a hearing by Jan 15, 2019! It's a good way to force a default as her Judge Grimes facilitated with her help by Judge Murray throwing Judge Feolak out when she ruled in my favor. Since if not settled she cannot be a judge in my case for the reasons recited herein below and which I agree to keep confidential if the settlement we made at her hearing and which I thank her for being its initiator and

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unless not settled in accordance with the settlement as agreed on the record as settled; I am forced to respond and so the commission, is asked will be responsive to my motions implementation, unless the stays are agreed by this commission and then no reason exists for me to go on record by the publication of these motions and the stays motioned for, if agreed to, also stay any responses by me being required and with an extension of all the timing requirements also extended for an equal amount of time plus 10 days to respond and or defaults as the end date will be extended to 10 days after the stay ends".or the settlement is signed by the parties

47]After analyzing what has happened here; its obvious that No defendant could have received justice inhouse as the deck was stacked in favor of the commission; that everyone worked for above and below board,except the defendants who obviously worked to prove the respective innocence.But the suggestion that the deck was rigged never came to my mind as that's what crooks do! Not United !!! President Trump wouldnt let his commissioners' defraud American citizens,eliminate due process and /or win a lawsuit by fixing a judge or 5 adjs judges.It is not his character nor is it the 3 commissioners President Trump appointed.! The deads perpetrated against me occurred under the Adjls that comprised President obama appointees and the 2 holdovers must recuse themselves as they would have an interest to find me guilty if the case doesnt settle!

48]It is my belief that the properly appointed adjs have financial liability from the 150 defendants'. Whether he and or she was eliminated from a particular defendant does matter if between all 5 adjs they know what to do with the innocence or guilt and they speak to each other for covering eachs prior findingsand unfortunate associations SEC enterprisemembersinthe coverupandin the conspiracy and collusion to deny defendants their constitutional rights. Thats a felony charge..

48]I need to receive the return of the litigation fund the litigation fundand imotion for itasi didinmy vacatemotion stillunanswered..The pace she wants to work it proves she has no heart as she knows im 3 years [REDACTED] than when Judge Feolak found i will be irreperbly harmed if forced to testify so instead of going lightly on me her actions are not treating the case as new,me as an elderly sick person who informed her i can no longer be Pro see and that before a schedule is made the lawyer replace me and no default be permitted until he/she is selected for representation .

i havent even retained alawyer as i don't have the money as enforcement ,judge Murray and theMaryJoeWhite commissioners defrauded me to use it on fake adjs whithout informing me it was subject to the contingency that the adjs were article 2 violaters;' that id have to accept the case on my own risk like the WMMA investors agreed to accept the risk of loss of entire investment or don't invest.. Its comical im being sued for not disclosing that the risk was of loss was present .It was present to investors in the risk section;Yet the SEC did not disclose the facts that the adjs were violaters.!

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49]I cant in the time required answer the complaint and noticed Judge Murray at the hearing that the new Wells was needed and that my lawyer to be retained would not do until proved by the court and the money to pay was in my hands, I charge that she unfairly denied my motion that in this case a fresh start start at the wells letter as it was fraudulent prepared by enforcement and ; did not contain the exculptory evidence enforcement had when it wrote that ridiculous, disingenuous wells letter. The document missing by reference was Mr Luxs deposition admitting the board resolutions, controlled wmma, not me; that i was a consultant not a Defacto ceo, mthat I was not and or officer and or shareholder of wmma and that Nwugugu wrote the ppms lions share as Mr Nwugugus Chartis insurance claims admit! claims he wrote 100% of the ppm, that he was the better writer and a CPA, MBA, Sr vp and compliance officer of WMMa and not me .Nwugus admission contravened the main points in the complaint with Luxs deposition and with the wmma ppm which was misquoted by the complaint. In fact the wells letter contravenes the wmma complaints control allegation as the employment contract proves all employees reported to either the WMMA board Mr Main and or Mr Lux and not me! The Brady demonstrates that the oct 31/11 unaudited compilation non gaap balance sheet was not exaggerated but conservative as Beryl Wolk agreed that he was offered \$90 million for the mc database and mkmas appraisal for \$83 million was conservative contravening the complaint inflated allegation which I also appeared as the Texas boxing commission wanted it financial statement before permitting wmma to be given a license to hold a wounded warrior event.!

50]In fact the PPMS pg3 and 4 demonstrated that no investor can rely on my and or anyones representations about WMMA Unless its' contained in the PPM and then only to that extent. The investors were mostly MBAs' running treasury positions in 8 billion hedge firms, \$30 billion AIG divisions, and 10 billion public utility companies' and the rest were ctos of Avon products [nyse]; vps Abc sports, doctorates of medicine chiropractury etc. all warranted they were accredited under the oath and that they each read the WMMA ppm cover to cover! In addition even enforcement admits ALL INVESTORS WERE INFORMED OF MY FELONY PRIOR TO INVESTMENT!! had no control as i gave it up when my wife divested her shares in WMMA Holdings and when I [CBI] sold the WMMA service contract to MKMA!..!!! ON Page ¾ it states:

..."That for investment purposes any unaudited financial statements not to be relied on with respect to investments and that if unaudited, non Gaap., and compilation that disclaims validity no one can consider it valid and it was for internal use only!"

.."that no one is authorized to rely on any persons' representations if different from the ppms' so no investor could allege that I or anyone gave them false testimony or representations as the company disclaimed them in the PPM! unless contained in the ppm; yet all Mr McGrath's witness can only make oral representations of my alleged representations as I did not violate the disclaimer and the investors that allege that they

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relied on any representations from me would lose hands down as it is demonstrated, the evidence proves that the majority of the investors led to be able to invest; that each investor's contracts did prove that any reported to mean that they were all informed the company was a first stage startup losing money and that it had no other investors that indicated they would invest and that no reliance could be made that WMMA would remain in the business and that they should be prepared to lose a portion and or all their respective investments

51]. There is no case except the sophistry of the WMMA investors all proved to perjure themselves, and Mc Grath enforcement allegations which not one document to prove the case they fabricated to nail a 45 year ago felon who has no recidivism in that time! That my track record backed up by 2 bankruptcy judges findings that I was innocent and or that I should be WMMA's trustee and that I contravened each and every SEC allegation in the WMMA Chap 11 so she gave the company back to me!, There were no promises, and I had no control nor could I and or MKMA bind WMMA. In fact **WMMA milked the resources of MKMA**; not the other way around as the Wells letter indicates!, **MKMA forgave a million dollar consulting fee** for the IMC contract, MKMA invested together with my wife over \$4,200,000.00 in capital fully subordinate and with no opportunity to force any fee payments from WMMA in that the **service contract provides: WMMA the right to defer any payments if in WMMA's sole management's opinion, WMMA would be negatively harmed** by making any payments/DOES THIS SOUND LIKE THE WELLS LETTERS ALLEGATIONS? Of course not and that is the reason enforcement did not inform the commissioners in any of the exculpatory evidence, as to do so would eliminate the commissions initiation of any complaint. I am the bad boy forgiving a million dollar fee against my own company's financial interest, permitting a deferred capitalized WMMA obligation to MKMA to build up to over the entire amount of investor equity! **Does a milker do that? Forgive \$1,000,000.00 leave alone a \$2,200,000.00 obligation WMMA has to MKMA not to be paid.** If that's milking please do not tell that to the investors as they will want to invest more knowing WMMA largest vendor capitalized more equity than the investors collectively invested!!. still is obligated to make MKMA payments totaling over \$2,200,000.00 on an ongoing basis. That's about equal to the total subscription of all INVESTORS OF WMMA. So that the evidence disproves the investors, the sophisticated Harvard MBA investors' allegations! The risk section in the **PPM informs WMMA is losing money and no assurance it can raise any more capital and The investor must be prepared to lose their entire investment as it's a first stage startup** and that the IMC databases has not been operated yet and if its website does not provide the enhancements which thus far have not been effectuated then the website will fail and the database will be useless and irreparably harm the company and it will go out of business; the Sec affirmed that:

