Edward Michael Daspin June 2, 2023 Case 3-16509

Dear Commissioners:

I enclose a declaration to Ms. Eaglesham, the Wall Street Journal reporter who reported Brenda Murray's pressuring and fixing Judge McEwen to find more cases for the prosecution and by so doing throw more defendants under the bus in Washington. This short cover declaration is supplemental to my appeal before you concerning the manifest errors of fact and Judge Murray's orchestration of fake facts to replace the truth.

I declare under the laws of the United States that the foregoing paragraphs in this declaration and the attached declarations are true to the best of my knowledge and memory. I know if I willfully misrepresent, I am subject to punishment.

This case revolved around the fake allegations that I was a control person. Cleverly the prosecution mischaracterized my fulfilment of the 1/20/2011 5 year consulting service agreement that I and CBI executed with MKMA to provide WMMA with consulting services in the 5 general categories, i.e. strategic planning, human resources, consulting services, deal making and negotiating. WMMA's 100% Board members signed that contract making me and CBI subcontractors for MKMA providing WMMA those services.

Therefore, I did dictate the strategic planning sections of the PPMs to Mr. Young over his shoulders as well as the resumes in the management section of the PPM that the Board of Directors of WMMA hired. Mr. Nwugugu wrote the risk section, the shareholder section, the related party transaction sections, the subscription agreement, while Mr. Main admitted in his direct testimony that he and Mr. Tropello wrote all the WMMA projection sections in the PPMs. That was not my exercising control, but rather living up to my contractual duties and each and every section I wrote had to be approved by the WMMA Board. The judge and prosecution concocted a control person when none existed in my name. My fulfillment of my contractual obligations cannot be considered "control" in any law in any country in this world. Unfortunately, you must face it. You had and have two crooked prosecutors, Kevin McGrath and Barry O'Connell. You had two crooked judges, Brenda Murray and you still have Judge James Grimes. Mr. Nwugugu's Chartis Insurance claim of 12/2012 paragraph 6 declares he wrote 100% of the WMMA PPMs and in his paragraph 5 he admits he wrote 100% of WDI's PPM. Mr. Nwugugu's Brady recantation to which he attached his answers to the OIP prove he wrote 100% of the MKMA/WMMA service contract by using the Chamco service contract as its template. The documents signed by the Board of Directors and the admissions by WMMA's disinterested majority directors, Mr. Lux and Mr. Main, admit they controlled WMMA, not me, as my cross examination of each proves:

> "…we jointly controlled WMMA…"

In short, the attached declarations as exhibits prove that Judge Murray purposely made fake finding of facts in the face of a Res Adjudicata by Federal Bankruptcy Gambredella in WMMA's

Chapter 11. Judge Brenda Murray and Judge Grimes violated my Constitutional right by violating Carol Foelak's finding of fact that:

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

Judge Grimes had the audacity to dissolve that protective order and forced me to testify because after Judge Foelak ordered a Postponement Sine Di, Judge Murray played musical judge chairs and switched my case to Grimes. I have dubbed him the Grim Reaper. He is a disgrace by dissolving my protective order and forcing me to testify in that order. He was sentencing me to potential death. I am sending a copy of this to the Attorney General, who is supposed to have been a United States Supreme Court Justice, and I believe has the brilliance and talent to one day hold that office. Unfortunately, you are new Commissioners to my case and the reason I can't supply the exact exhibit for each statement of fact I have made in this declaration and the attachments is because Kevin McGrath, aided by Judge Murray defrauded Federal District Judge Bachman, who in the day before the SEC served me with its Complaint, I filed an OSC for a TRO asking Judge Bachman to order the SEC if it did file a complaint against me it do so exclusively in the Federal District Court. McGrath and Judge Brenda Murray defrauded Judge Bachman and me by omitting the material fact that all the inhouse judges were Constitutional violators of the Appointment Clause. They also did so by concealing the fact that all of the inhouse judges are delegates of the Commissioners, giving the inhouse judges a fiduciary to the Commission as their agents and representatives, which is the dictionary definition of a delegate. Despite the Supreme Court's Lucia finding that all inhouse judges required the Appointment Clause. After getting one, the Commissioners delegated cases to those very same inhouse judges compromising each and everyone of their independence. Exhibit A outlines all the Constitutional violations that the SEC inhouse perpetrated against me. Exhibit B1 is my analysis to disprove the first 14 pages of her opinion which is marked as Exhibit B2. Exhibit C is my strategic inhouse litigation plan which provides the inhouse judges as assignees of each case which Chief Administrative Judge Foelak will use the lottery system to hear each case brought by the Commissioners providing that each defendant reserves the right to remove the reference to a Federal District Judge to obtain a jury trial and with the further understanding that the first right of appeal on all inhouse adjudications is the Federal District Court as it is apparent to me that the alleged fact finding by inhouse judges in my case, and I am sure in others, contain manifest errors of fact and which the Commissioners do not have the time to provide defendants with the justice each defendant deserves. Justice delayed is justice denied and it has taken you more than 3 years. I may die before this Commission adjudicates my appeal and therefore if this Commission does not act in 30 days, I will apply for a writ of Mandamus. Commissioner Mary Jo White and her colleagues took on 3 weeks after the Wells Submissions to initiate a complaint against me. This proves that the process currently being used is lopsided and that is the reason I have furnished you with Exhibit C with my strategic inhouse litigation plan providing the Commissioners with a meaningful judicial review by a standby Federal/District Circuit Court judge to review the Wells submissions and provide you Commissioners with veritas which I project will reduce the complaints by at least 20% saving the SEC a fortune each year and saving the reputations of those potential defendants this honorable Commission found a no-bill for because of the Federal judge's meaningful judicial

review of the Wells. At the same time, my plan frees up the Commissioners to improve each of the five divisions standard operating procedures, as it is not just for you to have the right to initiate a complaint and then have the first appellate right on the complaint you initiated. When I submitted notice to the then Commissioners and the President of the United States, unless I heard otherwise, I was going to provide a strategic litigation plan and if you used any portion of, or all of it, you would be obligated to pay my hourly consulting fee of $350 per hour times the 13,000 hours equals $4,550,000. I ask you to honor that implied contract because the Commissioners have initiated about half of the components of my confidential strategic litigation plan.

Please review the attached declarations to the attached letter I have sent to Ms. Eaglesham and such review will empower you to free me of the disingenuous complaint and to pay me for the time stolen from me by certain members of the prosecution and inhouse judicial staff.

Respectfully,

[redacted]

pro se

Mr. Edward Michael Daspin
[redacted]
[redacted]

THE SEC INHOUSE PROCESS MANDATES A NEW INHOUSE CLEANING.

Ms. Jean Eaglesham
Wall Street Journal
Jean.Eaglesham@WSJ.com

Dear Ms. Eaglesham:

I was enamored by your article:

> "…SEC wins big with its inhouse judges…"

In it, former Judge Lilian McEwen declared to you:

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

Judge Murray caused Presiding Judge Cameron Elliot to submit an affidavit to you ostensibly to contravene Judge McEwen's disclosure. Instead, he refused and sent you a note that he would never send an affidavit in this matter. Had Judge Elliot never heard Judge Murray pressure Judge McEwen he would have no problem submitting an affidavit; but he obviously did hear and knew that if he admitted it, he would be just as guilty as Judge Murray, aiding and abiding her to commit criminal acts, thus proving that 2 of the inhouse judges were violators of the rule of law.

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

A Wells Notice by the SEC was filed against me in 2015. Despite the 365 day Dodd Frank adjudication mandate, my case remained inhouse prior to my appeal to the Commission for four years and the Commission has taken over three years without adjudicating my appeal for Judge Murray's manifest errors of fact and my SEC case 3-16509; and for rampant subornation of perjury, bribery (see my Wells Reply in which I copied a transcript of a 6/19/2012 dishonest shareholders' meeting in which the SEC whistleblower, Ms. Theresa Puccio stated:"…say Ed (Daspin) controlled all small and large things in WMMA…and I will sign it…"), contempt of the United States Supreme Court's order by Judge Murray, and based upon her final opinion she paid the 7 SEC witnesses in her judgment against me making her an accessory to a criminal act. I enclose as Exhibits A (a summary of the violations) and B1 (the first 14 pages of Judge Murray's initial opinion) and B2 (a detailed analysis of the errors in Judge Murray's opinion); all showing a detailed overview of my Constitutional violations by the SEC

Since I am a private merchant banker having acquired over 350 corporations in my lifetime, and I have appraised over 10,000 businesses with four 4 Federal Bankruptcy judges finding me an expert appraiser, from the time the SEC informed me I was a target I could not in good conscience continue providing my merchant banking services to new investment operating partners until I proved the SEC was guilty of concocting a disingenuous Wells Notice and Complaint against me. As a result, and based upon my seven year association with the SEC, I informed the SEC that I intended to provide it with my strategic inhouse litigation plan that if implemented in part or in whole would eliminate the current Constitutional violations contained in the inhouse process. I attach as Exhibit C my strategic new inhouse litigation plan. This plan eliminates Commissioners initiating a complaint against defendants based upon their revue of the Wells Submissions during a three week period while the current Commissioners refuse to make a decision in over three years. The reason for that fallacy is the Commissioners don't have the time review the Wells Submissions and obtain a meaningful judicial review prior to initiating a complaint making the process lopsided. To solve that I have instituted an advocate program wherein the presiding circuit court judges provide Federal District/Circuit Court judges administrated by an ombudsman which must be independent of Government influences as a private subcontractor after a conflict of interest search an advocate is given thirty days to review the Wells Submissions having two SEC law clerks to assist the advocate and up to two days testificandum of the party's lead attorneys and one day for the lead witness for the prosecution. Then the advocate submits a meaningful judicial review atop the Wells Party's submission to the Commissioners to enable them to either no-bill the case, permit the advocate's settlement recommendations for the Commissioners' consideration or initiate a complaint. This will balance the scales of justice, as in my case, the prosecution had 3 years of discovery by withholding their Wells Notice for three years after they received my company's 10,000 pages of documents. I project a minimum 20% reduction in Complaint initiations with the SEC inhouse Administrative Law Judges receiving all Complaint initiations by assignment and not delegation. Right now, the Commissioners are delegators of Complaints to the inhouse judges making those judges delegates. A delegatee is defined as an agent, representative, and fiduciary of the delegator violating our Constitutional rights for defendants to have an impartial finder of fact. At this juncture, a defendant can motion a Federal District Judge to remove the reference to obtain a jury trial or permit the inhouse adjudication subject to appealing to the Federal District Court eliminating the Commissioners first right of appeal. Currently the Commissioners that initiate the Complaint and/or their successors in interest decided whether an alleged guilty defendant whose complaint they initiated is guilty or whether that defendant's Constitutional rights were violated and/or whether the judge made manifest errors of fact. That presents another conflict of interest for the inhouse judges since they might be embarrassed if they let the defendant go free or they might embarrass the prior Commissioners that initiated the Complaint. Assuming 500 Wells annual submissions, 20% means 100 go free. My projections lead me to the conclusion that assuming an innocent defendant has to go through the judges and the Commissioners to ultimately be found innocent with full allocation of SG&A variables, it costs the SEC and our government $2 million per defendant. After all costs for the advocate, ombudsman program the SEC saves $1.6 million for each no-billed pre-complaint settlement. Assuming 100 no-bills equals $160 million savings for the government per year, plus

all of the defendants' Constitutional rights have been honored and we will save the reputations of 100 defendants per year.

In my case my lawyers only received only 30 days to respond to the Wells Notice compared to the prosecution's 3 years discovery and my plan similar to the bankruptcy process a defendant seek a jury by a motion to remove the reference and the meaningful judicial review goes to the Administrative Law Judges. Instituting this plan eliminates Federal District Judges currently receiving 50% of the SEC cases. It eliminates the conflicts of interest by assigning cases using a lottery system rather than delegating them to inhouse judges while at the same time freeing the Commissioners up to focus on improving their 5 divisions and 4500 employees, while at the same time the meaningful judicial review will target overzealous prosecutors that stepped over the line by suborning perjury and bribing their own witnesses to falsely testify against defendants by making those witnesses covert whistleblowers. In my case, despite 3 Res Adjudicatas:

1) Federal Bankruptcy Judge Rosemary Gambredella in the WMMA Chapter 11 of 2014 finding as fact:

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

2) By Federal Bankruptcy Judge Theodore Alpert finding me innocent in the Chamco v. Daspin complaint wherein the Chamco service contract was found by the court to not violate any state of Federal security laws (See my Wells Reply Exhibit C) and wherein Mr. Mike Nwugugu, a CPA and WMMA's Corporate Governance declared in his OIP answers attached to his Brady recantation that he and he alone prepared the WMMA service contract contravening Judge Murray's finding of fact that I disguised investment banking fees as human resources fees in which she then alleged I violated the Exchange Act, despite the fact that the human resources fees were double the investment banking fee calculations. Mr. Nwugugu declared that he used the Chamco contract to be the template for the WMMA contract and the contracts were almost identical.

3) In the New Jersey Federal District Court in Craig v. WMMA, Daspin, and Agostini alleging I committed securities fraud, the judge found otherwise by dismissing the case with prejudice.

Judge Murray caused Presiding Judge Cameron Elliot to submit an affidavit to you ostensibly to contravene Judge McEwen's disclosure. Instead, he refused and sent you a note that he would never send an affidavit in this matter. Had Judge Elliot never heard Judge Murray pressure Judge McEwen he would have no problem submitting an affidavit; but he obviously did hear and knew that if he admitted it, he would be just as guilty as Judge Murray, aiding and abiding her to commit criminal acts, thus proving that 2 of the inhouse judges were violators of the rule of law.

We can add to that list Judge Grimes as he violated Judge Carol Foelak's finding of fact:

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

Judge Foelak ordered a postponement sine di. After 30 days and refusal of the prosecution to abide by Judge Foelak's finding of fact, Judge Murray played musical judge chairs, eliminate Judge Foelak from my case and delegated Judge Grimes who criminally dissolved my rights by dissolving the protective order, which on my motion to Judge Murray she refused to reverse and in Judge Grimes' order he forced me to testify in 120 days. He is the same Judge Grimes that replaced Judge Elliot after Judge Murray had demoted him, therefore I declare that at that time 60% of the 5 inhouse judges were corrupt, while the Kevin McGrath, Barry O'Connell prosecution enterprise were so criminally corrupt that Mr. Nicholas Koladny, the 3rd prosecutor, refused to participate with them in my 2019 Judge Murray hearing.

I demand the Attorney General investigate this case and that our great leader, President Joseph Biden, make sure that I am paid the $4,550,000 because I notified the Commissioners, who at the time were under the control of former President Trump, that I would be disclosing my strategic plan, providing that if they used a portion or all of it, they would owe me my hourly rate of $350 per hour time 13,000 hours. So far, they have used 3 components. 1)They pushed Judge Murray to retire despite the fact that in 2019 she informed me that she wanted to work another 10 years. 2)They replaced Judge Murray with the Honorable Carol Foelak and if the plan is implemented another 5 inhouse judges will be required to handle the additional case load making Chief Administrative Judge Foelak the full-time administrator and eliminating assigning cases to herself. 3) They stopped delegating cases to the inhouse judges.

In addition, it is obvious that the Commissioners are in a quandary. They need the leadership of President Joseph Biden to have Vice President Kamala Harris work with the Senate Judiciary Committed while President Joseph Biden interfaces with the Chief Justice of the Supreme Court and the Attorney General of the United States to have my plan become a reality in one form or another. Otherwise, we must eliminate the entire inhouse division of the SEC because the manner in which Dodd Frank has perverted our justice system exceeds the benefits the judiciary saw when they permitted the elimination of due process by granting the SEC's wish list as declared by former Chief Commissioner Cox.

I am 85 and quite ill, so please communicate with me by certified mail.

I ask you, Ms. Eaglesham, that you are far better than I will ever be, to disclose the current inhouse incompatibility with a mandate of the Constitution's Amendments so that you can help us initiate change for the better in our justice system.

Respectfully,

[redacted]

Edward M. Daspin

EXHIBIT A

Edward M. Daspin
[redacted]

February 5, 2023
re: Case #2:22-cb-06520-SDW-CLW

Declaration to support 3 orders:

1) To either stay the Commission appeal or dismiss the complaint
2) An OSC for the Commission to pay me $4,550,000 for the efforts that I inform them up front I would make to bring their inhouse process in compliance with the Constitution and to implement my strategic inhouse litigation plan or modification thereof.

Dear Honorable Judge Susan Wigenton:

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

This declaration is in 2 sections.

I am writing this declaration (FIRST DECLARATION) to support the relief I request in the orders attached hereto, which include:

1) In addition to requesting a stay of the SEC Commissions ruling which so far has taken them three years including 5 ninety day extensions, I request of this court a dismissal of the entire SEC complaint because of the following: violations of my rights in my case # 3-16509 which is based upon the alleged facts of which Judge Brenda Murray made many manifest errors of fact in her alleged findings of fact and in her final "opinion of facts alleging that I committed wrongdoing at WMMA" and was guilty of the alleged facts of wrongdoing contained in the prosecution's knowingly disingenuous Wells Notice and Complaint. In fact, that allegation was proven false by Her Honor Federal Bankruptcy Judge Rosemary Gambredella in WMMA's 2014 where she and Trustee Guardino found as fact:

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

In my case Judge Murray also denied my 7th Amendment right to a jury trial as per Jarkesy v. SEC wherein the 5th Circuit found the SEC violated his rights to a jury trial, and wherein Cochran v. SEC, currently before the Supreme Court, alleged that the SEC violated her Constitutional right to first have a jury trial before any Federal District Court judge.