..."3 of the 6 WMMA investors perjured their accreditation warrantee in their respective WMMA subscription agreement..."

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and 4 of the investors and MAC Farlane purged themselves in submitting their own declarations in WMMAS Chap 11. by omitting material facts about alleged control allegations and by their leaving out of the declaration that the company was "in the clear: by not filing 1099 for MKMA income! allegation that I directed Sullivan to omit a 1099 statement for mkma, falsely alleging I "DIRECTED SULLIVAN" to commit a IRS fraud for WMMA when the dishonest shareholder meeting taped by the investors specifically states that Price Water..and Kpmg partners stated WMMA in the clear by not filing a 1099 ! They left the omission out making it appear that I directed an IRS fraud to be perpetrated by my alleged WMMA/Sullivan control! These are the scumbags that Judge Grimes consoled when he found me guilty in absentia NO LESS!. Is this what this new commission wants to uphold and permit the agency to defraud me, to call a red a black and a green a white and to call me dishonest when my track record has been spotless for 45 years. No recidivism just 50+/- claims all of which were defeated over the approximate 40 years of my reign as a merchant banker not one lost case! [Even Goldman, Prudential and my other competitors can't match that which disproves the allegations against me as only an innocent person can maintain a 100% WIN RECORD!

52]. I can't give Judge Murray my answers to the old complaint as the exculpatory evidence neutered the allegations as the Wells enforcement submitted was done so under fraudulent allegations which the division held exculpatory contravened. All I can say is every allegation of wrongful conduct on my part contained therein is false and that the division and its' leaders as Ms. Kazon knowingly omitted material information, made false representations as if fact which the exculpatory information contravenes and that they purposely withheld the evidence and inserted the script that they and the Newco Enterprise members [WMMA Investors' and other related person[s]] knew was false when made! What she wants in the time she wants it as if there is urgency when she participated in defrauding me by inserting fake judges that took 4 years of my time; when even Dodd Frank rules provide one year. Judge Murray doesn't have the authority to overrule the Supreme court orders' intentions. Judge Murray is in up to her hips ! I was pleasantly surprised when I heard her delivery to find she was a delightful soft spoken intellectually challenging person of logic! YET her posture as the presiding judge leaves her legitimacy out of the Question! She is more like the head of the inquisition. A disciple of sophistry, an adji that had the power to use the constitution as the bible but somehow adopted Dodd Frank; knowing that its not used constitutionally to uphold the law, rather used to deny defendants rights to find innocence ! Just because the process is headed by the label of enforcements propensity to assume guilt. No one in America can enforce a defendants innocence, deny due process, deny full discovery, deny a jury and the right to a dismissal and the right to equal justice under the law and be thought of in terms of equality, of justice, of an even playing field to prove independence and innocence and in their place an adji must find guilty as its forgone conclusion that only guilty defendants will be earmarked for the Inhouse Hell a defendant faces once the inhouse price tag is put on his/her head! When the in house system makes a mockery of the law, harms our citizenry and proclaims defendants guilt prior to any

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hearing!!...Judge Grimes stated in the face of a finding of fact by Judge Feolak that id be irreperably harmed if forced to testify.:

...“if not for the oip allegtions id have considered and extension of the postponeemt...”

Meaning In that context that:

“I know if your not guilty you would not be asigned to inhouse youd be in the federal district division wherin you receive the constitutional rights; “

;therefore I Dont care if you live or die im dissolving the postponement sine die and calling for fast hearing..”

53]JUST LIKE JUDGE MURRAY HAS SCHEDULED HERE!KNOWING THAT SUCH A SCHEDULE WILL BREAK ME AND OR KILL ME.i CANT HOLD UP TO THE SCHEDULE AND EXPLAINED THAT ON THE RECORD,In Deed a repaytitionof the litigation fees spent of \$1,000,00.00;because of the fraudulent inducement made by enforcement,judgeMurrayand the other adjls Going along with the adjls and commissioners[Those under the HON MaryJoeWhite] and wether you live or die is of no concern as I know your guilty by being assigned to this dead end.If the Commissioners’ hear the first appelante motion and rule on it there is no way to obtain an meaningful judicial review as an appeal to the circuit must be motioned for and is not automatic! prior to any hearing.All this is carried out before her and all this must be stopped.My case is great as my fellow defendants’ are innocent until proven guilty and cant be proven guilty if there is a guilty verdict that was made by the very enforcement divison hiding behind the commissioners’ rights’ to find guilt before a trial and ask the adjls to enforce it.Thats’ the disservice DoddFrank has created on our fellow !!man and woman!Her response to my opinion was the case is from2015. I said that’s your fault your honer and the adjls proving that the one year promised to congress was a lie.It was admitted by the WSJ statistics So the Supremecourtsorderof a frsh startanditsimpositiononthe caseload of the adjls was shunned byJudgeMurray rtking away thelast right thtof dueprocessand thatof providing the defendat the time to gethis case together.This acelarated schedule means that judgeMurray wants to kill me knowing i cant keep up and will go in a contemplated default as its taken me 20 days to prepare the initial declaration.!My lawyer if repatriationof the litigation fee is approved,will go for naught as He is limited by the speed andor lack thereove of my assistance and that’s limited by my illness,my wifes illnes,my assuming the role of nurse,housekeeper and cook and dog keeper,on the same day and every day and then I wake up at 2am most times and try to go bck to sleep at 4am and then awaken at 5:30!No one in my position can kepup whith her schedule.I need the stay so that I can dispose of this case one way or the other.I must to keep my wife from harming herself getting out of bed!The same dayJudgeMurray refused to provide the hearing transcript despite her knowing that I don’t have the money for it as she informed me itsnot in the rules.Those SEC rules are unconstitutional for the reasons I mentioned above.