As the court will see I filed an OSC for a TRO the day before the SEC filed its Complaint against me. The OSC for a TRO was heard by the New York Federal District Judge, The Honorable Judge Buchwald asking her to order that the SEC can only hear my case in the Federal District Court if the SEC intended to file its Complaint inhouse.

Since I knew that my substantial medical illnesses, and my being hospitalized 6 times in the 12 months prior to the SEC's serving its Complaint on me, and before my lawyers sought Federal Court jurisdiction to stop the SEC from its securities case inhouse. I knew I would not be able to take the stress of a 365 day short hearing term when the case involved almost 20,000 pages of documents and up to 40 witnesses.

Therefore, I asked my law firm to file an OSC for a TRO in Federal District Court asking the court to order that the SEC only file the Complaint in Federal District Court so that I would have the added discovery time that inhouse does not provide and as recited my footnote to receive a jury trial, full discovery, the presumption of innocence, and due process, as well as obtaining full disclosure from the SEC prosecution. All the aforementioned Constitutional benefits are denied in an inhouse SEC Administrative Law Judge's hearing.

My declaration is with respect to requesting relief for a stay or dismissal of the SEC Complaint before the Commission and the inhouse process violates my Constitutional right to a jury trial, i.e.:

> See Jarkesy v. SEC in which the 5th Circuit stayed the Commission, because the eliminated Jarkesy's 7th Amendment jury trial right and because the Commission currently has the right of first jurisdiction according to Dodd Frank in either the Federal District Court or inhouse before their own ALJs (the Supreme Court recently found that Congress exceeded its authority by giving the Commission legislative rights to select either inhouse of Federal District Court.
>
> In Cochran v SEC, which is currently before the Supreme Court, Cochran declares that she should have had the first right to demand a jury trial before the SEC sues her inhouse.
>
> It seems that the Supreme Court's likely opinion is to grant Cochran's request because the 7th Amendment is one of the benefits that makes our country great,

and should come ahead of the lack of judicial benefits that Congress empowered the SEC Commission to deny defendants.

As this court will see after my request from the Federal District Judge Buchwald was dismissed because the prosecution committed a fraud by omission of the material fact that none of the inhouse administrative law judges (ALJ) were Constitutionally appointed. The Constitution voids any judge's finding of fact if the judge is not Constitutionally appointed.

As a result, since 2015 I have been forced to stand before an SEC ALJ. Since 6/19/2012 in the Dishonest Shareholder Meeting it appeared almost certain that all the investor operators had agreed to suborn perjury by alleging that I was a "control person".

As a result of the aforementioned, I have been denied my right to practice my private merchant banking business because since that time I had to inform prospective clients and joint venture partners that I was under an SEC investigation and I could not expect them to participate with me until I cleared my name.

In that regard around August of 2016, after Judge Murray played musical judge chairs and switched my case from Judge Foelak to Judge Grimes, and after I had read the 2015 article" SEC WINS BIG WITH ITS INHOUSE JUDGES", and after Judge Grimes dissolved Judge Foelak's protective order and forced me to testify in 120 days, sometime near the end of 2016 I advised Judge Grimes and Judge Murray that I believed they were coconspirators with the SEC prosecution in my case and that I commenced the development of a strategic inhouse judicial and litigation plan to insure that the inhouse process conforms with the Constitution's requirements and that I would charge the SEC $350 per hour if they used any portion, or all of the plan. I copied the then President, his Chief of Staff, and the Chief Justice of the United States. In essence, the SEC had become my sole client no clients would want to be associated with a person threatened and/or sued by the Securities and Exchange Commission. This SEC lawsuit denied me liberty and almost denied me my life, while it did cause my wife's death by alcohol induced Alzheimer's.

My first request is for this court to stay the Commission, because I was denied a jury trial, my 7th Amendment right, or dismiss the Complaint for reasons discussed later on in this declaration. The case law I rely on is Jarseky v. SEC in which the Fifth Circuit stayed the Commission because of the violation of the 7th Amendment inhouse elimination of a jury trial.

The Supreme Court of the United States found that argument in Cochran v. SEC in which the defendant asked for a jury trial before any SEC inhouse proceeding that her

submissions were so important that the Supreme Court circumvented the Circuit Court and now is hearing that case.

My strategic judicial inhouse plan provides the SEC inhouse judges with the only right for initial jurisdiction, just as Federal Bankruptcy judges receive, and in this manner the inhouse judges vet the case. In addition, the defendant can make a motion to move the reference to Federal District Court or at the option of the defendant and after the Commissioners have received a meaningful judicial review of the Wells submissions before the Commissioners initiate a complaint, which will balance the discovery scalses. The meaningful judicial review will be initiated by each Presiding Circuit Judge will appoint several standby District/Circuit judges to serve as Commissioners' advocates to hear the Wells submissions within 15 to 30 days assisted by SEC law clerks the advocate can appoint without up to 2 days testificandum of the Wells lead attorney and one day for whistleblowers. The Commission uses the advocate's opinion to either find a no-bill or find a settlement, or initiate a complaint. In addition, the Supreme Court had already found that Congress had no right to assign its legislative powers to any agency or Commission thus nullifying Dodd Frank granting the SEC prosecution the first right of jurisdiction. The reason that my system moves all security cases inhouse is to eliminate the Federal District Court Judges' need to hear unvetted securities cases, because in my plan, if an inhouse judge finds guilt, the defendant has the first right to appeal to a Federal District Court and in so doing obtain a jury trial. I have structured it this way, because I believe the Commissioners would receive a meaningful Federal District precomplaint review up to 40% of the Wells Complaints will be eliminated. Then I believe the inhouse judges will eliminate another 40% of the complaint initiations, leaving only 20% for the Federal District Court and a jury trial rights. At the same time the
Commission will save about $140 million a year after adding 6 additional ALJs and their prorate administrative staff.

In my case, I filed an OSC for a TRO before the New York Federal District Court and before the Honorable Judge Buchwald before the SEC filed its threatened complaint against me. In that complaint the SEC prosecution aided and abetted by inhouse Judge Brenda Murray (the SEC's Chief Administrative Judge) and Judge James Grimes (the SEC's Presiding Judge) concealed the fact that all the inhouse judges, including themselves, were Constitutional violators of the Article 2 Appointment clause. Then the prosecution diverted Judge Buchwald's attention to the Dodd Frank order that the SEC prosecutors can select the first right of jurisdiction. Judge Buchwald dismissed my TRO motion and Judge Murray, the SEC Chief Adminisitrative Judge, delegated my case to the Honorable Judge Carol Foelak inhouse.

(ALL MY QUOTES ARE FROM MEMORY, BUT INCLUDE THE ESSENCE OF THE QUOTE AS WHEN MY WIFE SOLD HER HOME, SHE LOST ALL HER RECORDS):

(1a) The SEC prosecution failed to inform the court that Dodd Frank did not approve the prosecution's selection of Constitutional violators hearing my case. Judge Carol Foelak found in her findings of fact that because of my medical illnesses which Doctor Alan Pucino declared in his declaration in support of my motion for a continuance:

> "..[redacted](which I received as a tank commander in the Army and from my being a wrestler for 7 years and undefeated captain of NYU's wrestling team)…"

I deserved a Postponement Sine Die order.

Thirty days after Judge Foelak ordered the Postponement Sine Die and after the prosecution did not timely appeal, Judge Brenda Murray violated the protective order despite knowing my doctor's declaration also informed the court that if anyone forced me to testify it could lead to my death. Judge Murray switched judges, citing no reason, to Judge James Grimes, her recently appointed Presiding Inhouse Judge. Judge James Grimes initially ordered that Judge Foelak's orders remain in place, but for some strange influence, two weeks later, Judge Grimes breached his own order, dissolved the protective order before having my medical tests, which Judge Foelak ordered, by doctors to find out whether or not I still failed the all 7 factors, which Judge Foelak found as fact.

1b) Based upon DR. Pucino's declaration, Judge Foelak ordered:

> "… a Postponement Sine Die and ordered that no one could force me to testify, unless a medical examination by Mr. Daspin's doctors or the prosecution's doctors to see if it revealed every 45 days that he would or wouldn't pass the 7 factor test that Federal Judges use to decide adjournment motions …and which she found that I failed all 7 medical factors…"

The following case law supports this court's authority to dismiss the entire case against me as Judge Grimes and Judge Murray not only abused their discretion by violating another judge's order, but post Lucia in 2018 in my second hearing, Judge Murray also violated the Justice's Lucia v. SEC order that she not hear the case, after the Justice's voided the default judgment that Justices Grimes and Murray adjudicated against me because I was hospitalized by a side reaction to Lyrica. A Federal District case in 2016 demonstrated Pfizer was being sued for $2.5 billion because 1 in every 500 patients taking Lyrica, either committed suicide or tried to. I had switched from Garapentin to

Lyrica just before the Judge Grimes/Murray and my doctor, no knowing the causation, for my erratic behavior ordered that I be admitted into the hospital. It was not until months after the default that Dr. Pucino and I found out the reason for my erratic behavior and I filed a motion to reverse the Grimes/Murray default motion. Judge Murray denied my motion, but in August of 2018 the United States Supreme Court in its wisdom found that any inhouse defendants that appealed under the Appointment Clause (as I and 149 others did) their judgments were all voided and they would stand a new trial, but not before any judge after that judge was Constitutionally appointed if that judge participated in the hearing's adjudication. Judge Murray initiated and orchestrated my default judgment. I motioned her recusal and she denied it.

Based on the aforementioned here and below I ask this court to dismiss my case based the Supreme Court Justice's in Lucia v. SEC order which Judge Murray violated because she initiated and orchestrated my default judgment with Judge Grimes and prior thereto she also violated Judge Foelak's postponement order by switching the case to Judge Grimes who dissolved the protective order and which Judge Murray refused to reverse.

Also, Your Honor, the incontrovertible proof in my cross examination in 2019 in front of Judge Murray first with Mr. Main separately, in the next day with Mr. Lux, where both admitted as fact:

> "…we jointly controlled WMMA…we selected the investor operators… and we did not take anyone else's opinions…"

*See United States v Foglietta, 2002 WL 1301415 @ *1 (E.D. PA: June 11, 2002)
See also in the matter of James Eldridge Cartwright, 1992 WL 216695, S.E.C. release no. 31087 (proceedings held before the District Business Conduct Committee were remanded to allow respondent an opportunity to be heard where, being diagnosed with the severe form of influenza as well as strep throat, defendant requested a continuance and his request was denied, See Latham v. Crafters, Inc., 492 F .2d 913 (Fourth Circuit 1974,) trial court abused its discretion in denying defendant's motion for a continuance based on defendant's ill health) See Davis v. Operation Amigo, Inc. 378 F .2d 101,103 (10th Circuit 1967 ("…the illness of a litigant severe enough to prevent him from appearing in court is always a litigant's grounds for asking for a continuance…") See Silverman v. Milner, 514 SO. 2d 77,79 Fla. Dist CT 8 pp. 3d Dist. (1987)(Florida appellate court held that the trial court had abused its discretion in denying a continuance on defendant's motion where (a) the defendant had suffered a [redacted] prior to trial (b) the defendant's testimony was to have addressed "vital issues" in litigation and was

necessary for a fair and adequate presentation of defendant's case, as the defendant was the witness most able to present testimony on (the vital) matters…") See also Gaspar v. Kassml, 493 F 2d. 964, 968-969 (3rd D Cir 1974) (trial court found to have abused discretion when it refused to allow a continuance in a personal injury action based upon medical impairment where the defendant's testimony was necessary for his defense of the case.

1c) In addition, as disclosed in a 2015 Wall Street Article written by Ms. Eaglesham entitled:

"…SEC WINS BIG WITH ITS INHOUSE ALJS…"

Wherein the article quotes that former Judge Lilian McEwen declared:

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

In my case Judge Murray switched judges without stating any reason after a protective order stopping me from testifying and Judge Murray replaced Judge Foelak with Judge James Grimes, who breached his initial order to the effect that all orders of Judge Foelak remain in place, and two weeks later Judge Grimes breached his own order and dissolved the protective order and forced me to testify in 120 days in violation of Judge Foelak's order. I then motioned Judge Murray to reverse Judge Grimes' dissolution of the protective order and she dismissed by motion and by so doing initiated, and orchestrated my default judgment. In addition, Judge Murray became a de facto co-adjudicator with Judge Grimes as she participated in some of the hearings that he, Judge Grimes, ordered the parties to telephonically have.

I ask this court for this case to be dismissed for the above reasons and because as contained in this declaration I prove by the quotes, declarations, and representations contained by the SEC witnesses and prosecution that the Wells Notice Complaint and OIP wrongdoing allegations and unless in this court's order the Commission should show cause why this court should not find me innocent. However, in Your Honor's order I request it bar the Commission from use of any hearsay evidence and/or any perjurer's testimony, disclosures, and/or representations.

THE PROSECUTION'S WELLS NOTICE AND COMPLAINT AND OIP ALLEGATIONS WERE SUBMITTED NEAR THE END OF 2015, BUT IN THE MIDDLE OF 2014 THE HONORABLE JUDGE ROSEMARY GAMBREDELLA AND HER TRUSTEE, MR. GUARDINO, IN WMMA'S CHAPTER 11 MADE A RES ADJUDICATA BY FINDING AS FACT:

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

Despite the Res Adjudicata the SEC put me in double jeopardy, because when you boil down the SEC Complaint it relies on 2 alleged actions of wrongdoing by me, i.e. that I was a "control person" and therefore responsible for alleged wrongdoings and that disguised investment banking fee as a human resources fee in the WMMA/MKMA five year consulting agreement to circumvent the Exchange Act's licensing requirements to obtain fees on money raised. What is humorous is that the SEC fraud analyst testified that:

> "…Mr. Daspin, CBI, and MKMA collectively only were paid $240,000 in fees from WMMA…"

The books that were subpoenaed from WMMA disclosed that on 12/8/2011 I, MKMA, and CBI had forgiven $4,460,000 as if MKMA were prepaid all of its contractually approved hourly rates for the remaining 4 years and exchanged $880,000 of notes into WMMA/WDI preferred shares leaving a contingent non-interest bearing fully subordinate $880,000 note.

The above proof that both those alleged wrongdoing allegations were as phony as a wooden nickel is that the MKMA/WMMA 5 year consulting service agreement of 1/20/2011 does not mention investment banking fees, but assuming their allegation is correct, which it is not, Mr. Michael Nwugugu, WMMA's Sr VP Corporate Governance, attached his answers to the OIP allegations to his lawyer's Brady recantation submission and in order to clarify his position so it would not be misstated in Brady, in the section dealing of my disguise of investment banking fees, he declared:

> "…I wrote the entire MKMA/WMMA service contract and I used the Chamco service contract as its template…" (Chamco filed a Chapter 11 in 2018 in the central zone of California before the Honorable Judge Theodore Alpert who reviewed the Chamco service contract and found I committed no Federal and/or State securities violations)

Mr. Nwugugu further accepts responsibility by stating that he alone prepared the WMMA's PPMs and was solely responsible for 100% of WMMA's 506 Reg D exempt security private placement memorandum. In Mr. Nwugugu December 2012 Chartis Insurance claim paragraph 6, h declares he wrote 100% of WMMA's PPMs. (Mr. Nwugugu was a CPA, MBA for Columbia University, SEC Series 7/13 license holder, and finished two years of law school and was an adjunct professor in finance at a New York University).

In addition, as a precondition to accepting WMMA as a client, both PLA Piper and McGladrey and Pullen's inhouse legal review respective panels reviewed WMMA's PPM and the MKMA/WMMA service contract and each of them not only accepted WMMA as a client, but each invested $75,000 into WMMA as capital. Even more important to prove the falsity of the allegation that I disguised investment banking fees as HR fees is the fact that upon financial scrutiny it makes no sense,i.e.

> Assuming someone had the intention above stated, and since the average investment was $360,000, since an investment bank charges 5% of the first million or fraction thereof: then the investment banking fee would calculate to $18,000. Whereas the HR fee contained with specificity in the MKMA/WMMA service contract provides MKMA with a minimum fee of $25,000 or the greater of 25% of the first year's base compensation. The base compensation averaged $150,000 per year, which calculates at 25% to $37,500 proving even the stupidest crook would not want to disguise an investment banking fee as calculated less than 50% of the HR fee.

In order to be clear not only did the SEC prosecutors pull this alleged wrongdoing allegation out of thin air, but Judge Brenda Murray found it as fact in her opinion's manifest errors of findings of facts.

With respect to my being a "control person", my wife, Joan, sold her controlling interest in WMMA/WDI's holding company WHLD for a de minimis amount to Mr. Main (a coincorporator of WHLS, WMMA Director and President/Secretary, she so to him 30% of WHLD); to Mr. Lux (WMMA's CEO and WHLD co-founder and Director of WMMA, she sold to him 30% of WHLD) and the 3rd Director, Mr. Agostini (WMMA's Chairman of the Board and the WMMA's associated entities as their financial administrator. She sold to him 30% of WHLD). Joan sold her right, title, and interest of WHLD common on 1/15/2011 as the company was formed on that date and didn't have its stock book. In exchange for $1, she received a 5-year warrant to receive at a higher price with an acceleration of exercise her call on the warrant if any warrant obligor left WMMA's Board of Directors. In addition, she had a non-dilution clause that required her reasonable consent if WMMA and WDI's initiate offering collectively of $40 million the Board voted should be increased above that amount.