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We have many barriers to overcome or give me a dismissal as I've lost 7 million dollars and indescribable witness in the interim to properly defend myself and disprove any investor allegations. I ask for a dismissal for all the reasons in my prior submissions to this commission. I also add to it the despicable bullying mean spiritedness evidenced by Mc Grath's use of the government's powers to coerce and punish me for my being emotionally attacked by his use of the government's power by calling my wife who he knows has Alzheimer's by subpoena to get even with my position about this being the most abhorrent despicable coward who threatened to harm my wife knowing that she is so ill as any attempt to prove her mental lapse is the use of the government power, not to find any helpful knowledge but rather to say: \..; right Daspin you won't protest and you'll submit to my bullying or I'll take your wife and harm her mentally and emotionally by asking her questions that she won't be able to answer thereby turning her head in the air and harming you!??

54] I say to that I'll never speak, write, visit or talk to that despicable humanoid again. I'll ensure that our President knows of his character or lack of it bullying 80 and 77 year olds using President Trump's power to subvert justice, to coerce a guilty confession out of an innocent man who 4 times has asked for a lie detector to prove that I wasn't in control, not in the milking business, not authorized to bind WmMA and that I did not participate in any wrongdoing or commit any wrongdoing as the complaint and Wells letter allege and which is unsubstantiated exculpated by the hard copy exculpatory exhibits I referred to including the Brady, the Nwugugu chartis claim, the Lux deposition, the review of the WmMA PPMs, the employee contracts, the financial WmMA records and Daspin inputs vs outgoing cash flows! It proves that the Daspins' invested 12 times more capital than it received on account of loan and expense and startup repayment! This latest McGrath coercive subpoena action against my wife to purposely inflict emotional harm against me was the last straw and no amount of after thought will ever erase his lack of character. No wonder President Trump's son in law left the Practice of law. When you see and feel the harm like I did you want to run the other way. God will punish him! His conduct and or lack thereof only goes to demonstrate the immorality of enforcement, the hate for me and use of taking out on my wife as a leverage against me only goes to prove the illegitimacy of the prosecutorial misconduct collusion with Judge Murray as his invoking the subpoena powers of the court makes him an accessory to the fact. After a day thinking about what his subpoena would prove about him he then tried to back down stating that he might reconsider my wife's subpoena if I proved she has Alzheimer's!!!!, I took the oath and if he thinks that his attempt to retract means anything except one of his compadres must have informed him he has exposed his inner immorality he is as crazy as the Mad Hatter! The reprehensible character of threatening my wife's mental peace to get at me won't ever happen.

55] All Mc Grath's actions do to me is I want to destroy him legally and the agency is responsible to have hired him! He is a moron, as he knows that \$1,000.00 bank account cannot produce \$75,000.00 and the only other source of the fund, as the notarized oath I submitted to him a week prior was my estimate of the value of the clothes on my back for

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the four seasons to wear! \$5,000.00 on clothes. He also knows as my wife's power of attorney, I can't violate my fiduciary to her and use her assets of \$40,000.00 cash and her home equity estimated at \$250,000.00 after brokers fees so far the market 3 years and the price when advertised has fallen by \$350,000.00 so far and no offer in sight so it's not selling anytime soon as the next listing is on the market 600 days and reduced the selling price by \$500,000.00! Then she and my daughter have a family limited partnership holding \$140,000.00+/_ and it's not attackable as it's protected and the funds in it came from my wife's inheritance. In addition, I owe my wife as a guarantor on stock sale over \$500,000.00 and her entire estate's value is less than that! If I die first she will need every cent of what's left to survive in an assisted living home.!

56] Mr. McGrath knew that I did not have any money before we settled on the record as I informed him and the court that fact and he still thereafter settled on the record. As on the record I informed him the only thing I could give him was a small portion of my SS PENSION! He accepted that fact subject to my providing him a balance sheet and cash flow availability which both I provided him and showed negative. Therefore he was only playing with me and gave me a deal I could never be capable of meeting unless I stole from my wife's assets!., I ask this commission to enforce the settlement!! That ends the case with dignity. Mutual releases'

57] Due to the omissions of these material facts in the Wells and which carried over to the complaint and with respect to mention in the Wells of the exculpatory evidence it's similar to a grand jury examination where the prosecutors leave out the exculpatory evidence to get an indictment and her enforcement left out all the referred to above errors, omissions statements' facts that were not facts and misrepresentation of fact based on the exculpatory evidence they had when filed the Wells letter we must go back to a were write of the Wells so my lawyer can address that or this new commission can see no merit in a complaint being sued. Without a fresh start the illegal commissioner Division enterprise will not be given the open air of justice and the complaint will be considered as a valid picture of non-existent facts as herinabove disclosed.

58] THE DIVISION CANNOT CONTRAVENE MY STATEMENTS OF FACT IN THE ATTACHED BY REFERENCE MOTIONS TO VACATE AND DISMISS MY , MOTIONS FOR REPARATION OF MY LITIGATION FUND FRAUDULENTLY INDUCED FROM ME BY THE COMMISSIONER, ADJLS, AND ENFORCEMENTS KNOWLEDGE THAT MY DEFENSE REPRESENTERD THEIR COMBINED ABILITY TO DRAIN MY TIME , MY ENERGEYS AND MY LITIGATION FUND KNOWING THAT IF THEY WERE CAUGHT THEY WOULD HAVE TO PAY THE PIPER. NOT ME THEM; THE TIME TO CORRECT THE CATASTROPHY . THERE WILL BE NO OTHER TIME. I KNOW THE COMMISSIONERS WILL PROVIDE NOTICE TO OUR PRESIDENT OF THE PARAGRAPHS HERE THAT PROVE TRUE AND THAT THIS CASE MIGHT BECOME THE SPRING BOARD FOR ALL INHOUSE DEFENDANTS TO OBTAIN THE JUSTICE WE ALL DESERVE. GOD BLESS OUR PRESIDENT AND GOD BLESS THIS COMMISSION

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59] I asked Mr .McGrath ,in my vacate motionand hianswer proves that he could not contravene any of my factual statements!!!.This commission is motioned to pay me for the theft of my time if not settled. to contravene my factual statementsmade by me in my vacaemotion to demonstrate the falsity of the wells and complaint allegations' which facts.He could not come up with one fact!THE REST OF THE WELLSIS A LIE,THAT THE RES OF THE COMPLAINT IS A LIE,THAT THE WMMA PPMS WERE NOT WRITTEN BY ME AS Nwugugu swore under perjury and admits he wrote100% of them in his Chartis insurance claim; that Luxs' deposition disproves enforcement allegstion that I was a wmma control persons or Defacto ceo and/or a director or officer in the time frames associated with WMMA's demise and that the Newco enterprises collusion and conspiracy merged with the McGrath enterprise that merged with the SEC enterprise therby committing 151predicate acts of theft by deception and fraud; inaddition with the separate newco theftsof wmma assets and theft of trademarks and 10,000 wmma t shirts ther are additionalenterorise tortsof 4times added to the 151 predicateacts from 2013-2018.