In 1/20/2011 a week after my wife sold her control to the WMMA Board members, in a WMMA Board resolution, my private merchant bank, CBI, sold its 5 year WMMA consulting service contract to MKMA and contained therein that CBI and I were restricted from represented any MMA (mixed martial arts) entity except as subcontractors to MKMA. In that WMMA Board resolution, MKMA was restricted from providing its consulting services for strategic planning, human resources, negotiating and deal making services, for an hourly rate except as exclusively to WMMA and its

affiliates. The five year service contract eliminated MKMA's power to bind WMMA and the services rendered were on a best efforts basis. 100% of WMMA's Board signed the Board resolution and its 2 majority directors, Mr. Main and Mr. Lux were disinterest majority directors. In my cross examination in 2019 of each of them they each admitted as fact:

> "…we jointly controlled WMMA…we hired and permitted to invest all WMMA/WDI investor/operators… without using anyone else's opinions…"

The WMMA bylaws give WMMA's control to its Board of Directors' resolutions. Mr. Lux's 8/29/2013 deposition he testified:

> "…Mr. Daspin was only a consultant at WMMA…he was not an officer, director, or shareholder…he had to be invited by a director to answer questions before the Board…none of the Board members were required to accept any of his opinions…Mr. Nwugugu wrote the lion's share of WMMA's PPMs…I stopped reviewing the PPMs work in progress because I believed that no investor believed them…"

In addition, all 40 (+ or –) WMMA/WDI employment contracts did not disclose that I or MKMA were report to persons or entities, as they only mentioned Senior WMMA officers. In the Chapter 11 Sullivan's allegation that I directed him not to file a 1099 against MKMA was completely contravened by my Reply declaration which demonstrated that Main was the only person he reported to and further Main and Beckedejian corroborated his disingenuous declaration, so I enclosed a section of the Dishonest Shareholders' meeting that demonstrated that Beckedejian had indicated that Price Waterhouse and KPMG had indicated to him that WMMA was in the clear in filing a 1099 for MKMA.

2) I supplied the SEC with a plan to no longer violate the Constitution with the upfront caveat that if they use any portion and/or all of the strategic litigation inhouse plan that I informed them before I disclosed any portion that I was working on, that they would be in obligated to me to pay me hourly rate. To prove their financial obligation to me, I copied the Presidents of the United States (Trump and Biden), their respective Chiefs of Staff, and the Chief Justice of the United States Supreme Court. I started work on the strategic plan shortly after Judge Brenda Murray switched my case, for no reason stated, after Judge Foelak signed the Postponement Sine Die. Judicial notice should be taken that after Judge Murray switched my case to Judge James Grimes and after Judge Grimes dissolved the protective order and forced me to testify in violation of my doctor's declaration that such order could kill me, I was not able to attend the Grimes/Murray hearing based upon my doctor's orders.

3) I also request that this court find by way of an order to show cause that the SEC pay me $4,550,000 for being obligated to pay me for the time I put in to developing an inhouse restructuring and strategic litigation plan, notifying them that if they used any portion and/or all of the confidential strategic inhouse litigation plan that they would be obligated for the time I spent. I copied as I was creating the plan Presidents Trump and President Biden, and their respective Chief Staffs as well as the Chief Justice of the United States Supreme Court. So far, the Commission has used the first 3 recommendations of my plan, all be it on a deferred basis. One of my most important findings was that the Commissioners must stop delegating Complaints they initiated to ALJs because a delegate is defined as an agent, representative, and fiduciary of the delegator. At the SEC the Commissioners are the delegators, which gave the Commission a vehicle to circumvent the independence envisioned, that judges must have by the Supreme Court's Lucia v. SEC order that each ALJ satisfied the Constitution's Appointment Clause.

(

The SEC prosecution in Lucia v. SEC omitted the fact that despite an SEC satisfying an appointment clause that judge could not find facts independently, because they would still be delegates of the Commissioners and therefore could not render an impartial finding of fact.

I made this notification early on at the end of 2016 to the Judge, the Commissioners, the President of the United States, et al. It took the Commissioners who hadn't read my 2016/early 2017 notification because the Commissioners change because of the presence of the Honorable Joe Biden. In fact, this moving of SEC Commissioners with each new President and with staggered terms eliminates the continuity of appeals like mine, as I have appeared before 15 Commissioners so far.

In that regard, it is the 5 SEC Division heads that are in actuality running the SEC and attempting to guide the Commissioners when the movement of cases before the SEC from one set of Commissioners to another and then to another also gives reasons that the Commissioners should not hear appeals, in addition to the fact that the Commissioners are hearing appeals that their prior colleagues were they themselves initiated the Complaint for. This detracts from the perception that a Commission appeal can be fair to a defendant. In my strategic plan, I expand the number of judges from 5 to 11. I eliminate the need for Federal District to hear initial security cases unless the MOTION TO REMOVE THE REFERENCE and I provide the defendants' appeal from the ALJ to go to the Federal District Court where the defendant may have a jury trial in a defendant's jurisdiction (similar to some of the procedures in Federal Bankruptcy Court).

I also request that each Presiding Circuit Judge provides an independent consulting corporation, referred to as an ombudsman, and several standby Federal District/Circuit

Court Judges for the justices to serve as a Commissioner's advocates to provide the Commissioners meaningful judicial review pre-complaint initiation to even off the prosecutions edge on discovery, as more specifically discussed in The PLAN. Unfortunately the Commissioners stopped the delegation on November 22, 2022 and then by then not acting when I recommended it, they have inadvertently given the right to about 600 inhouse defendants found guilty to motion for a dismissal as a judgment against them and a recoupment of any fees, disgorgements, and fines because the judges inhouse could not render an impartial finding of fact, as those judges were agents, representatives, and fiduciaries of the very Commissioners that initiated the complaint against them.

I put in 13,000 hours of my time creating the strategic inhouse plan, so that the Commission would no longer violate the Constitution (13,000 x $350 per hour equals $4,550,000). Subsequent to my informing the Commission, they used the first 3 recommendations of my plan, and as a result are obligated to pay my hourly rate as discussed in this declaration because they obtained the benefits of my confidential work product. As discussed, had the Commissioners implemented internal controls on the prosecution's Wells Notices wrongdoing allegations, which they can't because they are interim SEC employees, and subject to their 5 division heads.

My plan introduced the Federal District/Circuit Court advocates to receive a meaningful Federal Judicial review of the Wells submissions with the advocates selected earning $250,000 for each 12 months that an advocate works to report directly to the Commissioners. Had I been so fortunate, the Commissioners would never have issued a complaint against me.

The initial Commissioners, when I was sued by the SEC were led by Commissioner Mary Jo White , were defrauded to initiate a complaint by the SEC to initiate a complaint because the prosecution received 20,000 discovery pages of documents between the end of 2012 and the middle of 2015 that consisted of prima face evidence contravening the Wells Notice wrongdoing allegations and 3 Res Adjudicates from Federal Judges that the prosecution had, which collectively disproved each and every Wells allegation against me. I had knowledge that I was an SEC target near the end of 2012. (BUT I DID NOT FIND OUT NOR DID I HAVE ENOUGH EVIDENCE TO PROVE THE CONSPIRACY AGAINST ME UNTIL THE END OF MY 2014 CHAPTER 11 WHEN MAIN, BECKEDEJIAN, SULLIVAN, AND MACFARLANE PERJURED THEIR RESPECTIVE DECLARATIONS IN MY MOTION TO DISMISS.

I had a moral obligation to inform prospective clients and joint venture partners of such, and I couldn't object to each and every one of them to wait until after the SEC case, if commenced, was finished. So far, I have waited 11 years and in February I will be 85 years old

I am not the only person that this 4 decade old felony has harmed. It is on mostly 50 Federal Court judges who were forced by plaintiffs to spent collectively 10 years of their time, all of whom found me innocent or asked me to settle for a couple of cents on the dollar which was half of my lawyer's remaining fees would be. Lastly, all the innocent investors who did not join the 50 plaintiff's in their respective suits against me, and thousands of employees harmed by those 50 complaints' against me alleging I committed wrongdoings, just as in this SEC lawsuit. I could have saved WMMA, until Mr. Lockett in the middle of 2012 informed me that Puccio had the SEC backing her up with MacFarlane aiding her.

The SEC Wells notice used the same old:

> "…Daspin waited to disclose until the 11th hour to disclose to prospective investors that he was a convicted felon and served time in prison…"

The SEC suborned Sullivan's Brady disclosure to make that allegation. This is contravened by WMMA's SR VP Human Resources Richard Burnham's Brady disclosure, wherein in his Brady disclosure stated:

> "…I, Daspin, and Main attended Sullivan's first interview and Daspin voluntarily disclosed his felony, so that after Daspin and Main left the room, Sullivan asked me to arrange a telephonic conference with him, me, and Main exclusive of Daspin…"

Sullivan asked in that conference what was Daspin's role in the company and they informed him that:

> "…Daspin was only a consultant…"

Mr. Greg Lang, the only one of the six WMMA investor operators who was honest, in his Brady disclosure declared that:

> "…Daspin voluntarily disclosed his felon in my first interview with him…"

Mr. Sam Tropello (WMMA's COO Scheduling) submitted in his declaration in the Chapter 11:

> "… I was present in each interview Mr. Daspin had with prospective investors and he always voluntarily disclosed that he was a felon 4 decades ago and he gave the reason why…"

In addition, my daspinandco.com website had my felony conviction disclosed and it was recently updated to include the Supreme Court voiding my SEC default judgment. From the

time the internet came in vogue the cases against me pled thereafter were all made public proving everyone knew about my felony before they ever invested.

In addition, in the WMMA Chapter 11 in 2014, the top 4 WMMA officers perjured themselves, including Sullivan, as discussed elsewhere in this declaration and the other 3 other WMMA investor/operators Puccio, Lockett, and Heisterkamph, by the SEC's own omission (which they held from their Wells notice), fraudulently warranted in their subscription agreements that they were accredited investors. Judge Murray held me responsible alleging that I had the responsibility to audit them, but she forgot that Mr. Main and Mr. Lux (WMMA's President/Secretary and CEO respectively who were the majority of disinterested directors) declared in my cross examination in 2019 in front of Judge Murray:

> "…we jointly controlled WMMA…we selected the WMMA investor/operators without anyone else's opinions…"

In the last 50 cases in which I was sued as a defendant over the last 40 years, out of 350 acquisitions, I never lost a case as a defendant, but the plaintiffs have used the felony conviction against me, just as in this SEC complaint, but I paid for that felony 4 decades ago by spending six months in prison. I never lost as a defendant until the SEC framed me in this case. They framed me despite 3 Federal judges issuing 3 separate Res Adjudicates disproving that I committed any wrongdoing at WMMA; disproving that I violated a securities fraudulent inducement law; and disproving that I did not write the WMMA/MKMA consulting service agreement; nor that I did not disguise investment banking fees as human resources fees. These Res Adjudicates were made before the SEC filed its Wells Complaint's wrongdoing allegations.

However, in this SEC case, I would never have settled for even a penny because they defamed the reputation that Joan and I fixed over the last 40 years. The SEC settled with defendant Lux for not one dime from him, and then settled just before the Grimes/Murray hearing for Mr. Agostino to pay $10,000 up front and $500 a month for 12 months and then a final payment of $10,000 when Agostini was accused of aiding and abetting me to milk $1 million in fees from a startup. The SEC even offered me at the end of their presentation in 2019 to settle the case for $40,000 demonstrating they knew that their case was a sham, but none the less, they held up my life, liberty, and pursuit of happiness for 10 years.

50 Federal and State judges were forced to spend their valuable time on disingenuous cases because the plaintiff's believed they had an edge, at the same time I, and my wife were upset, by the continual flurry of ongoing dishonest allegations made against me because despite the fact that I paid for my crime, the money incentive causes some people to fabricate and concoct false allegations against defendants. Just as in this SEC case, the prosecutors, Kevin McGrath and Barry O'Connell were co-conspirators with the MacFarlane Newco Enterprise that caused the investor operators of WMMA by bribery and subornation of perjury to concoct a case which

the prosecution then co-conspired with Judge Murray and Judge Grimes who willingly, knowing my innocence, made purposeful manifest errors of fact in order to tag me as guilty person.

In addition to the damage to the judges and me and Joan, all the sweat equity investor operators who put years into each of the 50 Enterprises out of the 350 I purchased lost their investment and time because they didn't join the plaintiffs. They knew the plaintiffs concocted false wrongdoing allegations just as in this SEC case.

Judicial notice should be taken that I am not the only one who has found that some of the SEC inhouse judges violate defendants' Constitutional rights as co-conspirators with some crooked prosecutors. In 2015 in a Wall Street article by Ms. Eaglesham entitled:

> "...SEC wins big with its ALJs…"

In that article

> "… for the 3 years ending 3/31/2015 the inhouse judges found 90% of the defendants guilty while during the same period and same approximate security cases, Federal District Judges found 32% of the defendants innocent…"

FOR THE REASONS CITED HERE I ASK THIS COURT TO DISMISS THE COMPLAINT AND FIND ME INNOCENT OF THE DISINGENUOUS ALLEGATIONS CONTAINED THEREIN.

THE SEC CASE REVOLVES AROUND THE CONTROL PERSON THEORY. THE SEC PROSECUTION TRIED TO AND SUCCEEDED SUBORNING THE PERJURY OF ALL THE INVESTOR OPERATORS AND MR. NWUGUGU, SENIOR VP CORPORATE GOVERNANCE, TO ALLEGE THAT I WAS A "CONTROL PERSON", DESPITE THE FACT THAT I WAS A SUBCONTRACTOR CONSULTANT TO MKMA PERSUANT TO ITS 1/20/2011 CONSULTING SERVICE CONTRACT WHICH PREVENTED MKMA FROM BINDING WMMA IN WHICH DISCLOSEDTO WMMA THAT ALL OF ITS SERVICES WERE ON A BEST EFFORTS BASIS WITH NO GUARANTEES INTENDED OR IMPLIED. As proof that neither MKMA or I were control persons or entities the services MKMA and I rendered were contained in each WMMA/WDI employment contract and the fees which MKMA charges and/or its predecessor CBI were contained in the WMMA PPM related party section. In addition, in my cross examination of Mr. Lux and separately on the next day to Mr. Main, they both stated:

> "…we jointly controlled WMMA…without anyone else's opinions…"

In addition, Google's definition of a consultant is:

> "…A consultant provides advice and guidance to a corporation in a particular field for the corporation to attempt to achieve initiatives and other objectives. Consultants can work directly and/or indirectly as contractors for consulting firms (me and MKMA respectively) that provide services across various industries including finance, management, etc. Consultants have years of experience in those fields and are used to identify issues with the goal of providing improvements and/or solutions and consultants have specific areas of knowledge to attempt to improve the client corporation's performance…"

(At the time I was a subcontractor for MKMA, I had 40 years experience in negotiating over 10,000 transactions and consummating approximately 350 deals. Those deals required senior corporate executives which required my human resources expertise as I interviewed approximately 3500 prospective employees of which my recommendations resulting in the corporation hiring 700 employees over the course of 40 years. I honed my strategic planning skills by providing each and every one of those 350 acquisitions with management and consulting services that empowered them collectively to obtain over $1 billion in financing, $250 million in equity, and the elimination of redundant SG&A variables which on average added 10% points on revenue as incremental cash flow to the corporations I rendered consulting services for.)

In order to pervert the truth the SEC prosecution and the McGrath Enterprise members caused Doug Main, Tom Sullivan, Ara Beckedejian (half the WMMA investors) and William MacFarlane to perjure their respective declarations in the WMMA 2014 Chapter 11. At the same time the 6/19/2012 dishonest shareholders' meeting proved that the SEC whistleblower after attending an SEC regional meeting suborned the perjury of all the investors to allege "…say Ed controlled all small and large things at WMMA…" In the WMMA Chapter 11 as mentioned here and above Federal Judge Gambredella and Trustee Mr. Guardino found:

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

Proving that they knew that Main, Sullivan, and Beckedejian lied when they declared that I directed Sullivan. In addition, Mr. Nwugugu lied when he alleged when the SEC bullied him to testify that I dictated the WMMA PPM to him as proven in his 12/2012 Chartis Insurance claim wherein in paragraph 5 and 6 he stated that:

> "…I wrote 100% of the WDI PPM and 100% of the WMMA PPM respectfully…"

The SEC was not able to fully control Mr. Main as in his 2019 direct testimony he admitted that:

> "…I and Mr. Tropello wrote the WMMA PPM projections…"

(not Mr. Daspin as the complaint alleged that I wrote the projections exaggerating them to defraud prospective investors). Even Judge Murray's opinion admits that before any investor invested I disclosed my felony conviction and prison sentence just as my website emdaspinandco.com put up in 2006 to the present discloses my felony and conviction. The SEC did not succeed in its attempt to recharacterize my rendering consulting services as if I was a control person because the proof lies in the disclosures that I was only a consulting subcontractor in all the employment contracts and MKMA is disclosed as a consultant in all WMMA PPMs and the majority of disinterested directors, Mr. Main and Mr. Lux who collectively owned 65% of the holding company admitted they jointly controlled WMMA without anyone else's opinion. In fact, in Mr. Lux's 10/209/2013 SEC deposition he admitted that Mr. Daspin was a consultant and not an WMMA officer, director, and or shareholder…that the only way he could attend a Board meeting was if a director invited him and then none of the directors were bound to either accept or deny his opinions. In addition, Mr. Lux testified:

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

To demonstrate the pervasiveness of the criminal wrongdoing the prosecution's subornation of perjury when six years later in 2019 after they settled Mr. Lux for no financial consideration all of a sudden Mr. Lux testified:

> "…Mr. Daspin wrote 100% of the WMMA PPMs by dictating it over Mr. Young's shoulder…"

Lux omitted the material fact that on 1/20/2011 he and all the other Board of Directors members made me sign a 5 year exclusive subcontracting consulting agreement with MKMA as its subcontractor for WMMA and that I had absolutely no power.

Respectfully,

[redacted]

Edward M. Daspin

pro se

EXHIBIT B1

Edawrd M Daspin Pro SE

[redacted]

[redacted] RE: Commission appeal case # 3-16509 5/18/23

Final Declaration proving that Judge Murray didn't write most of her opinion, rather she let the prosecution write most of it for her as my review of the 1st 14 pages. I.e. 30% of her opinion wasn't contained in the documents she permitted in as the record in her 2019 hearing. In addition, there is no question she ignored the testimony in front of her at the hearing which contravened her opinions' allegation about me by SEC witness!

Dear Sir madam;

I declare under the laws of the United States at the following declaration is true to the best of my memory and knowledge! I know if I'm willfully misrepresent, I am subject to punishment

A] Although I have already submitted my appeal to prove Judge Murray made manifest errors of fact in the above caption matter instead of responding to the hundreds of errors made in her opinion; I tried to simplify the matter by proving I had no control ;by proving that Judge Murray knowingly relied on perjured testimony in order to allege I committed wrongdoing ; by demonstrating that based on the SECS' own admission that Puccio, Lockett and Heisterkamp; half of the WMMA/WDI investor operators of WMMA THE SEC ADMITTED DURING THEIR BRADY DISCLOSURES 3 YEARS BEFORE THE MURRAY 2ND HEARING ,IN 2016 before Judge Grimes that:

All 3 of the aforementioned investors perjured their respective subscription agreements when they alleged that they were accredited investors. At the same time, in my 2 WMMA Chapter 11 reply declarations', with respective attached exhibits I proved that Mr. Main, Mr. Sullivan& Mr. Locket three [3] other WMMA/OR WHLD investor/ operators [MR. MAIN WAS A WHLD INVESTOR] also SUBMITTED perjurious declaration. In addition, the WMMA Chapter 11 proved that Mr. McFarlane perjured his declaration as my reply Declaration submitted 2 WMMA contracts, one with in demand and the other with Bell Canada which he signed as WMMA's president disproving his declarations ridiculous allegation that he was never WMMA's president. In addition the fact that the SEC stamped WMMA 7/31/11 506 REG D private placement memorandum[PPM] on October 10th 2011 proved that the SEC had no jurisdiction because the 506 reg D warrants the shares WMMA/WDI OFFERED were EXEMPT securities PROVING THE SEC HAD NO JURISTICTION; SO THEY CONCOCTED THE RUSE THAT I WAS A CONTROL PERSON, THAT 3 WMMA/WDI INVESTORS WERN'T ACCREDITED AND THAT I DIDN'T AUDIT THEM WHICH MY CONSULTING SERVICE CONTRACT WITH MKMA (MACKENZIE M&A)DIDN'T REQUIRE MY AUDIT AND MR.MAIN AND LUX BOTH TESTIFIED IN MY CROSS OF EACH THAT:

> "…THAT THEY JOINTLY CONTROLLED WMMA…THEY CHOSE THE INVESTOR/ OPERATORS & WERE SOLY RESPONSIBLE FOR HIRING EACH WITHOUT THE USE OF ANY OTHER PERSON'S OPINIONS…" (THEY WERE THE MAJORITY DISINTERESTED DIRECTORS OF WMMA/WDI)

Although I believe it's adequate to disprove the complaints allegations against me of wrongdoing and because a violations of my constitutional rights made in my case 3-16509 as in {EX 1-EX 14] the SEC's whistleblower Miss Puccio suborned the perjury of the other 5 WMMA/ Investor operators: see my Wells Reply exhibit A PG 17:The Dishonest shareholder meeting of 6/19/12 wherein Miss Puccio stated:

"…say Ed controlled all small& large things at WMMA, don't say he controlled the board of directors because Ed denied that in writing to all of us …I'll be the first to sign it…"

B] Judge Rosemary Gambardella in WMMA'S 2014 Chapter 11 found as fact:

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

A RES Adjudicate finding a fact which preceded by five years' Judge Murray's 2019 opinions which I now find that judge Murray didn't write ;but it's a sure bet that the enforcement division wrote about 40% of the 1st 14pages of her opinion as the alleged facts covered in the opinion were not used at the hearing and contravened the testimony presented in front of Judge Murray; yet her opinion used as alleged "facts" what the SEC disingenuous Wells complaint & OIP alleged were "facts from 2015/2016!!! The Federal Bankruptcy Judge Rosemary Gambredella found as fact:

"…that I committed no wrongdoing at WMMA…"'

This means that no SCEINTER WHICH JUDGE MURRAY ALLEGED I COMMITTED. I've heard the proof that my permitting my wife to loan on an unsecured basis and advance,$515,000.00 to WMMA ,a first stage startup with no assets to secure it other than cross collateral guarantees of WMMA affiliates that were also startups with no assets other than Mr. Main's $333,333.33 most invested in2/15/10 of $250,000.00, and at3% simple interest which the SEC fraud analyst testified WMMA shorted her principal proved no reasonable smart husband which Judge Murrays' opinion admits in EX 5C that Daspin was very SMART"; demonstrates no Scienter as the SEC fraud analyst also testified that:

"…CBI, MKMA, and Daspin collectively were paid $240,000.00in fees…" [of which CBI, my consulting firm received$180,000.00 of which I received about$150,000.00 for my 30 months efforts! [THAT $5,000.00 PER MONTH ON AVERAGE WHEN THE WMMA INVESTOR OPERATORS RECEIVED A MINIMUM OF $6,250.00 TO $10,000.00 A MONTH BASED ON 2.5%OF THEIR RESPECTIVE INVESTMENT[S] UNTIL THE EMPLOYMENT COMPENSATION AND WMMA TOURNAMENT BEGAN, IF PROFITABLE BY A MIN $1.00 A MONTH].

The DEC 8, 2011 WMMA Board of Directors' resolution proved that I, CBI, and MKMA contributed capital to WMMA by $2,000,000 went into WMMA as its capital of which over $2million was forgiven, $880,000.00 was in WMMA/WDI preferred shares and another $880,000.00 was WMMA/WDI unsecured subordinate contingent non-interest bearing notes! Do you forementioned and the fact that my company CBI and Mr. May's Company, MKMA on 1/22 2011 signed the consulting contract which I was a signator of where I and CBI agreed to exclusively represent as subcontractors and mixed martial arts events MKMA whose contract exclusively bound MKMA to only represent WMMA for five years. That contract is contained in WMMA S Board of directors resolution signed by all WMMA directors including the two majority disinterested directors miss the main and Mr Lux judicial notice should be pointed out that in microexamination of Mr. Main and Mr. Lux they admitted separately:

"…That they both jointly controlled WMMA. That they both controlled perspective investor operators and that they made the decision of who to sign contracts with without anyone else's opinion…"

C] in addition My appeal to this commission also disclosed that Judge Murray aided and abetted the McGrath prosecution enterprise members when the day prior to their serving a complaint against me my lawyers filed an OSC for a TRO in New York Federal District Court. The Honorable Judge Bachman dismissed my TRO requesting relief that if the SEC sued me they do so exclusively and only in the federal district court as I pointed I was too ill to withstand the stress associated with 365 day in house hearing and I footnoted I'd be denied a jury trial in addition to due process" judge Murray aided and abetted the McGrath enterprise by permitting it to divert Judge Bachmann, my lawyer and myself by explaining that the Dodd Frank Amendment provided the SEC prosecution with the first right jurisdiction in either inhouse or Federal District Court the migrant enterprise aided and abetted by Judge Murray omitted the material fact A) that all of the in-house administrative law judges (ALJ) were constitutional violators of Article 2 of the Second Amendment's appointment clause which informs the world and if a judge violates the appointment clause any hearing that judge holds is void which is precisely the order of the United States Supreme Court in August 2018 in the Lucia v. SEC matter. In that order the Supreme Court also ordered that no judge that participated in the adjudication of the pre Lucia order could hear the post Lucia if the defendant objected! Based on that order and with complete disregard Judge Murray delegated herself to hear the second hearing in my case despite the fact that Judge Murray had violated Judge Carol Foelak's postponement sine die as after Judge Bachmann was defrauded into dismissing my TRO. Judge Murray appointed Judge Carol Foelak and now Steve in my case after two months of heavily contested a German motion and after during the SEC's first deposition [redacted] declaring that: "… Mr. Daspin had a cardiac event during testifying at an SEC deposition which I had to stop midway and [redacted] to testify it is my opinion that he will be irreparably armed and might die!"

D] Despite Judge Foelak's postponement sine di finding that if anyone forced me to testify I'd be irreparably harmed; despite Judge Grimes who judge Murray replaced Judge Carol Foelak without any reason for the replacement three weeks after Judge Grimes was delegated to my case he had the unmitigated gall to dissolve my protective order and force me to testify by stating in his order that in 120 days I must attend the hearing and testify. I motioned Judge Murray to reverse Judge Grimes' dissolution and forcing me to testify when both Judge Grimes and Judge Murray admitted that they were familiar with Judge Foelak's protective order as well as Doctor Pucino's medical opinion and Judge Murray refused to reverse Judge Grimes. Judge Murray also appeared on some of the hearings Judge Grimes called and answered for Judge Grimes based on certain questions I asked proving that she was a de facto co-administrative law judge with Judge Grimes. There is no question by Judge Murray's violation of the protective order and Judge Murray switching judges in midstream in my case without any reason and by Judge Murray's refusal to reverse Judge Grimes violation of Judge Foelak's postponement sine di and finding a fact that Judge Murray initiated and orchestrated the default judgment I received. Judicial notice should be taken that Dr. Pucino gave me a written order to enter the hospital which I subsequently found out after I was [redacted] when prior to by going to the hospital I had been taking a [redacted]

and two weeks before I was hospitalized [redacted]. Pfizer is a manufacturer of both medicines and after I left the hospital I discovered that Pfizer was being sued in Federal District Court in Texas for $2 billion from the victims of the side effects of Lyrica. We also found out that Pfizer's annual sales of Lyrica was 250 billion a year at an approximate 70% gross profit margin proving the reason why Pfizer did not stop selling Lyrica after the multitude of muscles the cases in Texas proved that one out of every 500 patients at the side effects at course hospitalization or death of one out of 500 patients taking lyric. I was the one out of 500. In addition to these violations of my constitutional rights in addition to the proof offered and shown on the record that all 7 WMMA investor operators were perjurers and six of them attended the dishonest shareholders meeting at which time Miss Puccio already an overt whistleblower for the SEC suborn their perjury to allege I was a control person that in 2011 my wife sold her right , title, and interest to the three WMMA board members, Mr. Lux, Mr. Main, and Mr. Agostini and in 1/22/2011 in a board of directors resolution of WMMA were contractually obligated to represent MKMA as subcontractors when CBI sold its five year consulting service contract with WMMA to MKMA! In that service contract it states that MKMA cannot bind WMMA in that service contract it states that MKMA makes no guarantees intended or implied of success in its consulting assignments and that it makes its best faith efforts with no guarantees as proof of no control. All 100 contracts I negotiated on behalf of WMMA included that WMMA's board of directors' majority had to approve the contract to make it binding and all approximately 40 WMMA/WDI employment contracts were signed by 2 WMMA officers one of which or both were directors of WMMA. The record also proves that WMMA's bylaws provide exclusive control of WMMA to its board of directors' resolutions. All 40 WMMA/WDI Employment Contracts required approval by WMMA's board of directors for WMMA to be bound and as a result represented its board resolutions whether by oral signature or signboard meeting. Mr. Mike Nugugu, WMMA senior VP corporate governance, a CPA, a series 7/13 SEC license holder, Columbia MBA and who completed two years at law school and was an adjunct professor at a New York University in finance. He served WMMA and by his admission in his Chartis Insurance claim for $1,000,000 he admitted in paragraph 5 and paragraph 6 that he prepared 100% of WDI and WMMA's 506 reg PPM's respectively, despite that the Wells notice OIP and complaint alleged I was the author of WMMA's PPM. Judge Murray's opinion alleged that WMMA did not have a law firm to represent it and the fact is that I negotiated with and reported directors of WMMA signed a binding contract with PLA Piper, the world's largest law firm. In addition, Judge Murray allege that WMMA had no accounting firm and the fact that McGladrey Pullen is the 5th largest US accounting firm at the time assigned the contract making it WMMA's accounting firm. This proved that Judge Murray didn't know what she was talking about in her opinion. The reason I say this is because I want to use the 1st 13 pages of Judge Murray's opinion to prove that she either didn't know what she was talking about or was malice of forethought she followed the bouncing ball at the SEC McGrath Enterprise Prosecutors put before the commission and the judges for them to fall asleep believe I committed wrongdoing at WMMA when the facts prove and the SEC fraud analysts testified in 2019; that I ,CBI, and MKMA collectively only received $240,000 in fees: but the complaint the alledged that: Mr. Daspin milked $1,000,000 in fees from WMMA causing it to go out of business"

E] please notice below and I referred to each of the 13 pages and an as an exhibit and that further I use letters with respect to each pages misrepresentation in Judge Murray's opinion proving she committed manifest errors of fact which the testimony held in 2019 proved were purposeful errors of fact committed by Judge Murray because the testimony of the 10 SEC witnesses in large part contravene the SEC's complaints' allegations about my wrongdoing! I refer to each page and letter all of which are

attached as exhibits and I will number My comments as well as include them in brackets to enable the commission to look at the page and see the letter of each paragraph and the underlines so that this commission will pick up on each manifest error of fact I did not use all 50 pages because it would take me more than the permitted amount of pages to respond but the 1st 13 pages eradicated and the remaining pages follow about the same number of mistakes as the 1st 13 pages proved were manifest errors of fact or omissions of material fact or a PERJURED statement of fact from perjurers; that Judge Murray knew were perjured testimony:

Ex1[the footnote on page 1 misrepresents that Mr. Agostini made a settlement offer as it implies in Agostini asked for the settlement when the facts are at the Second Circuit Court of Appeals stayed Mr. McGrath and the administrative law judges from contacting Mr. Agostini when Mr. Agostini filed with the second circuit a motion to stay case number 3-16509 on the basis that none of the commission is! Qualified under the Constitution's appointment course Mr. McGrath violated the no contact no contact by writing Mr. Agostini an email stating if you get in touch with me, I'll offer you ideal you can't refuse" this violated to stay of the second circuit after the stay was dissolved the written settlement occurred but the offer of a settlement was made by the prosecutors and Judge Murray not by defendant Mr. Agostini.

Ex2A exhibit 2B Exhibit two way misrepresents the facts as judge Murray did not reassign my case to herself she delegated the case to herself on September 12 2018 violating the justices order that no judge that participated in the first hearing could hear the second hearing if the defendant objected and I objected by filing a motion with Judge Murray farther recuse herself for that reason and the fact that she had a monetary interest in finding my guilt because I had in 2016 warned her and Judge Grimes I was going to sue them after this as he seemed matter was finished and so I believe Judge Murray violated the justices ordered because she thought she could allege that the reason I sued her in federal district court with judge Grimes was attributable to the fact that she found me guilty]

EX2B[Judge Murray omits the material fact that she gave the SEC prosecution 9 ½ days and when it was my turn to defend myself she cut me short after two hours because she wanted to take a train die the Boston or Washington DC and she did not permit me to go over all of my defenses. In addition Judge Murray omitted the material fact that the hearing aids given to me in her courtroom were inadequate but I couldn't hear about 30% of the testimony and that Judge Murray in Lou thereof yelled whatever she thought she heard the witness testified to once Price are even three times before I thought I understood it and by the time I thought I understood it I forgot half the reason why I objected to it which prove that Judge Murray's violation of Judge Foelak's protective order forcing me to testify denied me my constitutional right to protect myself]

2c Judge Murray's allegation that she considered legal arguments my counsel provided in the wells process as my reply brief is false because my reply brief proved that in the WMMA Chapter 11 Judge Gambredella "found as fact" that Mr. Daspin committed no wrongdoing and proved that Mr. Maine, Mr. Beckedejian, and Mr. Sullivan perjured their declarations in opposition to my motion for the Chapter 11 to be dismissed despite that proof judge Murray used Mr. Main's and Mr. Sullivan's testimony knowing they were perjurers if her admission that she read my wells reply was true and yet used their testimony when the facts and the prima facia evidence disproved it. I.e. Mr. Main in direct admitted he wrote with Mr. Troppello' the WMMA PPM projections yet the complaint alleges I wrote the projections and I exaggerated them to the defraud prospective investors. In addition, in my cross examination of Mr. Main he admits that he and Mr. Lux jointly controlled WMMA and that they collectively interviewed and hired

the investor operators and paid no regard to anyone else's opinion' hey Judge Murray found me guilty as a control person despite the fact that Mr. Lux's cross examination by me verified Mr. Main's statement Luxe testified' that he and Mr. Main jointly controlled WMMA. Omissions were right in Judge Murray's face and as my notes on page 5 prove did Murray alleged that the WMMA board of directors had quarterly meeting in resolutions when the facts are they had over 150 board of directors' resolutions proving that the WMMA Board of directors specifically the two majority disinterested directors controlled WMMA and called the shots with approximately 12 Board of directors resolutions every month which is 3 board resolutions a week not quarterly meetings.