60]I motioned that the inhouse ;proceeding should be dismissed as it **violates the equal rights ammendment to the constitution**; in that all inhouse defendants do not have the same auomatic right to appeal to the federal circuit courtjudges utmost do so bymotioning for that right.Wheras the Defendants' in SEC cases in federal court have that automatic right and therefore in house defendant that appeal and in which the commissioners' heard the matter under its first right of appeal and after the commission rules' against the defendant the defendant hits' **A dead end to obtain any meaningful judicial review by the circuit court**; as it is not an automatic right for inhouse defendants;but is for Federal district court defendant cases! The inhouse defendant receives an **unequal right as WE must motion for the privilege** ;with no assurance our motion will be approved by the circuit court;**therby losing our right for meaningful judicial review**.I move that the commissioners abandon all cases in house . Therefore under the equal rights ammendment this **inhouse proceeding is unconstitutional** and should be dismissed .required to hear the matter.

61]I also motion to obtain the benefits of my prior motions'to vacate and make compensatory restitution for the theft of my time as my motion for summary disposition and vacate has been answered by the division and judge Murrays' conflicts' of interests have nothing that she can rule on as if she rules in my favor her ruling,in my favor automatically makes her liable for all the other defendants cases wherin they all lock on to my motion[s] to be brought against her; as she controled the scheduling and she **had a fiduciary not to appoint any adjl** that was a violater of article 2. She has an unwaiveable conflicts and the Supreme court, by its finding in Lucia vs SEC, already found her guilty in essence they ruled that each and every case should not have been heardby a article 2 violarerajland that only a disinterested adjl take the cases.Sheisnot disinterested as we proved hearin; thereby making incumbent on this commission to settle this defendants' claims! There is no longer any reason to nohear the motion or to settle this matter as she

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ruled with With knowledge aforethought; she did make thousands of appointments' betting that the a court when proffered to saw the need for justice for the people that the rule of law not be tempered with by democratically controlled amendments that pervert our due process and by so doing voids' all the justice we love about our constitution which finds all of us innocent until proven guilty.

She is guilty in the sense that her taking time, stealing it knowing my innocence as a person must be stupid to accept the oip alleations against me as true.!

62] There is too much exculpatory evidence included herein and my other submissions to this commission with respect to vacate, dismissal and the motions exhibits' mentioned herein and above & in 2,300 Bates identified separate documents which when taken together contradicts each and every Wells and complainants allegations. The willful theft of my time and with enforcements' collusion in the conspiracy to hide the ADJL violators' of article 2 violations which damaged me.

. However, I must inform you she settled the case as the record on November 19, 2018. at the last hearing will reflect as when she asked Mr Mcgrath "what is holding up the settlement "as I had informed the court that enforcement knew before the Wells letter by subpoena of all defendants' bank, brokerage and other accounts that Not one defendant was collectable and by not informing the commissioners' in the Wells they defrauded the commissioners to spend needlessly \$1,500,000.00! Do we want to go around another time ? Not me. They defrauded the commissioners as all defendants were judgement proof or oclose to it. and because of the Wells letter avoiding that disclosure the federal government spent over \$1,500,000.00! President Trump will love that or hell fire many SEC employees for Gross negligence. Now Judge Murray's input created a settlement and any amount to be paid in cash was to be consistent with the defendants financial capability as evidenced by Mar Lux payment of \$0.00 and Mr Agostini who generate \$100,000.00 a year at \$10,000.00 down and \$500 a month up to \$25,000.00 with cash flow of \$20,000 positive a year

63]. Compared with my negative -\$10,000.00 year! and if I paid half my wife's home costs a bigger —\$50,000.00 a year. We are over extended and her combined net assets are less than the \$500,000.00 I owe her and her assets are her inheritance. My obligation to her come from my guarantees on shares I purchased from her in 2008 and at \$350,000.00 at 5% amounts to \$500,000.00 I owe her, and her net assets are less than that at present.. In addition to being a bully and coward and coercive government agent M Mc Grath suborned the perjury of Mr Agostini and or tried to do it. But Mr Agostini has character and would not submit. Would you believe that and the Neanderthal man used Judge Grimes default judgement voided by the Supreme court, of \$2,900,000.00, as a negotiating concept!! He was trying to show me that the impossible to be paid \$75,000.00, was a real deal, in comparison! **What the fool forgot was that the amount had been set in the settlement as a small portion of my SS; if I had no positive cash flow and/or assets.!! Mr. Mcgrath still does not know the negotiation was over in front of Judge Murray as the parties had reached an understanding based on my assets or lack thereof and my cash flow, negative by the lessor**

[Type here]

of \$9,000.00 or negative \$50,000.00!. I can't afford any more costs so please obtain the hearings settlements transcript! that will confirm the understanding. discussion Judge Murray has the tape! The man has no common sense. He can't negotiate as he does so from a bully power player perspective threatening me with a \$2,900,000.00 instead of logic. I'm amazed he has not yet been murdered. That's what he is trying to do to my wife!! His posture proves that instead of being happy he is a depraved ice age man. I agreed to give the \$3,800,000.00 in consideration and whatever my financial showed I could handle consistent with prior SEC deals if this commission wants to call it a day as I do. I call Mr McGrath's bad faith breach and **I motion the commission do the right thing.** I'm fine with it or else let's make findings on my motions! My net worth adding back in the \$3,000,000.00 plus the of \$11,400,000.00 was given up but I truly owed that. I ask that if this commission wants to keep this law suit in play it pay me that and [REDACTED] to a charity of the commission's choice \$2,000,000.00

64] I therefore request a dismissal of this case if my vacate motion is denied. [REDACTED] and if the Commissioners' do not vacate and then does not dismiss, and then does not make restitution of my litigation fund and if this commission denies my summary disposition requested in my vacate motion to grant me, because of the theft of my time, a summary disposition for \$2,800,000.00. [REDACTED] [REDACTED] [REDACTED]

[REDACTED] responsibilities I need a trust as I now make a motion to restrain any future hearing[s] unless I'm given the \$1,000,000.00 refund litigation defense fund so that I can have a lawyer to defend me thereby reducing the stress.