2d[exhibit due day a 2D is a willful material omission of fact by Judge Murray the facts are that Judge Carol Foley was the administrative law judge that made a postponement in a die order stating in fact:

> "…that if anyone forces Mr Daspin to testify, he'll be irreparably harmed…"

The facts further are that it was Judge Murray that violated that protective order by playing musical judge jazz and for no reason eliminating judge folk and replacing her with judge crimes judge Mario meted the fact that in the Wall Street Journal 215 article written by Miss Eaglesham captioned'' SEC wins big with the 10 House judges; judge little in macro one:" stated that judge my repression me" to find more cases for the prosecution in that article it demonstrates that the three year average conviction rate for SEC cases in house was 90% while for the same. With the same approximate number of cases the SEC federal district court cases those judges found 32% of the defendants to be innocent. Judge Murray ordered her presiding judge, Judge Cameron Elliott to submit an affidavit to the Wall Street Journal to contravene Judge McEwen to fix cases against the defendants, in essence, and that Judge Elliott refused to submit an affidavit" and instead submitted a note stating:

> "… I will never submit an affidavit in this matter…"

Judge Mary dismissed Judge Elliott 30 days after the note and replaced him with Judge Grimes which is the same abuse of discretion taken 30 days after Judge Foelak signed a protective order stopping anyone from forcing me to testify" it was apparent to me and I'm sure will be apparent to you that Judge Murray had extra contact with Judge Grimes because he also violated a judge for protective order dissolving it and forcing me to testify in 120 days and I motioned judge Murray to reverse his order because it violated Judge Foelak's protective order forcing me to attend the hearing in 120 days and she refused to do it those omissions of material fact is what she left out of her opinion.

Ex2] Judge Murray your omitted the material fact that Lucia verses SEC prohibited any judge that participated in the adjudication of the prelude hearing from hearing the post Lucia hearing if the defendant objected emotion or recusal and she refused to do it. She initiated an orchestrated my default judgment. She violated Judge Foelak's protective order and switched to another judge for no reason, then re-participated with Judge Grimes and some of the hearings that Judge Grimes ordered answering some of the questions I asked Judge Grimes proving she was a covert co-administrative law judge would break in and had she not violated my constitutional right to the protective order had she not permitted a change of judges according to Dodd Frank I would have been out of the case because if there's no decision in 365 days the case is dismissed against me and I was too ill to testify has Murray's conduct was as a delegator for the commission as the primary delegator of my case. The commission initiated the complaint against me! The delegate is the ALJ who has a fiduciary and is an agent and representative of the delegator! As a result, the entire inhouse cases are violations of the Constitutional rights of

defendants because despite the appointment clause satisfaction by delegating cases to the judges the commission placed the fiduciary on each administrative law judge and by definition made them! Agents and representatives for the commissioners our form of Justice prohibits a finder of fact from representing either side of a dispute {Violation of the Constitution and of the rules of law is unconscionable and my strategic judicial plan for the in-house process which calculates to $4,550,000 dollars]

If you do the right thing here and agree to pay me From my work effort on your behalf and find and I committed no wrongdoing as a result of Judge Murray's manifesto as a fact this case can be over and I can use the money to donate the charity as well as save the in-house process because part of my recommendation was that you get rid of Judge Murray and replace her with Judge Foelak and that was accepted I also recommend that you stop delegating cases and assign them using a lottery which Judge Carol Foelak can now commandeer and then a point stand by Federal or District Judges as advocates permitting them to have two SEC clerks with an ombudsman that's independent of the government or the SEC as a subcontractor administrating the advocates receiving a list from each circuit court presiding judge to cover the nation for no conflict and the advocates would take 30 days or a lesser amount to review the well submissions and then write a superseding meaningful judicial review for the commissioners to have the facts presented on bias as right now the commission is used their own enforcement divisions Wells letter is being gospel because the Commissioners do not have time to go over the Wells submission. A ssuming 500 Wells submissions a year and five commissioners is 100 wells transactions per commission at best each commissioner only has 20% of his or her time which equals 400 hours which equals 4 hours to review 1000 pages including the Wells referred to case law and abstracts of depositions. There's no way that a Commissioner can do justice to a perspective defender spending 2 minutes per page. That is the reason why in federal court 32% of the defendants were found innocent and approximately another 17% settled because they had the ran out of money or their legal fees would be more costly than the settlements. That's a 50% batting average The in-house process is fixed against defendants for those reasons my case has 20,000 pages of documents there's no way my law firm could provide a fully meaningful answer to the Wells notice in 45 days. However the prosecution held back filing the Wells notice for three years so that they could grasp all facts and conceal those that contravene the allegations of wrongdoing that they put in their OIP and in their complaint. This was a rigged case the prosecution felt they could roll over three defendants that committed absolutely no wrongdoing and they settled two of them Mr. Lux for no money and Mr. Agostini for $10,000 down and $500 amount a month. The finding of guilt against a person with their own witnesses stated was only a consultant which sold his direct consulting interest through CBI to MKMA and was a subcontractor that had no authority to bind and that all of the 40 employment contracts did not have me as a report to person. In addition, the SEC whistleblower, Ms. Puccio, suborning the perjury of all the WMMA investors to allege I was a control person, when the facts prove otherwise the SEC tried to make a securities case out of a 506 Reg D exempt security private placement memorandum that had the SEC stamp on October 10th 2011!

Ex3a] Judge Murray knew as did the SEC prosecutors that the alleged issues were concocted issues now were untrue. Judge Murray knew at the enforcement division concocted claims of wrongdoing that some of its witnesses admitted they committed

3c[&3d] Judge Murray misrepresented that she applied a preponderance of the evidence as the standard of proof the reverse is true that the proponents of evidence proved my innocence and that she did not

use it. Judge Murray also misrepresents and rejected all arguments, proposed findings and conclusions when they contravened and were inconsistent with her decision

3e] Judge Murray's admission that I am very smart should be judicially noticed because no smart individual if he had scienter had any knowledge of wrongdoing would permit his wife to loan and her advance on an unsecured basis to WMMA over $515,000. (Seen as in 6 section book outlining each and every dollar my wife advanced). What smart person knowing of wrongdoing would permit his wife to lose a portion of the pension she was relying on to retire. In addition, I through CBI and Mr. May to MKMA capitalized WMMA with $4,460,000 of unsecured subordinate non-interest bearing contingent notes as capital while the SEC fraud ordered testified we collectively only received 240,000! What smart individual would capitalize WMMA in that amount losing 20 times the amount they capitalize because the fraud analyst testified that we only received$240,000 not the million that I was falsely accused of milking WMMA by the SEC Wells the SEC OIP and the SEC complaints wrongdoing allegations]

3e] Judge Murray mistakes my plea bargain with the government of the United States I did not plead guilty to committing a felony bankruptcy fraud' I plead guilty to participating with my partners of a truck holding company in not disclosing to a receiver the locations of leased equipment by a debtor in possession! The facts were that deterrent possession which we had no ownership of fraudulently induced by paying off our terminal manager to permit them to build one of our recently acquired trucking companies for two trucks for every one truck they delivered for six months. They've committed a fraud against the company that we purchased the stock of. Our attorneys informed us that since we had possession of the chattels, we were not unsecured creditors and that the debtor was obligated to buy back for the fraudulent theft but that'll refuse so we didn't disclose the trucks. I didn't commit a bankruptcy fraud. I just concealed assets that my lawyers told me we had every right to hold onto.

EX4B] Judge Murray completely misrepresented the plan of WMMA to use the internet to telecast events. That's the reason and Larry Lux was right. He was the former president of Playboy, the largest Internet entertainment program on the Internet. WMMA was a sports entertainment Internet program and that's the reason we signed the contract for WMMA with IMC which the Board of directors of WMMA approved in its resolution by all three WMMA directors. This distinction is important if you read Mr. Lockett's Brady you will see he testified that Mr. MacFarlane prevented him from meeting with black ops to WMMA Web designer in order for Lockett, a newly hired CIO to arrange Black Ops and IMC to interface together so that the IMC database of 830 million double opt on people would be able to see the Internet telecast using pay per view to distribute the cash flow 90% to WMMA and 10% to IMC including the exclusive use of its database and its payment of all broadcast costs, whereas cable cost WMMA 50% of its revenue. This strategy in short if McFarlane, Jarell and Wayne Craig subsequently with Mr. Doug Main collectively the leaders of the MacFarlane Newco Enterprise had not blocked Mr. Lockett then the 3/31/12 event could have been an Internet event and the preproduction costs and other costs paid by WMMA of approximately a half a million would have been zero. IMC would have fronted all those costs and we would have had 830 million potential viewers to see a charitable event. In retrospect it's apparent that MacFarlane and Jerrell and Craig wanted a cable program so they could rip off WMMA of the extra 400 shirts, occupied the tickets Ticketmaster did not pay WMMA for and to enable Craig to steal WMMA branded T shirts . In addition, the SEC fraud analyst in 2019 testified that two weeks before the cable event the WMMA financial team composed of Mr. Sullivan and Beckedejian with Main by that time represented Jarell and Macfarlane and they dramatically reduced the last budget submitted to the Board of directors when two weeks later WMMA lost $1,000,000 as the fraud analyst testified at that

3/31/2019 event' rather than my stealing and milking $1,000,000 from WMMA, it was the MacFarlane Enterprise that lost a million I was alleged to have committed a wrongdoing"

ex4e] Finally, an exhibit for Judge Murray admits the sale of WMMA branded digital content and related product were important elements of Daspin's plan"

ex4e] Here's Murray's omission of the material fact and Mr. Lockett's Brady admits the interference by Macfarlane preventing him as chief information officer of WMMA getting Black Ops together with IMC to permit the Internet event to occur on 3/31/2019 and the reason she doesn't is because the SEC prosecutors made a deal with MacFarlane and his lawyer Richter to use me as his red herring to pretend that I milked the $1,000,000 in fees when the SEC fraud analyst together with Mr. Lux's 2011 SEC testimony that concluded that it was Mr. Macfarlane's gross mismanagement that lost $1,000,000 of WMMA equity and that I ,CBI, and MKMA collectively only received $240,000 in fees when from 4/1/2010 to 10/12/2012 I put in 30 months of hard labor and only received $180,000 of the $240,000 and cash fees with CBI & MKMA investing $4,460,000 and WMMA cap an unsecured non-interest bearing contingent note. Judge Murray also doesn't disclose that on December 8th at a WMMA 2011 board meeting CBI & MKMA collectively forgave most of the $4,460,000 retaining only $880,000 of WMMA/ WDI preferred shares and $880,000 of unsecured contingent notes with the balance forgiven as WMMA cap! When would any person knowing something committing scienter ever be such a benefactor to WMMA! N0,N0!!]

NOTE: So far including up to page 14 there are twelve Board of Directors' meetings it took place organizing the transactions referred to on those pages. In addition, Judge Murray admits they were approximately 100 WMMA contracts signed, all of which required Board of Directors' approval, which requires a resolution whether oral or in writing, and another 40 WMMA employment contracts all of which required in the boilerplate that the Board of Directors approved the contract else the person could not be employed by WMMA. That's 149 board of directors resolutions and as this commission will see Judge Murray represents in 5E[FIVE]E; THAT the WMMA Board MET QUARTELY!' quarterly" I notated on the right side of each page[B.O.D]which represents Board of directors meeting!

Ex5c]n Judge Murray opinions in 5C demonstrates as she alleges. Mr. Lux Including as managing director of National Geographic Interactive and President of Playboy and his involvement lent a patina of respectability to the enterprise for some of the investors' at the gross misrepresentation his background as the president of at that time the largest Internet entertainment company in the world for pay-per-view represents a magnificent synergistic CEO as that was the very essence of what WMMA was supposed to provide and be the low cost provider of mixed martial arts events since UFC the largest competitor in the mixed martial arts entertainment paper view industry produced and directed their events on cable TV costing them 40 to 50% of their gross profit margin whereas WMMA's strategic plan was to use the Internet costing 10%. Using the Internet and paying 25% of the pay per view to the regional promoters and fighters and another 3% to Paypal after deducting 10% to IMC With the 67% gross profit in March which based on the projections of Mr. Tropello and Main request another 10% leaving WMMA with 63% pure pre-tax cash flow where it was UFC that generated $4 billion of revenue in 2011 attributable to 40 events generated $400 million pretax and sold out in 2012 for $4 billion in cash @a private sale private sale!

Ex5d] Judge Murray's allegation that my testimony that the WMMA Board of directors was chosen by consensus, but my account of a group discussion is implausible given that the positions of Lux and Main

were established earlier by their employment agreement makes absolutely no sense! WMMA was incorporated on 4/10 prior to Mr. Lux and Main receiving their Board of Director seats. Mr. Agostini, Mr. Nwugugu, Mr. Rapelo Mr Garage Four or five others sweat equity senior positions or all promised sweat equity positions as Co-incorporators agreed to the employment agreements given Mr. Lux and Mr. Main which were in the last quarter of 2010 and as a matter of fact Mr. Main testified that he thought that all the people he met in my basement had invested hard cash which is not only implausible but dishonest because Main was the 1st president and secretary to open up the WMMA Bank account and he knew who the officers and directors were. He also knew he was the first investor. Hello, Judge Murray makes a good try I tried to discuss the history and issues or omission of the content of over 10 pages of documents WMMA produced to the SEC by subpoena is probably the reason for some of our manifest errors of fact but the remaining errors in fact are willful misrepresentations by a judge known as a hanging judge based on former Judge Lillian McEwen's Wall Street Journal testimony that Judge Murray pressured me to find more cases for the prosecution.

5e] Judge Murray's statement that the WMMA board met quarterly as an outright lie as an outright lie because later on in her opinion she admits there were over 100 WMMA corporate contracts signed and each one had contained within it;" it was subject to WMMA's Board of Directors resolutions as well as the 40 WMMA/WDI employment contracts all of which required in the contract that the Board of Directors must meet to approve the employment contracts and the investment contracts. My cross examination of both Mr. lux separately and then the next day Mr. Main testified that:

> "… they both jointly controlled WMMA selected the investor operators and hired them without the use of anyone else's opinion…"

Judge Murray admits 40 WMMA WDI employment contracts & 100 corporate contracts were signed; but had she read them she would have seen they were subject to the WMMA Board of Directors' approval in writing [i.e. Board of Directors meetings of over 149 in 18 months or on average 5 meetings a month, or one[1] a week! Not 7 meetings over7quarters! Judge Murray's magnificent understatement of the Board meeting was meant to prove that I was in control of the company when the facts of control we testified by Main and Lux in my cross! I was negotiating deals. I negotiated 14 regional promoter contracts in formations of the world for WMMA to live up to it's 2012 projection which Mr. Main testified on direct that he and Mr. Tropello wrote the WMMA PPM projections [not me as the complaint alleged fraudulently]

ex5f&5g] Judge Murray's misrepresentation also goes beyond perjury into a criminal wrongdoing by Judge Murray I never said that MacKenzie M&A was my private consulting company. Mackenzie M & A was owned by Larry May. I did testify and the Board of Directors' resolutions verify that the WMMA board consisted of Mr. Agostini, the Chairman of the Board and Chief administrator of WMMA. Mr Main, WMMA's President and Secretary and Mr. Lux, WMMA's CEO with the three of them the WMMA Directors. The fact that in my cross examination both Mr. Lux and Mr. Main separately each admitted they jointly control WMMA' not only disproves Judge Murray's inference that I was the controller of WMMA, but it makes her a perjurer and for a judge to perjure herself in an opinion for a judge to pressure other judges subordinate to her to find more cases for the prosecution is a criminal offence but this Commission to find my guilt you would be aiding and abetting criminal conduct against me it's not your fault that the Chief judge concealed for eight years the fact that she and none of the other four administrative judges regarding two of the Second Amendments constitutional requirements they

cheated or rather the then commissioners and Judge Murray the Chief Administrative Judge who had a fiduciary to ensure that all the judges beneath her were properly appointed cheated on the defendants if not for the leniency of the United States Supreme Court only holding the SEC commission's feet to the fire on 149 defendants whose judgments were avoided under the statute of limitations I calculate about 700 in house defendants were defrauded by the fraud perpetrated by none of the administrative judges being constitutionally appointed they were all violators! Including Judge Murray!