65] In order for me to eliminate the Conflicts of interest the adjls and old commissioners, under Mary Joe White, have I motion and request the mandated Federal district court jurisdiction; if the aforementioned is denied that I motion that this case be dismissed, and as I cannot represent myself as I'm to [REDACTED] and don't have the guts, literally, to take the stress of being pro se anymore. I explained that to Judge Murray and she doesn't get it. If my motions are rejected I'll file in federal district court if I can have the strength. I will then motion to consolidate this SEC action as under entire controversy the place for litigation is truly the Federal district court before a jury. It will take me a month to file it but at least I'll get a fair shake. **The inhouse is still unconstitutional for the above stated reasons and a dismissal or change of venue is requested as my motion requests here and now.** If the other motions Judge had the audacity, on the record to accuse me of hiding behind my wife when I plead the facts. Now the repulsive coward, Mar. Mc Grath threatens me by his subpoena of my [REDACTED] [REDACTED] IS this the conduct that you and our President will permit!?!? I have been found, by the HON judge Carol Feolack that if I'm forced to testify I will be irreparably harmed. I will be irreparably harmed if forced to testify and or defend so that I cannot any longer tolerate the pro se stress and **I also motion that my case be refiled and or assigned to the federal district court in New Jersey as, if and when I am awarded the defense litigation fund**

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66]There is ABSOLUTLY NO DAMAGE THAT THE AGENCY CAN INCCUR BY HAVING THIS CASE BEFORE A FEDERAL DISTRICT COURT JUDGE WHERIN 500 SEC cases are already filed.Indeed judge Murray acted as a conflict of interest adjudicator ; she knew she had such REASON TO BELIEVE THAT SHE WAS IN THE DIRECT LINE OF FIRE for MICRO ENGINEERING MY CASE,APPOINTING NOT ONE BUT 2 SEPARATE ADJLS' appointments' violaters' and she cannot in good faith deny her direct complicity in my prior case before the Supreme court spoke and insinuated that the adjls that violated the appointments clause and the commissioners whom permitted such violations must be punished by ordering them to provide each defendant so illegally tried to be retried by new judges so that the adjls will not have any nbias against the defendats they participated in illegally trying as article 2 violaters.In effect the Supreme court was ordering a fresh start as in JudgeMurrays order to the 150 defendants Inthat respect judge murray does not constitute a fresh start but instead is tarnished by the same bias she previously participated in the administration of the adjl violaters and was a violater herself causing the inconvenience to defendants and the theft of eachs litigation funds' as here.In effect the United States Supreme court also punished from the government perspective the SEC employees ;but remains a right to be made whole by its own legal persuit of the damages each sustained as a resut of defendant abuse in which all Sec employees to a lessor or greater extent participated in damaging evey defendant so harmed.That is the reason that from a defendants' perspective I have the right to complain,sue and litigate in a different domiciled juristictionvenue.

67]Now I understand from Judge Murrays' last hearing with meand the 3prosecutors team .I voiced my opposition to 3 against 1 and was given the settlement position as Judge Murray stated that she would only let each prosecutor talk at anyone one time; as if that made the odds equal as it was 4 people talking at each time; so that while they had a one on one upsmanship it was in reality 4 against one as 4 people cant talk at the same time anyway ;and what was worse Judge Murray knew [REDACTED] and that the stress from the litigants' [REDACTED]!.Judge Murrays; compromise did not make a 4:1 fair as after my response to the first prosecutor the next one could counter my answerand the next one after that could try to contrvene any response I gave the third prosecutoer etc !! I let it go as JudgeMurray has a very sweet side in her delivery.I was and am impressed.I than asked her to apologize; which I still have not gotten from judge Murray.As for Mc Grath goes there is not enough time in eternity for him to apologize and ill be waiting at the door of St Peters when I ask the lord for pemission to live in his Kingdom.Ill go for first so byn the time Mc Grath tries to get in the Angel Michael will bar his send him down!

68]However I explaind to Judge Murray that my wife had put all my legal and other files into garbage as her [REDACTED] that some old files were important to save for me and that left me high and dry for all document so this case and the 50 old boxes for taxes ets as the realtor asked my wife to clean the basement up to sell her home! she took it literally.I informed the judge murray I WOULD NEED MUCH MORE TIME THEN THE PROPOSED SCHEDULE order she indicated she would sign.Once again the enforcements

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unilateral scheduling which would not give a healthy rabbit a fresh start and Judge Murray signed 3 month schedule while EVEN DODD FRANK GIVES US ONE[1] YEAR. I EXPLAINED THAT MY LAWYER [WOULD HAVE TO PARTICIPATE IN THE SCHEDULING AS I COULD NOT BE A PROSECUTOR AFTER THESE MOTIONS WERE HEARD AS I WAS AND AM MORE ILL THAN 3 YEARS BEFORE WHEN JUDGE FEOLAK GAVE ME A FINDING THAT I WILL BE IRREPARABLY HARMED IF FORCED TO TESTIFY [AND OF COURSE TO BE A PRO SEE.

69] If Mr McGrath wants to continue when I agreed to the boiler plate release transactions which was his excuse for not settling; then I removed them and he has the transcript of the hearing. Hear the tape and this is over. Its implementation will save another million out of its uncollectable pocket and in addition settle with an innocent man! However Judge Murray was explained by me that I can't file an answer of the Complaint as all my documents are non-existent. 5 days ago she explained where I could find it! In addition the answer may take a month [SHE RECENTLY POINTED OUT WHERE I CAN FIND IT 5 DAYS AGO. IT WILL TAKE ME A MONTH AND THE WELLS MOTION TO BE REVISED TO INCLUDE THE EXCULPATORY EVIDENCE COMES FIRST. THAT WELLS INCLUDING THE EXCULPATORY WILL GIVE THIS COMMISSION REASON TO DISMISS THE COMPLAINT AS IT WAS BASED ON A FRAUDULENT WELLS THAT IVE DEMONSTRATED WILL NOT STAND UP TO THE EXCULPATORY EVIDENCE.,.

70] I need a restraining order [TRO] FOR [REDACTED] UNTIL I RECEIVE THE LITIGATION FUNDS AND THEN HE WILL FOLLOW UP WITH THE WELLS MOTION UNLESS GRANTED. If granted I believe this new commission will NO BILL ME OUT.. I hereby by reference include all prior vacate and other motions to the commission that I've submitted as if attached and made a part hereof by my reference herein.. I motion that this commission order that my litigation funds used be returned to me ;so my lawyers defense can ensue in a timely manner consistent with the law. due to the conspiracy to hide from me that fact that all its adjls did not have the right to judge me as they were each not article 2 appointed nor did they have the authority to hear ! and they all conspired and colluded with enforcement to trick all 150 defendants collectively 151 predicate acts as members of the Sec enterprise and Judge Murray and Grimes also became part of the Mc Grath enterprise which had been joined by the McFarlane Newco enterprise to aid and abet each other!

71] I motion for the Million dollars now. if denied request a final decision so I can appeal as not to do so would irreparably harm me as it will cause me to default as I need counsel and Judge Murray stated that the old commissioners had the gall to change the Sec inhouse rules "that now don't provide the defendant the right to an attorney of their choosing. I believe that such rule is a violation of the constitutions; equal rights amendment as the SEC Federal district court SEC defendants have the right to counsel representations and now inhouse does not THAT IS UNCONSTITUTIONAL ! I MOTION: THAT THE NEW SEC RULES EXTRICATE THE VERY IGNORANT AND ABUSIVE EXTINGUISHMENT OF MY RIGHT TO

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COUNSEL.I CANT DEFEND MY SELF FOR ALL THE REASONS CONTAINED IN ALL MY SUBMISSIONS TO THIS COMMISSION WHICH BY REFERNCE I ATTACH HERIN AS IF ATTACHED BY REFERANCE HEARTO &HEARIN.

72]I cant answer the DEC 7 18 response required in judge murrays schedule asive spent thelast wekk on this submission,to settle and to explain the reason that the SEC will waste lots of money by putting me in default knowing [REDACTED] and that i had to submit these motions to appeal the final orders of judge Murray and the remaining issues she cant rule on because of her un-wavable conflicts of interest.She just doesn't get it or wants a default of me!.Nor could i have the time period JudgeMurray allocated! I informed her of that fact on the record and She still made a schedule I cant perform under asi need a lw firm for medicalmresons,slowspeedofan elderly defend and not enough timeinte day forme.Imwillnot have hertattck as Judgegrimes ordered me t haveby his reful toobey the findingmof factofmjudegeolak.Now we have cutsy bou<Mar mcgrath wants a subpeonawhenim tooil wont brlng my wife And cant attend as she must be carred for.[IT JUST DAWNED ON ME ! IS THIS COMMISSION REALLY GOING TO GIVE ME THE LITIGATION FUND WHEN THE SETTLEMENT STOPS THE DRAIN ON EACH OF US!]

73]President Trump will crucify this kid using our government money instead of living up to his settlement in good faith!.Will you pay a\$100,000.00month as that's' my calculation with s,g and a variables allocated government budgetary costs of this case or try to collect \$75,00,00 from a man that doesn't have a\$1,000.00!Is this our country men im talking to?

..".Lets get Daspin even though he gave us what we wanted and thank JudgeMrray for itasmy finacails demonstrteis 75 time more than I have and hold out for a judgement againt an uncollectabe defendant whom is innocent and will file a counter claim when the judement is persued!!Is this enforcements great decision!?? a decision wants me to pay or he will punish the government to spend\$100,000.00 a month! Is that the logic.and he loses the \$3,800.000.00 that im owed and ive asiged to,my wife for the damage i caused her with my retention of 25%! As a counterclaim. Does it make sense to use ??cost youlose \$100,000,00. A month when himi gave him what he wanted!!i don't get it i swear ill be interested to see what happens here. I need a law firm as i cant remain a prose for health reasons.ive explained that as the stress inhouse from a short cycle time[3months!!IFOTGIVEN CONSIDERATION [REDACTED] BE PUT INDEFAULT..

74]I ask for a TRO in this matter for the reasons recited in my 1st submissions till im blue in

[REDACTED] look for 24/7 [REDACTED]
[REDACTED]
[REDACTED] 80,have a [REDACTED], [REDACTED]
[REDACTED] and [REDACTED]
[REDACTED]
[REDACTED] DON'T WANT ANOTHER]

[Type here]

By settling and then not wanting to bebound!

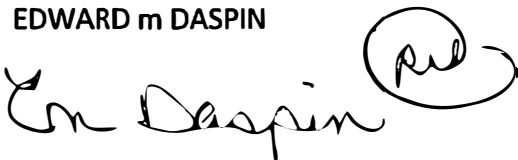
75]i also motion thatThefresh starrWellsletter be redon if the commission refuses to aide by my settlement motion be enforced !as i went before commissioners that hid the appointments clause volation and were in bed with the enforcement and adjls' and this new commission does not be taineted as it was not the commission I had at the beginning of this matter and came in after the lucia was filed but before the Supreme court rule as i recall.Also President Trump informed me he was woking on a cure and that took time so they were doing the right thing in my estimation!. If not accurte i eliminate the 3 PresidentTrump appoiijtees from any claims from me.as they knew not what had gone on before and I also eliminate adjl Feolak from my claims. **That way I motion they they deserve a Wells that includes all the exculpatory evidence and I deserve it as well as im sure that the commission wont intiatae a complaint and that is a dismissal of sorts as it proves that if the accurate disclosures had been made disclosures in the wells no intation of a complaint would flow therfrom.**

76]I then motioned that my case be vacated for the reasons in the vacate motion that is before the commissioners except 2 of them are holdovers making the entire commission suspect if they don't recuse those 2.Then My motion for a federal district court to hear my case with a jury trial as all the actors up and down are and or were in association with the conspiracy and collusion except the 3new commissioners and the relationships they have had for 2years would give the appearance ofbias. Themedical TROMandateas a ruleby the commissioners remains and in that regard im an appropriate defendant; I need tros for medical reasons and will continue to require them until the stress asociated with inhouse subsidies!

77]Of course I agreed to settle And it appears that mr McGrath was at the tiemofthe settlement sincereandmade a delon the tspedhearing is sincere but this ordermakes me beleivr thamt mr ,Mc Grath is just playing games and that JudgeMurray ,sheand the trnscriptcan be witness..I thought she was looking to make amends but wheni received the order with the schedule that even alawyer couldn't handle I now believe after consideration that they don't want me to really settle just to position me to default so imforced to make these motions as i don't trust any of the prior conspirators.Is that unreasonable! im paranoid after all everyone was put to eat my lunch before and its almost the identical actors again!The jury is out on judgeMurray as aibelevied that she wanted to be fair at her hearing but the order subsequent gives me dounts as I beleive she shoud have held it and finshed the settlement off.

RESPECTFULLY

EDWARD m DASPIN

A handwritten signature in black ink that reads "Edward m Daspin". The signature is written in a cursive style. To the right of the signature, there is a circular stamp or mark containing the letters "ED".

[Type here]

Sec judge order

Edward M Daspin

4 Pineveveiw lane,Boonton,N.J;07005

Emdaspin2@optonline.net;973-919-0070

Reconsideration Motion declaration

3-16509 12/6/18 3-16509AT

DearMs.Shield;

I swear under the constitution that each and every paragraph as below written is true to the best of my knowledge. I acknowledge that I am subject to punishment if any paragraph is willfully false.

1]I request that this case be transferred to the Federal district court in New Jersey as all Adjl have conflicts of interest. The Adjl all with malice of forethought have been accepted in SEC inhouse cases while they were violators of the article 2 appointments clause. This fraud was perpetrated on at least 150 inhouse defendants' and the time spent by each defendant damaged all of them in the theft of their time, theft of fees contributed by each. The Adjl administrating each defendant were assigned by the Nonarable Brenda Murray ,the leader of the SEC enterprise and who in my case appointed Judge Feolak who founded id be irreparably harmed and issued a postponement sine die to prevent that irreparable harm to occur to me,'

2]There upon Judge Murray,in an effort to control the case for her bias as an inferior officer under the commissioners colluded and conspired with them to find guilt wherein non existed. She appointed Judge James Grimes, I believe with instruction for him to dissolve the postponement as no soon as he was appointed he dissolved the postponement in the face of and to do harm to me! His reason was simply that in light of the allegations in the oip against me he could not provide me the protections in the postponement order and findings He stated had the allegations not been included he might have considered and extension of the postponement!![In both the aforementioned citations the Dodd frank elimination of due process led the adjl to adopt its' allegations as true!!A down right disgusting solution was to void my life rather than change Dodd Frank.!!.In other words his belief in the unlitigated allegations were of such nature that he had to risk my life though unmitigated allegations and untested accusations in the OIP against me trumped justice for me.