EX5G][The problem with Judge Murray is she hid from the 2019 cross examination testimony of Mr. Main and Lux. Judge Murray knew they were both perjurers because she admitted she read my Wells Reply and in it I disclosed that in the WMMA Chapter 11 Mr. Main lied when he stated that he never participated in the WMMA PPMs . My reply declaration exhibited his WMMA employment contract and in it mandates that he must participate in all the WMMA and WDI PPMs and in his direct testimony on 2019 in front of Judge Murray he admits that he and Mr. Tropello wrote the projections in the WMMA PPM disproving the allegation in the complaint that Mr. Daspin wrote and exaggerated the WMMA projections to the defraud investors. In WMMA's Chapter 11 Mr. Main also declared that he heard me direct Mr. Sullivan not to write and file at 1099 against MKMA. Mr. Beckedejian corroborated that perjurious allegation which was made by Mr. Sullivan in the WMMA Chapter 11"" alleging I directed him not to file a 1099 against MKMA. I exhibited in my Reply declaration Mr Beckedejian's admission in the 6/19/2012 dishonest shareholders' meeting wherein he stated to Mr. Sullivan" and the other 5 WMMA investors partners that Price Waterhouse and KPMG informed me WMMA is in the clear" by not filing a 1099 against MKMA. I also exhibited at Mr. Sullivan's employment agreement which gave him one report to he reported only to Mr. Main then president of WMMA, so if Mr. Main and Mr. Lux testified that the Board Resolutions concerning the WMMA companies structured and transactions originated with Daspin who controlled all the conceptual direction of everything, that was the subornation of perjury at the SEC prosecutors concocted but they could have said and it would have been truthful was that I and Luigi Agostini founded the company in my basement on 4/1/2010 and that I was hired in 1/2/2011 to CBI with a five year consulting contract to develop strategic planning deal making negotiating and human resources procedures which CBI sold MKMA on 1/2/2011 and a five year consulting agreement and which CBI with me as its CEO agreed to be subcontractors for MKMA providing those services if that's what they meant by the conceptual direction[] of WMMA instead of using the word everything that would have been true but that didn't give me control of anything because it was up to the Board of Directors to dissect any contributions CBI or MKMA may made and the whole board of directors meetings and vote on the strategies vote on whether the initial human resource interviews should then proceed to board a director membrane interview vote on whether a corporate contract should be approved by the board or not or a change or what clearly control was as they testified in the face of Judge Murray in microexamination any testimony before the concocters of fraud the concocters of perjury must be disregarded because there's no question that on 6/19/2012 the SEC whistleblower to Ms. Puccio on page 17, subornation of perjury of all the investor operators, Mr. Lux was not in attendance as he never invested a penny and Murray wasn't in attendance because as they admitted in the Dishonest Meeting they didn't want to admit Main's participation with them as Mr. Sullivan did" that Mr. Main and Mr. MacFarlane were soon to be meeting me for negotiating with them the alleged sale of WMMA to Macfarlane's Newco, so Sullivan didn't want to respond to my email to all of the investor operators. Judicial notice should be taken judicial notice should be taken the extent to which Judge Murray wanted to prove I was a control person when the prima fascia evidence the admissions of Lux and Main and cross examination of the admissions of Lux and Main proved they were the control

persons and proof that I was not a controlled person and that Judge Murray should have used was Mr. lux's 8/20/2013 SEC deposition we're in he stated:

> "…Mr. Daspin was not an officer director or shareholder of WMMA. He was only a consultant. He had to be invited to the Board meeting by a Board of Director member and then if he was invited none of the Directors had any obligation to agree or disagree with his opinions…Mr. Nwugugu wrote the lion's share of the WMMA PPM …I stopped participating in the WMMA PPM work in progress because I believe that none of the prospective investors believed in the projections of the PPM's anyway…"

That testimony was given before the crooked orchestration of the SEC prosecution. Mr. Nicholas Koladny left the SEC prosecution team. He refused to attend the 2019 hearing because he knew that Judge Murray violated Judge Carol Foelak's protective order and the Supreme Court's order that judge Murray should not hear the second hearing because she participated in my adjudication of the Judge Grimes default judgment. Judge Murray was the initiator and orchestrator of my default judgment. Had she not violated Judge Foelak's protective order; had she not switched judges in midstream for no reason; had she not appointed her pet presiding judge after her prior presiding judge refused to contravene judge Lillian McElwain Wall Street Journal declaration that judge Murray pressured her to find further prosecution there would never have been a default judgment against me the case would have run the remaining 200 days and according to Dodd Frank dismissed. What this case is all about Commissioners is the corruption within the very womb of the in-house prosecutorial relationships'; let's face it judge Murray violated her oath to protect the Constitution from inside & outside threats as she herself was an inside threat, she also co conspired with the McGrath & O'Connell prosecutors' and concocted guilt alleging I committed a wrongdoing at WMMA in violation of Judge Grambredella's finding of fact that:

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

That was five years before the 2019 hearing!

Judge Murray knew Mr Lux SEC 8/29/2013 SEC deposition testified :

> "…Mr Daspin was not an officer, director or shareholder of WMMA..: and that Daspin was only a consultant of WMMA..that Daspin needed a WMMA board member to invite him to a WMMA board meeting& then his opinions did not have to be used or not used as each director decided…"

Judge Murray refused to use the prima facia evidence, but I submit used the evidence the division gave her to write our opinion. After all she delegated 25 cases formerly of Mr. Grimes in 2016 to herself. Do you think she had time to read the 20,000 pages of documents and my case she was hand fed by the prosecution and the other delegate Administrative Law Judges and the prosecution enforcement division of the Commission because the judges were delegates of the Commissioners making them agents and representatives of the Commissions regardless of being appointed under Article 2 of the Second Amendment the inhouse process consisted of the perpetration of a fraud and hoax against defendants that the division knew they could not win in a Federal District Court because the Federal District Judges we're honest, brilliant, and had heard it all as magistrates as top lawyers and their professions we're directly appointed by the President while the in-house Administrative Law Judges were appointed by mid management of the SEC itself and in the case of Judge Grimes, judge Murray admitted that she violated

the process by sitting in and interviewing Judge Grimes before he was appointed by the mid management panel. What my case consists of is the very proof you commissioners need to correct if you want do your jobs right. Pay attention to my advice. I'm 85. I'm judgment proof. You can't harm me. I'm trying to give our country a gift. I'm trying to clean up the crap inside your own house and help you do it and I ask that you pay me for the time I put in because when I was fraudulently alleged to be a target I had to stop representing joint venture partners, because I had a fiduciary to represent to them I was a target by the FCC and none of them wanted to participate with anybody in that precarious position then when Mary Jo white and our commissioners permitted a complaint to be initiated against me by Constitutional violators in house without disclosing that to Judge Bachman, Judge Bachman dismissed my TRO motion. Judge Murray aided and abetted Mr. McGrath to defraud me, my lawyers and Judge Bachman and when Judge Foelak found I was too ill to testify, Murray violated another judges finding of fact after two months of a heavily contested hearing which the prosecution did not appeal, so what judge Murray do, she wanted her taste of blood. She's a vulture. She's the criminal. I've always been an innocent. This panel owes it to me to be just and fair and equitable. President Biden owes it to me because the willful fraud perpetrated against me caused my wife to drink alcohol which caused her alcohol induced [redacted] and I lost my darling of 59 years of marriage and 61 years together January, 2020, exactly for nine years after the 1/20/2011 sale by CBI to MKMA of the WMMA five year consulting agreement!

EX5H] Who in the world could believe that I dictated every decision made by Lux and Main with respect to everything. Main was this season doctor in chiropractic and building developer who trained both his sons to be mixed martial arts athletes. Andrew main was a professional mixed martial art athlete who fought for UFC on its Cablevision preliminary events and Lockett was the former President of playboy.com at the time the world's premier pay-per-view entertainment Internet site you Hefner generate hundreds of millions of dollars from that site and Larry lux ran it as President when the SEC prosecutors covered with the blood of innocent defendants couldn't lead him and couldn't suborn perjury look at her representation in exhibit 6A

Ex6a][Alex 's admissions or alleged admissions were made after the prosecution bribed them with the settlement costing him not one penny. That's why he alleged that the board never reviewed prior contracts and that the Board had not done any review.. Because he needed income Lux would sign all papers and resolutions prepared by Daspin that he didn't understand! SEC prosecution made Mr. Lux look like a dumb fool when the man had an MBA, was the number two officer at National Geographic, the President of Playboy.com. It's tragic all these quotes came from the SEC enforcement division that they sent to judge Murray to include in her opinion. It's their opinion of their own BS don't be taken in by it my cross examination proved the facts the prosecution here has Mr. lux alleging criminal events that he permitted contracts he never reviewed nor understand to be signed because he needed money. The man's compensation was $2000 a month plus $150,000 a year salary paid monthly at the rate of $12,500 a month in any month WMMA made $1.00 in profit after paying its bills and all of its employees their deferred compensation and in consideration for that he received warrants that if Mr. Main in Tropello's projections and the PPM were true because Mr. Maine testified he and Tropello wrote the projections that the SEC fraudulently alleged I wrote and exaggerated to defraud prospective investors. Main also receive 30% my wife's 90% in WHLD. He didn't lie for anybody. He certainly didn't lie for $2000 a month compensation he believed that he could make the difference and take this start up where it deserves to go and so did Mr. Main. Well he wouldn't have invested $350,000 in the venture. The fact that judge

Murray will disregard my cross examination testimony of Main and Lux admitting they were in control without using anybody else's opinion of the investors and who to give employment contracts to the fact that she knew that Lux's 8/29/2013 SEC deposition proved that I was only a consultant and no director had to listen to my opinions and I could only attend board meetings if invited by a Director and then use the BS that was extricated by this crooked prosecution team nauseates me. I'm too ill to take the stress what goes on in these in house proceedings when I read this filthy fraudulent opinion it's goodbye and good riddance to Judge Murray. She deserves to be hanged. How many years were innocent defendants framed. I guarantee you judge Lillian McEwen, who admitted to the Wall Street Journal that Judge Murray pressured her to find more cases for the prosecution wasn't the only judge had she practice her nefarious Machiavellian art on because Presiding Judge Cameron Elliott refused to contravene judge McEwen. That's why Judge Foelak was separated from my case because she found I was too ill to testify in a 2 month hearing. If this Commission doesn't clean up the filth contained by McGrath and O'Connell still working for the SEC enforcement division then you're not doing your job. At least you got rid of Murray. God bless you. Unfortunately, the two tiered requirements to get rid of an administrative law judge using a merit panel first and then the president having to dethrone the merit panel in order to get rid of it criminal judge is probably why you endured with Murray, but right now you have a great judge Chief Administrative Judge. let's follow the rest of my strategic litigation plan. Judge Murray admits and exhibit 5C that I'm very, very smart and strategic planning is what I'm like good point.

Ex6b][exhibit 6B represents another perjury in the complaint the OIP and I put the common shares of all WMMA companies held in trust for my wife. The fact is that Main and Mr. lux on two separate dates asked me if I and my wife when extricate ourselves from participating directly in the startup because they were concerned then it might adversely affect WMMA's performance of signing up promoters or getting the best human resources at that time I was a defendant in Chamco, and filed the Chapter 11 in California before the honorable judge Theodore Alfred. they also alleged securities fraud and it wasn't until 12/31/2012 that Judge Alfred found me innocent of all wrongdoing allegations. I was 77 years old and tired. I enjoyed structuring the strategic plan as I had been captain of New York university's wrestling team and was undefeated. I had a full scholarship there in the Heights campus on 183rd St. In the Bronx mixed martial arts is about 70% wrestling and most wrestlers become champion mixed martial arts fighters. I had no desire to run a company I had owned over 350 corporations as one of the top merger and acquisition professionals in this country I appraised over 10,000 companies. Four federal bankruptcy judges found me as an expert business appraiser and I testified as an expert on certain occasions when one of my firms was interested in buying a deterrent possession I agreed with them at that time Main, Lux, and Mr. Agostini were Board of Directors members and I believe that if my wife sold all right title and interest WHLD 1:15 to 11:00 when the corporate stock book hadn't even arrived because it was incorporated on 1/13/2011 and if the buyers I eat the three WMA directors gave her a five year warrant to repurchase at higher price and if I sold CBI five year contract with WMA to MK MA says that Mister may could handle WDI from the southeast I like could work in New Jersey on WMA then I'd get the best of all worlds and Joan and I would not be victims of lawsuits of investors who wanted to try to steal the company by alleging they didn't know I had a felony until after they invested fortunately me for me in 2006 to today my EM Daspin andco.com website declares my felony and six year prison sentence so nobody could say they didn't know if they had a high school education because in 2011 everybody used the Internet to check on the backgrounds of people and since I signed every WMA employment contract with my full name and since each applicant that the board of directors decided to hire was sent to the prospective applicant three weeks to a month before they had got their pension money arranged to sign

the subscription agreement nobody could say they didn't know my background even though Mr. young and testified and Mr. Tropello in the WMMA Chapter 11 that he attended each and every interview with the potential investor where I disclosed my felony in prison sentence at my first interview meeting just as Greg Lang Harvard MBA vice president of ABC sports invested in WMA and in his Brady he disclosed that I voluntarily disclose my felony in prison conviction at his first interview I and my wife had a database of several thousand resumes of senior executives that we're looking to place themselves and in addition about 300 executives applied to a blind that they then received an overview and with it before any names were disclosed they had to sign an NDA before they were introduced at the New Jersey headquarters to the WMA senior officers and exported directors so my wife and I participated in the preselection of those resumes we thought might make good officers and or investor operators and it was then up to the board of directors namely Mr. Main and Lux wound 63% of the common stock at WHL D Mr. Nwugugu made a mistake when we explained at Main and Lux and I and my wife had agreed we would disengage from WMMA he thought we meant a trust a trust would not have given us a disengage because everybody would have said exactly what the SEC prosecutors perjury. Nwugugu made a mistake he made it a trust the day after we signed it we read what we signed and we realized that no Google did a bad job and he had to write it over as a sale contract with a warrant and a non delusion cause the second contract was a contract of sale of common shares and not of the common shares of every WM a company and not a trust of every WMA company that mistake was cured in 2016 but they dated the contract of sale on the date that the Google made the mistake of making it a trust that's the reason why I acquired my wife's warrants and I purchased the sale of the common shares she sold her right title and interest to for $1000 deluxe and 1000 to main because under the sale and warrant agreement if a man resigned from the board of directors we could exercise the war and so after I exercised the warrant after the board of directors controlled by main and lux permitted McFarland and his enterprise members to rape WMA at the 3/31/12 Wounded Warrior event that I step up to the plate and buy upon the resignation of luxe furs his 30% and then around August Mr. Main’s 30% morning 60% around September 2012 on trade 31 to 12 all but $100,000 of the million one in the bank was gone I never had any control over WMA and that was admitted inLux’s 8/29/2013 SEC deposition before he settled with the SEC and agreed to perjure his testimony and that was settled as fact when Lux and Maintestified they were jointly in control and didn't use the opinions of anybody else all of a sudden judge Murray tries to hit a home run from third base we are not allowed bats judge Murray didn't know all this nonsense and detail this was all a scam of the as she seen prosecutors and one of them nick Cologne refused to participate once he realized they were trying to frame me as a guilty person use me as mcfarland's red herring

Ex6][exhibit the admits the truth and a manner right the judge admitting and my wife cell of 30% to each board member had a clause to protect her interest as a seller we were accommodating Main and Lux’s request and we take a second class seat with no problem they had no fiduciary to my wife that was the nonsense in the trust that Mr. Nwuigugu made a mistake and on the 16th he had to rewrite the contract to be a contract of sale there was no general partner as alleged in the second paragraph on page 6 which I underline that was no good who's hallucination when he thought my wife wanted control my wife had no reason to control the company she had her masters in statistics in psychology show me come loudy around the graduate with some of them loud she was an adjunct professor and she was a consultant for Charles Brown the CEO of AT&T before it divested the many bells he had her flying over the country giving tests to applicants that wanted senior executive positions in the mini bells and I'm happy to say 90% of our recommendations were approved by the board of directors of the largest corporation in the world at that time the only reason that my wife had ownership of WHLD was because on 41210 my

current company CBI that I purchased from my wife in 2008 signed the contract to buy our shares for a half $1,000,000 we paid 150 down and CBI ordered 350 and I personally guaranteed that that in addition on 4/1/2010 she agreed that she would loan up to 350,000 for WMA and on about two 3211 she started funding her loans which in total including the 78,000 2010 startup expenses totaled about 378,000 of unsecured 3% simple interest loans contrary to the complaint alleging and her fees were paid to the detriment of WMA's working capital that went down Mr. man's initial 250,000 investment which was the total common stock investment of two or three units on 12/15 to 10 went up by 12:31 to 11:00 to a million 250 in the bank after my wife received her entire loan paid back the equity not only increased of cash in the Bank of a million 250 and prepaid expenses of 1,000,000 150 for total equity of 2.4 million but she CBI my company and MKM I missed the mains company contributed capital of $3,040,000 of loan forgiveness and we took 880,000 of preferred stock and WMA/WD I and we're still owed 880,000 in subordinated non interest bearing contingent notes our total fees were close to 4,660,000 and after payment of 240,000 on December 8th to a board of directors meeting signed by all three directors we forgave over $3 million of a fees that were earned accepted 880 of contingent subordinate non interest bearing notes and the right 180,000 of preferred stock in the combination WMA NWT I does that sound like somebody that milked $1,000,000 in fees like the complaint allege does that sound like somebody that committed signature that some sound like somebody that wanted to control WMA this Commission cannot and should not rule on my motion that dismissed from anesthetic manifest errors until you check out each and every allegation that they made and the prima facia evidence and facts that I made so you know the truth and do it fast before I die please

Ex66d][exhibit 60 says my wife sold her warrants giving her the right to repurchase the shares that's prove it was a stock sale not a trusteeship with my wife as a general partner the prosecution can't get their lies straight that's what happens with burgers it's just like Mr. lux who admitted in his eight 29213 SEC deposition quote missing the Google did the lion's share of WMA's PPM" yet in 219 after the SEC prosecutors she burned his perjury on direct he comes up with the nonsense that I wrote the entire PPM by dictating it over the shoulders of Mr. young he forgot all the other lies he told about me writing every contract about me telling everybody what to do when he knows the falsity of it I'd have to be Superman to do what the SEC sub one the perjury of mainland luxo do Maine was promised to share of the judgments that judge Murray or whoever the in-house judge was that were gonna defraud so he thought he was fighting for a share of a potential $3 million for well Mr. lux made a deal with the devil that he would lie for them if they let him walk without paying a penny where in the world did the SEC prosecutors think except a sellout judge like judge may and Murray where in the world did they believe they could get somebody to believe that Mr. lux an MBA from a fine university senior VP and National Geographic and the President of playboy.com would be stupid enough to perjure that he didn't know what he was signing and he signed everything he was told. The fact that Judge Murray regurgitated this perjury sickens me. How does it make you feel as commissions??