3]The U S Supreme court ordered after Lucia vs SEC to void any orders and eliminate any adjls' that each defendant had come in contact with and in essence cleanse the prior Adjl unauthorized and constitutionally violated article 2 appointments clause from being biased by the prior finding and that such FRESH start occasioned the relitigated hearing! To provide justice for the defendants' GODBLESS THAT SUOREME COURT FIR SUCH WISDOM !UNFORTUNATLY THEY DID NOT GO FARENOUGH ATTRIBTABLE TO THE IUCIA LAW FIRM AND OR THE DEFENDATS' NOT ASKING FOR THE RELIEF THAT I AM ASKING THIS ADJL AND THIS

COMMISSION TO GRANT.THE ADJLS' CAN NOT GIVES justice TO THE DEFENDANTS AS THEY ALL HAVE A PECUNIARYINTEREST TO FIND GUILT OF EACH DEFENDANT WETHER OR NOT ARTICLE 2 APPOINTED AS MY AND THEIR CLAIMS AGAINST THEM AS ENTERPRISE MEMBERS EXCLUDED THEY SHOULD AND RECUSE THEMSELVES IF EACH CASE IS NOT SETTLED FOR THE REASONS' CONTAINED HEARIN

4)The Supreme cout was not specifically aware of the injustice perpetrated against me by the Mc Farlane Enterprise nor the SEC commissioners' enterprise under the HON. Mary Joe White and those Commissioners under her .The import of the article 2 violations was commandeered by the very commissioners that appointed the enforcement division to litigate the complaints' allegations after the commissioners review of the WELLS letter[wells].The wells letter in my case, was defective and had the division included in it all the exculpatory evidence they had when they submitted it and had the commissioners been of sound mind and not a member of the SEC enterprise ;they would NOT HAVE INITIATED A COMPLAINT FOR WHICH THE WELLS WAS THE TEMPLATE. ! Therefore when I asked for a new supplemental Wells letter and it was denied by you and at that time your resistance to a fresh start starting at the outset so we don't waste a year finding that another\$1,500,000.00 was a loss by the agency after your honors destruction of the Supreme courts intention. Your honors attempt to litigate this matter in 3 months when you know i need the repatriation of the million litigation fund used by your fraudulent inducement to the effect that the adjls you were assigning to my case were article 2 complaint in that you did not inform me they and you were violaters of article 2 and that we had to do it all over again.

Your attempt to mitigate the time required for fresh start amazes me and demonstrates that all the prior inhouse hearings averaging 19months is and has been a waste of 16months'to punish the defendants for the Supreme courts punishment of your honors' violation participation by appointment of any adjl not being properly appointed. I once again ask your honor to recuse yourself as you have an unwaiveable conflict of interest and literally you will receive a bonus by finding me guilty as then you can say that my case against you all [except judge Feolak]for all ;of you being SEC enterprise members wherein all of you violated our constitutional rights by appointing a wrongfull adjl knowing that non of you were article 2 appointed thereby making findings in favor of the commissioners' complaints alegations as a fix against us as you all knew such findings were unconstitutional and each of you were inferior officers meaning you had a fiduciary to support the commissioners complaint allegations against me and the other 150 defendants!

oo6)In addition the SEC inhouse proceedings violate the Equal opportunities' amendment in that the Inhouse defendants' lose the automatic circuit court right of appeal if the Commissioners excursive the first right.In that circumstance there is no circuit court automatic right as the SEC federal court defendants' have the automatic right to obtain meaningful judicial review, In the federal district court there is an automatic right to appoint a lawyer by defendant and you advised the new SEC rules have removed that right as well being a violation to the

equal rights amendment twice. I informed you I need repatriation of the litigation fees being defrauded from me as a result of nondisclosure of the facts that the Commission and your adjls and enforcements fraud the enterprise perpetrated against me and the other defendants over the 4 year commencing from 2015 to date. Your nondisclosure that the adjls were violators of article 2, and were inferior judges on the payroll of the commissioners divisional adjl just as of the theft of my litigation fees of \$1,000,000.00[+/-] as the insurer wont provide any more money as a result of the fraudulent inducement that your honor knew when selecting adjls would put each and every defendant including myself in harms way of losing it and I did lose it as a result of its theft by fraud and deception by you, the adjls, the commissioners' then involved and the other adjls' going along with the fraud of us and participating in the fraud as each of you would have no cases assigned by and to to you ,and then each would be fired or put on hold.

Your interests as inferior officers was to find guilt as your employer asked for that ruling by complaint issuance and the non due process meant that each adjl ,had to find the allegations' in it true ,prior to any hearings!!As inferior officers initiated the complaint and wanted each of you to find guilt. The former commissioners' ordered each of you to participate in the theft of the litigation fee and wanted the division to prosecute their position in a mock hearing ,one that I wont be an actor in as its unconstitutional for me to permit such a disservice on my own constitutional rights stolen it from me as if it went into the pockets of all enterprise members, You have a personal obligation to repay it to me as i can no longer defend myself as im to ill and I must tend to my wifes' care which doubles up my responsibilities as her care taker, nurse, cook and protector and to provide me the same. care and consult for her financial independence.

7]Your participation as a inferior officer and with all other adjls as inferior officers confirmed the FIX was in as all of you had a fiduciary to the commissioners you reported to and as a result were loath to rule in favor of the defendants and since you all now are exposed and liable for the repeated acts of theft of litigation fund[s]and of time for those professionals whose compensation prove they billed by the clock[in my case \$350.00 per hour for the 8,000[+/-] hours worked on the SEC BOGUS matters. That's \$2,800,000.00 dollars' before treble in Damages as a civil Rico provides .Therefore your SEC enterprise in conjunction with the Mc Grath enterprise and Macfarlanes enterprise[NEWCO] WMMA investors are members of inclusive and which include other john and jane does[NEWCO] combined with Mc Farlans' Newco WMMA investor enterprises damages for the 2 predicate acts of the theft by fraud and deception that your honor and the enforcement perpetrated against me by appointing FAKE AJLS AND YOUR HONOR BEING ONE OF THEM CREATED THE CONFLICTS OF INTEREST FOR WHICH I SPEAK .the adjls appointed by your honor GIVE rise TO damages to AMOUNTING TO TREBLE THE \$2,800,000.00 FOR THEFT OF MY TIME AT MY STANDRD RATE AND WHICH ENFORCEMENT IS MUTLLY AND SEVRLLY GUILTY \$8,400.00 plus THE THFT OF THE \$1 MILLION THEFT OF THE LITIGION FEE AND AT TREBLE IN DAMAGES FOR WHICH THEY ARE ALSO RESPONSIBLE: for aiding and abeting and concealing the facts of the article 2 appointments

clause inferior officers being proactive part of the Newco /McGrath conspiracy against the defendants herein amounts to \$11,400,000.00 and your honor and enforcements' Mc Grath members including Mar. Kevin Mcgrath,Mr. Barry Oconnel,.Nicholas Kolodny and Ms. Leslie Kazon cannot participated in any suit against me. Mary Joe White s; commissioners have and SEC enterprise members which includes as members the adjls that covered up the violations and mocked Hearings pretending they were authorized by the constitution is reprehensible. Who positioned them to deceive defendants and in so doing steal our money and then spit in our faces and laugh !!:

...you stupid defendants didn't know we were play acting defrauding you out of your money and then time". This willful adjl Mc Garath conspiracy would have been settled but for the brazen stupidity of Kevin Mc Grath .I agreed to meet with him ,with him an Mr.Koldney, Mr Oconeel and myself called by him this morning ;In his email he alluded to my settlement proposal. It was not mine but his as the judge asked him why did he not settle this no asset case. His answer embarrassed him and his other 3prosecutors as what they wanted for themselves not to be sued for the \$2,800,000.00incompensatoy damages they owed me, not the agency, so they were ok with using their damages of me to let the agency pay by prolonging the inevitable and when they should be paying the government for the damages they facilitated by their own fraudulent conduct! when the damage this enterprise by enforcements' hiding the facts that the adjls were inferior officers paid by the commissioners to fix the cases the enforcement filed inhouse to control the outcome of the complaints they filed due to the adjl and enforcement coopertionl and fix against the inhouse defendants' it reprehensible to me!!

They were not interested in stopping President Trumps budget only spending the governments money on a NO ASSET CASE! WHEN THE COULD HAVE SAVED JUDGE MURRAYS COMPLICITYAND THE COMMISSIONERS REPUTATIONS!

I informed them that I would not pay them a dime of my wifes' money and they knew that at the beginig as her illnees requires every dime of her estate for her life to be protocetid. Him and he stated oif these problems were resolved[ie the claims I have against enforcement and not the agency was the reason held up a settlement pecuniary release of money an enterprise caused me the damages is not a valid concession by a prosecutor to settle a case that never should have been breached by their stupidity in seaing when the allegations are disproved and were withheld by enforcement not including the exculpatory evidence in the wells letter. The hearing that judge Murray recited case law not to give me without payment which i did not share in nor did I agree to pay for

7]Your honor i was offered a settlement to pay \$75,000.00 when he had my balances sheet knowing it was not there as a result of the \$2,800,000.00 enforcement owes me. I include hearin by reference asif attached hearinas by reference hear in all my motions' to vacate ,dismiss and provide relief from as made herein as if attached. I have prepared most of a commission appeal presuming that your honor will run true to form. Thanks for trying to steer

Mar. Mc Grath would prefer playing hard ball knowing that I would never agree to pay one dime of my wife 'partnerships assets .i had informed him that my reason in agreeing to his settlement in your honors' presence is a very advantageous refinance program that ends in 10 more days. My wifes million ++price tag home ends and expires in 10 days.

I recommend that your honor listen to the taped hearing if your honor wants to protect President Trumps budget, but your involvement in defrauding me by appointing violators of article 2 Judges, [Feolak and Grimes] and Mr Mc Graths liability for playing to fake judges as a scam on my and all 150, other defendants SEC inhouse complaint are clearly at stake due to his stupidity, He doesn't care about the governments Budget and or President Trumps health as I concluded to day Good Luck when at the last hearing you facilitated by questioning Mr McGrath why he did not settle this case as he knew it ws a non asset case.

He informed you the pending federal district lawsuit asked for a combined \$3,800,000.00 in compensatory damages. What he did not explain was that it was requested of people and not the agency. Therefore he and his other 3 prosecutors held up justice on a no asset case.

Inclosing I repeat that motion I make hearin that you honor recuse yourself from this case as you have unwaivable conflicts of interest. I also motion that your stay the schedule as i cant make it and require my return of the litigation funds or vacate the complaint or dismiss it, as the funds were fraudulently stolen from me by non disclosures by enforcement, the prior commissioner's by your honor and all adls under your honor. that the adjs and your honor appointed face inferior officer judges when you knew they should have been superior court judges thereby defrauding me and 150 other defendants to expend the funds knowing that we would have double financial jeopardy. I motion that your honer stay the schedule as i cannot conform with ot for reasons on the record , Your honor the inhouse proceedings are unconstitutional from the reasons discussed hearin above. Therefore; I motion that your honor stay all proceedings other wise your honor will face double jeorpardy as it violates the equal rights amendment and is distinguishes from federal sec defendant's rights to automatic circuit appeals to receive meaningful judicial review to the circuit whearas inhouse defendants' lose the automatic appeato the circuit of the commission takes the first appellate rights. I ALSO MOTION YOUR HONOR SWITCH ALL CASES TO THE FEDERAL DISTRICT COURT ASIMOTIONED TOMY OUR HONOR IN THE Judge GRIMES DAYS WHEREIN YOUR HONOR THRU Judge Grimes commited that it was up to the enforcement to select the jurisdiction and venue ,but your honor did not implement jurisdiction based on them mandate that all defendants seeking federal district court jurisdiction is mandated to the federal district court for any TRO requests as I made and am making to your honor. Your honor did not follow that mandate even though it was a rule the commissioners ' had mandared wouLd be followed.

It was nice finally listening to your honer as Your honor must recuse yourself prior to making any other orders asits' my understanding that if your honor does not recuse yorsef the commission must act and since your case has not yet started as no schedule was approved by me based on my illness ,age, disability of my wife and this courts major conflicts of interest i

can only state that your honors alleged control of enforcement forcement is not there as in the case.I do not beleive that a young prosecutor should be responsible for casing the expenditures of millions on no asset cases. This is not my impression of what President Trump would permit!! respectfully call this to your attention as its your responsibility when you see a wrong that you stop it. Believe President Trump will fire Kevin Mc Grath and its not to soon to eliminate his presence from this agency no matter whose son and or relative he is foolish boy in my opinion.

Respectfully;



EDWARD M DASPIN-----

CC Commissioners, Ms Schields, Mr Shapanka 3 for Mr Fields, Mr Agostini,Mr Lux, The President marked urgent and Vp and Speaker, attorney General IG

case number 3-16509AT



CERTIFICATE OF SERVICE ON 12/11/18 I SERVICED UPS TO REMIT THIS SERVICE EDWARD M DASPIN



THE PRESIDENT OF THE UNITED STATES. THE HONORABLE DONALD J TRUMP

THE VICE PRESIDENT OF THE UNITED STATES THE HONORABLE MICHAEL PENCE

THE HONORABLE SPEAKER OF THE HOUSE, PAUL RYAN

MR FIELD OR THE COMMISSIONERS (3 COPIES)

MS SHIELDS (1 COPY FOR THE JUDGE BRENDA MURRAY;

MR MCGRATH, MR KOLODNY, MR O'CONNELL, MR SHAPANKA, MR AGOSITINI, MR LUX, MR L CHESTER MAY FOR MKMA & ME
FOR CBI, MR LUIGI AGOSTINI (CORPORATE STAFF, MR GARY KRENSEL CORPORATE STAFF)