Ex6f] This is an outright lie. I did not become a director of the WMMA companies. After my wife purchased the warrants that she sold to Lux and Main, the facts are very clear. I purchased our warrants when Mr. lux resigned. I purchased a warrant and I exercised it to buy his 30% interest and WHLD and around the August Mr. Main resigned and I purchased my wife's warrant and exercised it against Mr. Main to buy his 30% interest in WHLD and in 5/10/2012 before I owned any stock and before I was a director of any WMMA company, Mr. Craig sent a self-serving e-mail alleging he was fraudulently induced to acquire 8 regional promoter areas and worldwide USA parent WUSA and the parent they try

to coerce WMMA to give him 25% of the common of Russia free and pay for each of the 32 regional USA events he was contractually obligated to hold for five years in which in each event would cost them $40,000 to produce a regional event times 32 a year because he owned the eight regions for not one penny which is a $3.2 million a year investment for five years with him keeping the entire live gate and he and his fighter champions at the regional quarterfinal semi and national final would split 25% of WMMA's pay-per-view with WMA and its subsidiaries retaining the other 75% when he wanted to force a change in the regional contracts. I think he paid a dollar for each region. We knew we were in for a lawsuit and then the Board of directors Main, Agostini, and Lux asked me to be VP and they asked me to stay the contract between WMMA and MKMA because I'd have a conflict of interest if I was in senior VP troubleshooting of WMMA and if I own 50% of the cash flow associated with MKMA's consulting, so I agreed to stay the contract so that I would not receive a penny, nor would MKMA until I straightened out if possible what appeared to be lawsuits coming from Wayne Craig. Mr. Craig sued in Arizona State. I removed it to federal District Court in New Jersey. I answered his complaint and attached two exhibits that he referred to but that he did not enclose in his complaint. The exhibits contravened each and every allegation of wrongdoing in his complaint and a Federal District Judge in Newark NJ dismissed his complaint with prejudice against me and WMMA. Wayne Craig stole 15,000 T-shirts from WMA he was supposed to sell them at the 3/31 event for 10% of the Net margin after deducting the $250 cost and the selling price was $20 a T shirt. They were all branded. He kept all the money alleging that the $300,000 that the shirts would retail for lending the WMMA his Octagon ring which cost them new four months before $15,000 so he wanted $300,000 to loan us a ring at the same time he signed a contract because he was only eight largest car warranty company in the United States to be an advertiser at the end of the Bell Canada event. I believe he was indebted to us for $500 and that is warranty cost the consumer $3200 annually he never paid. MacFarlane did not disclose on the end demand cable the warranty infringement signage at the beginning of the event five international bloggers showed WMMA's event free and I calculated about 50,000 to 100,000 MMA fans sought and probably 10% bought his warranty. He would owe us two and a half million dollars, but he never paid WMMA a penny and he stole the $300,000 of WMMA T-shirts. In retrospect, it was obvious that Main was in on the theft, because around January I recommended to him as a Director that he hire McGladrey and Pullen to audit the 3/31 event. This is when WMMA had a $1,250,000 cash in it and affiliates' bank accounts. He comes back and tells me it's too much because they want the $20,000 to do the audit. First of all, the audit was needed because in 2012 WMMA to provide audited financials it had no income for 2011 so there was no need until probably may of 2012 what's the next thing but there was no revenue until now the projections of the budget at that time when I spoke to me was about $500,000 of pre-tax profit and about $2,000,000 in sales and there would be a half a million in cash receipts so obviously to protect the $20,000 was worth it to have a certified audit of the event. He said he didn't intend to do it and he was a Director and stockholder and I was merely a consultant. I became an officer of WMMA once the Directors realized that Wayne Craig was about to sue from his 5/10/2012 e-mail to the Board and me alleging s we violated securities fraud and fraudulently induced them to buy as regional promoter territories in the United States and then coerced us to pay the $3.2 million and he had committed to in his eight regional contracts providing 4 events a year per region

Ex6d Finally in exhibit 6D and 6G Judge Murray agrees that there was and the Mackenzie service agreement and resolutions of the board but she has the wrong date it wasn't December 15 2010 Mackenzie's exclusive agreement was 1/20/2011 and my wife sale of the right title and interest of the shares of WHLD was the December 15 2010 board resolution she's talking about was Doug Main's

investment of $250,000 in WSU common shares to units having a face value with $500,000. Subsequently, Louis Neglia the owner of a top regional promoter mixed martial arts promoter at the Tropicana in Atlantic City was supposed to be one of the regional promoters and possibly become a 50% stockholder of worldwide USA his father my best friend and honest racing commissioner Joe naglia informed me Lou was not going through with the oral agreement we had however on December 15th 2010 as I recall Merrill walked the owner of IMC and it's 830 million double Upton e-mail Internet sites signed an exclusive contract with WMMA that I negotiated my fee for CBI was a million and I forgave it in exchange for my wife owning 90% interest in WHLD proving I was in for the long haul not for the upfront fees encourage Mr. Main to stick with it despite the fact that Neglia from the ring of combat in Atlantic City decided not to go forward and 90 days later Mr. main exercised his 90 day warrant to purchase 2 1/2 percent of WHLD common by exchanging his two WUSA units plus $83,333.33 for the 2 1/2 percent common stock for a total investment of $333,000 for 2 1/2 percent WHLD so Judge Murray's alleged facts are nonsense she has no idea what she's talking about.

7a]-7c] The allegations of Judge Murray's opinion in six eight to seven C require her to see associates list and then Mackenzie were not one in the same. I own CBI which at the board of Directors request and vote so that's five year consulting agreement to see CBI and the terms of the consulting agreement negotiate with the Board and Mike Nwugugu memorialized it in that agreement it was unilaterally structured for the benefit of WMMA not me CBI or McKenzie in fact look at the 1/20/2011 CBI dashboard MKMA and WMMA a five year consulting contract states 1) MKMA has no right to bind WMMA. 2) MKMA services are on the best efforts' basis. 3) Neither MKMA or any of its affiliated entities or individuals can receive any fees for any service unless WMMA generates equity or pretax profit and in that event there's a cap on the payment of fees of 10% were there any access fees based on the calculation of fees in the contract to be deferred subordinate and non-interest bearing. Normally a human resources head hunting consultant receives between 25 and 33% of the first year's compensation and the MKMA a service contract with WMMA MKMA receive the greater of $25,000 or 25% of the first year's compensation of the executive and if the executive invested no money and if there was no pre-tax profit and neither MKMA or I received one dime as a headhunter should the compensation was less than any other headhunter I ever heard of at the time and 90% of whatever the fee calculated to in excess of 10% of the incremental equity in pretax profit was deferred subordinate and contingent making it capital on WMMA's balance sheet and giving me the CBI and MKMA not a dime of human resources services for 40 executives of WMMA and WHLD. I were signed from 1/20/2011 till 3/1/2012 which would have been entitled MKMA to over $1,000,000 except six of those forty were investors and they had of base of $150,000 at 25% equal $380,000, which is about $220,000 in fees but going making an assumption that nobody invested a penny to fees amount to $1,000,000 none of the fees were paid. The only amount of fees paid if you want to allocate the fees against human resources was $240,000, which is less than 25% of their fees of course since the average cash investor invested $360,000 25% of that equals $38,000 times 6 investors is $196,000. WMMA paid MKMA a total according to the testimony of the SEC fraud analyst in 2019 of $240,000. However, MKMA also negotiated 14 regional promoter contracts at $25,000 each for a total of 340,000 and in addition I and Mr. lux work as consultants for WMMA from 1/20/2011 to 5/10/2012 of 2800 hours at $350.00 an hour amounts to about a $1,250,000. In addition, CBI closed the IMC transaction subject to Board of Directors approval for $1,000,000 and Mr. may would have been entitled for him working 2800 hours turn additional million one if you add it all up the only hard cash SEC Florida was testified to which $240,000. In other words, WMMA milked me, CBI, and MKMA and Mr. May. It milked my wife out of her $378,000 hard cash loan unsecured to a startup at a 3% simple interest

and she permitted us to use her credit card for an additional $125,000 to $140,000 of TNA to pay for me, WMMA Directors another WMMA officers to travel to four continents two times negotiating transactions for 14 regional promoters tying up the largest bookie in England doing 30 billion a year that orally agreed they would take book on the WMMA world tournament When we went to Brazil's largest Internet newspaper with 25 million subscribers paying them $5 a month agreed to telecast on its Internet site WMMA a Brazilian national tournament we sponsored 2 Brazilian tournament events and two United Kingdom events as a result MKMA, CBI in my participation. That's the contract everybody's crying about there was no side agreement let them produce a side agreement that's referred to in 7a-7 C!

7e-7f] The allegation in 7 that Lux and Main did not know the reason for the transfer of services to MacKenzie is another act of subornation of purgery by the SEC prosecutors. Mr. May owned MacKenzie on his own and the overwhelming task associated we're doing a 16 company country rollout over five years with two main operating subsidiaries of WHLD namely WMMA and WDI required additional consultants over and above me. I had also agreed with Mr. Main and Lux that I would take a back seat to give the WMMA startup a chance not to have to carry me and my last name as a felon albeit 4 decades ago for only six months incarceration and the stress and pressure on my 77 year old body could not adequately cover the terrain unless Larry May agreed to join forces. I was happy to enter into a 50/50 cash flow split and the CBI MKMA sale agreement to five year consulting agree to MKMA for WMMA's benefit and at the same time accommodate Lux or Main's request that I CBI would not provide the consulting services directly should they both knew the reason and their allegation they didn't is just additional proof SEC prosecutors want to make them look like stupid oaths when one has a PhD and is a building developer and the other one was President of national senior VP of National Geographic and President of playboy.com. If they only knew how stupid they made Judge Murray's opinion look by their subornation of perjury after they paid off Lux and bribed Mr. main by agreeing to give him!

8b] Lux allegation in his 8/29/2013 SEC deposition is as judge Murray described it he did testify that;

> "… he believed the consulting service agreement was an impediment to fundraising because institutional investors and venture capitalists wanted funds spent on contracts projects going forward…"

He thought that the payments to MacKenzie were very large as a percentage of overall expenditures!..." However, in that portion of his SEC deposition he at first denied that he participated as a WMMA Board member in signing the consulting service contract until the SEC prosecution pointed out his signature. In other words, he didn't remember signing the contract because as we later found out he had a stroke. He also didn't remember at the CBI, Daspin, MKMA service consulting WMMA a five year contract did not provide consulting payments to WMMA unless there was incremental equity or pretax profit therefore in order for MKMA to have earned the $4,460,000 CBI and MKMA invested in WMMA capital in a non interest bearing contingent subordinated note which was all capital on WMMA's balance sheet. WMMA would $40 million pretax so Mr. lux's alleged representation that the payments to MacKenzie were very large as a percentage of overall expenditures was meaningless. They represented only 10% of the pretax profit that was generated by the consulting services of strategic planning, human resources, deal making, and negotiating by the best deal makers in the country, me. I negotiated and appraised 10,000 deals. I only closed 3 1/2 percent because I purchased businesses at a 40% discount from the fair market value. Investment bankers would love the compensation that Mackenzie was earned because there was

no payment unless WMMA made money and at least 25% of the money they'd make accrued to the strategic plan and the human resources negotiating and deal making which Larry may and I agreed we would handle. You read the contract and then ask Goldman Sachs any hedge fund, Carlyle group, or Black Rock if this contract when they read the details is not ten times more advantageous to WMMA than MKMA, they will all tell you what is and the chairman of your Commission is the CPA let him read Judge Murray standing that only lawyers can create 506 Reg D private placement memorandums not accounts like Mr. Nwugugu was he's a CPA, a former partner in Goldman Sachs if he reads that contract in detail. Larry lux did not know what he was talking about because of his stroke and the SEC prosecutors took advantage of it by putting words in his mouth!

Ex8d] The perjurious statement that from December 2010 through August 31, 2012 the WMMA companies paid CBI and McKenzie a total of $383,488.95 see the vision EX495 is false. The SEC fraud commissioner in 2019 testified that I, CBI, and MKMA collectively only received $240,000. This is proof that Judge Murray was fed facts by the SEC prosecutors to put into her opinion. She doesn't know what she's talking about. None of the exhibits she refers to had that false information and the SEC fraud analyst testimony in 2019 contravened Judge Murray's allegation of the payments to CBI and MacKenzie. Judge Murray pressured subordinate judges to find more cases for the prosecution and asked Presiding judge Cameron Elliot who refused to contravene Judge McEwen's declaration to the Wall Street Journal that she was pressured to find more cases for the prosecution. The only reason he refused to back Judge Murray was because Judge McEwen was telling the truth and if Judge Elliot never heard Judge Murray pressure Judge McEwen to find more cases for the prosecution, then Judge Elliot would have been fine with submitting an affidavit to the Wall Street Journal! However, he only submitted a note saying he'd never submit an affidavit to the Wall Street Journal, because he knew what Judge McEwen stated was true that Judge Murray was pressuring all her judges including him to find more cases for the prosecution. That's why the Wall Street Journal published the relationship the three-year average ending 3/30/2015 in which the in-house judges found 90% of the defendants guilty while during the same with the same number of cases approximately the Federal District Judges found 32% of the defendants were innocent. If Judge Elliot submitted an affidavit telling the truth he'd have to admit he aided and abetted Judge Murray as presiding judge to permit judges beneath him to fix cases against defendants. It's a criminal event. He knew that judge Murray was mean and vicious and a hanging judge and he knew that she was going to get rid of him when he refused to back her to the Wall Street Journal and that's what she did in 30 days. She did the same thing with Judge Foelak after Judge Foelak found in my favor that if anybody forced me to testify, I'd be irreparably harmed and guess what they did. They killed my wife. They harmed the plumbing in my body. Today I only have one eye I can see out of after two cataract operations. [redacted]. I have high blood pressure. I have hypertension, anxiety and depression and for seven years I've been fighting this filthy disgusting disingenuous concocted case where the SEC and its whistleblower suborned perjury of the other investors to allege I was a controlled person and now Judge Murray is using the SEC the right or opinion for her because she couldn't in a million years come up with alleged facts that aren't even facts. She forgot the direct testimony of the fraud analyst at the SEC put on the stand.

8e-8f] This entire paragraph about international marketing corporation can only be characterized as absurd anybody could understand that IMC zone a barrel wall boilerplate contract was for 50/50 split on any joint venture he participated in using his $830 million proprietary double opt on database since

WMMA could not afford Facebook as a first stage startup this database with the marketing plan of providing everybody WMMA platinum card free, giving the members a 10% discount on all life gate tickets at 10% discount on pay-per-view and a 10% discount on WMMA branded products through WDI what attract a certain percentage of the mixed martial arts spectators, which at the time was the fastest growing sport in the world as I explained that in 2012 UFC and 40 events generated $44 billion and $400 million EBITDA and sold it to a private organization for $4 billion in cash 10 times EBITDA. WMMA's strategic plan would generate four times the EBITDA percentage on revenue of UFC giving it a multiple of earnings of 50 times after tax because the cost of an Internet event compared to the cost of the cable event for the producer was five times less and that five times all went to the bottom line pretext for WMMA it took me several months to negotiate a deal with WMMA getting 90% and guess what this greedy little negotiator did. He gave up the entire feat so his wife could justifiably own 90% of the shell holding company my dear wife had a contract. It's part of the records given to the SEC she was owed $350,000 and agreed to invest as a loan in a startup another $350,000 well starting about the end of February 2011 she had invested over $100 grand and within a month by 3/31/2011, she had loaned $378,000 to subsidiaries that were losing money as disclosed in the 7/31/2011 WMMA 506 rec D private placement memorandum which the SEC stamp on October 10th 2011 making the securities exempt from registration. In order for the SEC to concoct a securities fraud case they had to figure out a scheme to take exempt securities and allege that they were non registered this is what some of your prosecutors are permitted to do because you Commissioners know you don't have the time to read Wells Notices and Reply's. I project 60% of your time is spent on managing the five divisions that have to report to you another 20% of your time on your first right of appeal of all the inhouse findings of fact from the judges that are your delegates making them your own agents and representatives of the very cases that you initiated by believing in your enforcement division the people that work for the Commissioners, the ones that stay there after you leave are bureaucrats. They've developed friendships with the enforcement division long before you arrived and will continue to do so after you leave so you're in the hands of a group of bureaucrats that are really running the SEC. You're just along for a four year ride unfortunately however you rob brilliant people with brilliant Rep resumes so you know the truth of what I'm telling you and that is since you only have 10 to 20% maximum of your 2000 hours a year which is 400 hours and using 500 wells disputes a year that gives each one of you 100 cases a year if it's 400 cases a year it gives each one of you 80 cases but the Wells Notice and Reply including or of the depositions quoted therein including all of the cases use their rent runs about 1000 pages. If you wanted to do a real job you would have read the entire WMMA 506 Reg D PPM, the WMMA/MKMA subscription agreement consulting service agreement and the subscription agreement of the investors and the risk portion of the PPM and you would have found that it's over 2000 pages to really know what went on. Judge Murray had 25 cases she delegated to herself she only knows what the prosecutors tell her and she wants them to win because she thinks she's in some batting average with Federal District Judges. She's not the Federal District Judge. The only judge I found, and I've been before 50 Federal and State judges over my 40 years that has the class of a federal District Judge as judge Carol Foelak, who today is the Chief Administrative Judge and she has, but she can't handle the entire cases in Federal court and the inhouse and be on top of it and handle 20 cases on our own. It's absurd Congress passed Dodd frank without thinking about what it would feel like if they were defendants all they wanted to know was how did they stop banks from allegedly ripping off some subprime borrowers but it wasn't the banks fault it was the fault of the SEC and the Fed for not capping the subprime interest so that when interest went above a certain amount where the borrowers cash flow hit 33% of his cash flow there was a cap on interest and

insurance would check in the insurable risk cost might cost another 1% what the borrower had a revolving interest loan with no amortization so they were able to borrow more money than they normally could in the consulting service contract. I voluntarily capped a fee at no more than 10% of equity increase for pretax because my heart was in WMMA not in the fees that's proven by the fact that I along with Larry May $4,460,000 in fees only received $240,000 and 10% of the 2.4 million invested and how did they invest it they invested based on Larry lux and Doug Main for us examination testimony that they jointly control WMMA it's nonsense that the SEC put in Judge Murray's opinion it's silly Lux's allegation that he had no knowledge about why IMC would receive 50% of WMMA's profit. It's just another division subornation of perjury because Lux was entitled to charge whatever the market would bear because he owned the 830 million double opt on database and he also agreed to pay the Internet cost in order to submit the single signal to 830 million people that might want to see the show and to invite them with trailers to see the show. Mr. Wolk, owner of IMC, had 63 franchisees. They all had computers and pieces of the database so they had the capacity to reach that number of emails to market any product or any service and Larry lux was an expert in Internet marketing lists. He testified somewhere that he paid for Playboy between 3 and 5% an e-mail site and he had to send out the Internet traffic for playboy.com. I'm an expert appraiser and bankruptcy judges found I appraised with MKMA the IMC database at $83 million. He testified in his Brady he was offered $90 million he was putting up $83 million WMMA was putting up a content that it paid regional promote is nothing for 25% of the net revenue he was putting up $83 million he was offered $90 million and who testified on behalf of the SEC. The SEC invited Mr. Guardino, The US trustee would Judge Gambardella and WMMA Chapter 11 to try to have Mr. Guardino testify that the IMC database was worth 0. Do you know what he testified that the reason he appraised the framework and value of WMMA's assets at 0 was because he probably did it because he read the WMMA IMC contract would you voided the IMC database if it filed an insolvency, meaning the IMC database was not part of his value with 0. The SEC's fraud analyst testified that all I, CBI and MKM I got was $240,000, 10% of the $2.4 million raised by Mr. Main and Lux who admitted it in my cross that they raised it without anybody else's opinion. I founded WMMA in my basement. I know it's like the book of my hand. Check out every statement I'm making. You'll see it's all true and that Judge Murray is a fraud and was a fraud and was a fixture against defendants that's what that Dodd Frank created if you implement my strategic plan and pay me the fair value of then you'll have an advocate that's a standby Federal District or Circuit Court judge and if they work for a year with their success fee the judge will make about a half $1,000,000 if they find if they present a meaningful judicial review of the Wells dispute with testification for three days of the lead attorney on both sides and the lead witnesses one out of five times. I'm sure that the Commissioners will dismiss instead of initiating a complaint because they won't have to rely on the prosecution.

Ex8G-9B][“exhibit 8F29-B is basically the prosecution writing those paragraphs for Judge Murray. She didn't have the time to read Larry lux's 2013 deposition. It wasn't even submitted in 2019 as an exhibit as I recall and proof that she didn't read it is the fact that in 8FT to 9B if the prosecution was so concerned when they took Mr. Wolk's Brady, why didn't they ask him all these alleged questions that they had that they allege were not asked by me my due diligence proved to me this was a great deal and if the investor operators had not sold out does the MacFarlane Newco enterprise if they didn't agree to suborn their perjury that I was a control person. If Main didn't agree to accept the prosecution bribe that he'd get a piece of any judgments the SEC got against me and if Larry lux had not been bribed by having a settlement without paying $1.00 to the SEC this case never would have been brought. What you have here is a bunch of investors that lost their money not because of me but because they didn't do their

job. Larry lux's deposition states that the $1,000,000 was lost because William MacFarlane was grossly negligent as President in the 3/31/2011 event the SEC fraud analyst testified that two weeks before that event the WMMA financial team presented its final budget to the board at $450,000 yet the MacFarlane Newco enterprise lost $1,000,000 because they stole $415,000 from WMMA and probably another million in fees by Wayne Craig not paying the $500 for each warranty sold to the spectators that saw the event and paid for it or that saw the event free from the five bloggers because MacFarlane and Jarrell did not put the copyright infringement up till 45 minutes after the event started. Judge Murray wants to pretend that these are her opinions which means she read the 8/29/2013 SEC lockstep position then she read Mr. Lux stating this fact:

> "…Mr. Mike Nwugugu wrote the lion's share of WMMA PPM…"

Judge Murray would know he lied because in his 2019 testimony after he settled for not a one penny with the SEC and after he had had a stroke his testimony completely changed and he testified:

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

Which one do you want to believe? The one that's true is synergistic was Mike Nwugugu's WMMA Chartis insurance loan of 12/2012 wherein he asked for $1,000,000 and states in paragraph 6:

> "…I wrote 100% of WMA's PPM…"

The SEC signed both 506 Reg D PPMs proving they were exempt securities and they have no jurisdiction in this case. Judge Gambradella found I committed no wrongdoing.

9e] The reason lux testified that WMMA used the database twice with no positive effect and that Lux testified that marketing WMMA events had zero effect was simply because WMMA had no website and had no mixed martial arts on the screen so it would be impossible for IMC to obtain positive results especially since Mr. lux testified in his 2013 deposition which was conveniently left out of Judge Murray's allegations that Mr. Wolk informed us we have to crawl, walk, and then run and until we put up a website with fight content from some of the regional promoters that we entered into contracts with that there would be no positive effect he took a minuscule number of e-mail sites maybe 1000 or 2000 to see if he could give away WMMA a platinum cards which was an unknown without a website to Internet users now how could it have any positive events when Mr. Wolk was the guru of all gurus and infomercials and selling consumer product and service coupons. The Board of Directors approved the IMC contract. Mr. Lux testified he visited IMC twice and found no problems. Mr. Lockett testified he visited IMC twice and found it was legitimate. I visited three or four or five times. Mr. Agostini visited it found it to be a legitimate outfit as the SEC is trying to make it look as a hoax. The background of Mr. Wolk, who is unfortunately deceased may the good Lord bless him, is unimpeachable. He was a captain in the Navy serving our country during Korea, a man who with his brother built a $2,000,000 printer to A5 hundred $100 million Goodyear six color printing coupon redemption center infomercial genius who developed his databases through adding the buyers of products and services mentioned in the aforementioned industries and had the world's largest legitimate database of business buyers and that's what we were looking for buyers of services and products in the entertainment industry. That's what WMMA and WDI were for the Internet solely, but the SEC paid off the investors to suborn perjury and subordinated the perjury of Lux.

Ex9g] Just look at the 9G note 5. Judge Murray with malice aforethought lists Mr. Nwugugu's credentials but left out that he was a licensed series 7 and 13 license holder of the SEC. The only reason she left it out was because she did not wish to demonstrate that he had the ability to author as many 506 Reg D PPM's as he wanted to. She alleges in her opinion which we'll get to that CPA 's aren't permitted to write WMMA PPM's but the lead commissioner of the SEC is a certified public accountant from what I understand.

Ex9f-10a]/10b/10c] Those exhibit allegations are disproved by the fact that Mike Nwugugu and his 2012 Chartis insurance claim declared in paragraph 6 in paragraph five that he wrote 100% of WMMA's PPMs in order to be paid $1,000,000 fee he declared WMMA owed him and defrauded him out of. Mr. Nwugugu should check with his employment contract when he receives $150,000 fee with the $2000 a month draw and payments on his compensation only after each month WMMA makes a dollar in profit. I do not have the skill to write a private placement memorandum. Mike Nwugugu had a BA in finance from a Nigerian college; went to Columbia University with an MBA in finance; went to Suffolk University and graduated for two years from Suffolk law school had a license from the SEC for 7/13 series license holder and was an adjunct professor in finance from two New York Universities. I received a BA from Madison college. If you think I have where qualifications to write any private placement memorandum then to interview 250 people over 15 months then to fly to four continents and four countries throughout the world two times to sign up regional promoters to obtain an oral agreement with Gladrey and Pullen from Brazil to broadcast on the Internet a WMMA Brazilian national championship; to visit Panama and obtain an agreement from four sports bars to hold mixed martial arts events in Panama for WMMA South America; the sign up 14 regional promoters to participate in interviewing 240 applicants and sign up 40 WMMA offices some of which left after four months and the fees that were owed and never paid were erased and forgiven then you believe in the tooth fairy. Mike Nwugugu admitted he wrote the PPM's. Lawrence Lux's 2013 SEC declaration testified outside of my presence that Mike Nwugugu wrote the lion's share of the PPM's. All Judge Murray's quotes in these paragraphs we're all written by McGrath or Barry O'Connell, the royal prosecutor. This is the type of nonsense they put in their complaint and their Wells knowing the falsity of each and every allegation paragraph 10A alleges that I told persons that I was quote controlling everything at the company. Nonsense I was 77 years old and [redacted] Nwuwgugu submitted to the SEC pursuant to its subpoena 10,000 pages of documents in three days they all came off his computer I didn't even learn how to type until 2/14 when I went to computer class with my wife. I always had secretaries. I could no more dictate to Mr. Nwugugu than the cow in the moon. It's all part of the McGrath, O'Connell Co-conspiracy with the MacFarlane Newco enterprise members, Miss Catherine Richter, Mr. William MacFarlane and then Judge Murray and Grimes who conspired with them. It's unfortunate that former commissioner Mary Jo White fell for the Wells PBS notice. Mr. Nwugugu was in charge of the private placement memorandums however in each employment agreement all of the WMMA employees had the right until WMMA's tournament started to assist MKMA because the playing field was too large for myself and Mr. May to cover as I previously discussed they came at a time when someone obtain Mr. Nwugugu's PPM template and they filled in their own alleged facts and those were not approved by the Board. They were submitted to several prospective investors. The Board of Directors were informed and they authorized me to make sure that if any WMMA officers, who also was subcontractors for MKMA, and in that regard had to report to me that before they submitted to Mr. Nwugugu information with respect to MKMA services which was at the time the only services being rendered, strategic planning, human resources,

deal making ,and negotiating they first show it to me so that I could verify the validity of it and if I disagreed inform Mr. Nwugugu so he could make the final decision as the PPM was his with respect to see if it is not true that I did not rely on law and accounting firms as a precondition of the law firm PLA Piper and the accounting firm McGladrey and Pullen was to submit the private placement drafts to their in-house legal review department to see whether or not they would accept WMMA as a startup client knowing that WMMA was in the market to raise capital through exempt security sales each of their respective legal departments reviewed the PPM drafts and that work product was exclusively Mike Nwugugu's as he's the only one that had the credentials and they were mightily impressed and they not only agreed to sign contracts with WMMA, but they each gave WMMA a $75,000 line of credit any billing after that amount would have to be paid but the first $75,000 was in effect on the House!

10d] Where is respect to paragraph 10D my name did not appear in any of the WMMA PPM's because I was not a direct vendor. I was a subcontractor of MKMA, but if you look at the November 1st WUSA draft private placement of 2010 in the management section you'll see CBI and Edward Michael Daspin as its CEO as the exclusive management consultant so when I had a direct contact I did disclose in addition a review of each WMMA employee's contract has a section regarding MKMA and its exclusive services and I signed my full name at the end of the MKMA contract as well as at the end of each WMMA/WDI contract along with two WMMA officers. I signed for MKMA because in the WMMA employment contract it agreed to provide the employee with the right at the employees option to be a subcontractor of MKMA a until the events start and so MKMA had a sign its approval that they could work as subcontractors for WMMA and that the fees associated with their portion for direct labor could be deducted by WMMA from MKMA's agreement and WMMA would pay them directly just as Richard Berman WMMA's senior VP human resources received 50% of MKMA's HR fee by WMMA deducting half the amount from MKMA and paying Mr. Burnham directly. Since I signed each and every employment contract under the MKMA signature and since my resume on the EM Daspin&co.com was on the Internet from 2006 until today where my felony and prison term I described and since both Mr. Young and his direct testimony and Mr. Tropello in his declaration submitted before the WMMA Chapter 11 hearing admits that I voluntarily informed each perspective WMMA employee with the sweat equity earned investor of my felony conviction and prison term. It's just a scam on the Commissioners as they use the same BS in their Wells and OIP. This isn't Judge Murray. This opinion was written by the prosecutors because if Judge Murray wrote it as I've taught you she knows that Larry lux was a perjurer because in 2013 his testimony was that Mr. Nwugugu wrote the lion's share of the PPM and then 2019 after having a stroke I wrote the PPM 100% over the shoulders of Mr. young. What I wrote was that portion that MKMA had a contractual responsibility to draft human resources strategic planning and negotiating we would get paid $350 an hour for that you think I breached that contract

10e] Mr. Main's testimony the WMMA never retained outside counsel and never had certified financials. He was president and Secretary of WMMA his e-mail to me reviews to hire McGladrey and Pullen to audit the three 3/31/2012 event I suspect because he was getting paid off by MacFarlane to permit Wayne Craig to steal from WMMA and he is a Director who was left out of the complaint. The complaint has Mr. Agostini and Lux. They were two of the three Directors. Main was the third. the SEC made a deal with Main because Main sold out his own company to sign up with MacFarlane's Newco enterprise so MacFarlane and he had been excluded from being sued and they used me as MacFarlane's red herring and the SEC went for it because I had a four decade old felony. This is a shame and you permit O'Connell and McGrath to stay with you as prosecutors that felt Main was responsible for 2012 audits but the

company could not file a 2012 audit because that would have been filed in April of 2013 and the company was dead after the MacFarlane Enterprise raped it on 3/31/2012 according to Mr. lux's 2013 deposition. MacFarlane as WMMA's president violated gross management and caused WMMA to lose $1,000,000 and the 3/31/2011 event with respect to audited financial statement of 2011 WMMA didn't have $1.00 of revenue and when MacFarlane took over as president in 2/2012 he had the responsibility of auditing WMMA for 2011 despite the fact that it had no revenue along with Main who was secretary and Mr. lux who was CEO and they had McGladrey and Pullen as they were ordered in February. I received an e-mail and the Board of Directors from Theresa Puccio, Sullivan, McFarlane and Doug Main all letting us know that the books and records of WMMA were not up to snuff for a 2011 audit. As a consultant I had no power over the firm but those emails were distributed and left it out of Judge Murray's opinion.

11a] Exhibit 11A discusses WMMA 7/31/2011 completed or related party transactions WMMA/WDI had as many transactions at 60 and for the seven months from 8/1/2011 to 3/31/2012 there were approximately another 40 each for a total 20 each for a total of 100 corporate related party transactions. Each transaction that was negotiated by MKMA had in the boilerplate which Mike Nwugugu insured was in that the contract is subject to WMMA or WDI Board of Directors resolution approving the contract that's 100 Board of Directors resolutions in addition to the resolutions admitted in Judge Murray's first 13 pages of opinions and in addition to the 40 WMMA and WDI employees a number of which left after four months so the fees were forgiven by MKMA all the employment agreements required approval by a Board of Directors resolution of WMMA or WDI and in 2019 in my cross examination of Main and Lux they admitted that they jointly controlled WMMA as they as the controlling disinterested board of directors approved the contract and the investment without using anybody else's opinion. That's in the testimony you don't have to believe me just read the transcript of the proceedings and my cross examine.

Ex11b] Exhibit 11B proofs that Mike Nwugugu's PPM construction contained boilerplate disclaimers included not only in its risk section but in the subscription agreements for investors to use their own advisors lawyers accountants and they're like to do their own due diligence as in the 7/31/11 PPM page 4. The PPM states that if the financial statements and the PPM are not audited and certified at the investor cannot use them with respect to making an investment unless they're ordered its financials. Likewise on page three of that BPM it explains that no person is authorized to make any company representations unless it's contained in the PPM as a result whenever I was asked just as Mr. Heisterkamp's direct testimony represented he asked about WMA's financial condition I explained he should look in the PPM but he admitted that Doug Main said there was more than satisfactory money in WMMA which he was not authorized to tell him by the PPM.

11c-11d][with respect to 11 C&D I've already indicated what occurred with IMC with Mr. Wolk. What the SEC excluded was the fact that their Brady of Mr. Wolk 30 days before he died of terminal cancer, may he rest in peace, he testified he was offered $90 million for the IMC database. My due diligence validates that Mr. Lux and his franchisees of 60 franchises and the database that it was the derived from his infomercial business which he sold to Diners Club. When he sold to Diners Club and his infomercial business and his resumes demonstrated and he was one of the foremost Internet marketing gurus of his time. He created 1500 infomercials plus the summers exercise machine all of his joint venture infomercials was on a 50/50 basis with the inventors of the products or service and Mr. Lux knew that because Mr. luck visited IMC with me on one of his visits and Mr. Wolk told him the same story he told

me, Mr. Wolk had no reason to misrepresent he was a self-made millionaire many times over. Diners Club paid him and his brother $64 million and I saw the check on the wall. He had an NBA from the Wharton school. He was a commander in the Navy and during the Korean War and he built the firm from $2 million a printing firm to $500 million in printing marketing and communications. What better credentials could anyone have. He signed the contract and in the contract other than the number of double opt on emails he had buyers he would not verify the number of his database that would sign up for our mixed martial art events and I don't blame them. We wanted the marketing exposure the fact that until he was bribed by the prosecution for not one diamond settlement evidence the value of the database and missed the Wolk's Brady disclosure that he was offered $90 million proved that my appraisal and MKMA's appraisal of the fair market value of the database exclusively for mixed martial arts of $82 million was conservative and $7,000,000 less than what Mr. Wolk was offered. The value of the database rose as the strategic business plan and the projections which Mr. Main admitted in his direct testimony he and Mr. Tropello wrote and inserted in the Nwugugu's WMMA PPM prove WMMA's projected revenue and EBITDA increased over the five years because as the private placement memorandum explained 50% of the revenue was attributable to the IMC database and the latter 2 1/2 years the other 50% was attributable to the Facebook database because at that time WMMA could afford to pay Facebook charges for marketing. Facebook did all the marketing for UFC and it sold for $4 billion in cash for only 40 events over 2011, so the relative value of the database increase with the projections that Mr. Main admitted he and Mr. Tropello made. Mr. Tropello was an executive with AT&T, graduated from the Stevens institute, and he got his Masters of Business as well as being an electrical engineering. I've known him for many years. he's one of the most honest, brilliant individuals I ever met and he was CEO WMMA scheduling and had the MacFarlane enterprise not mismanaged and stolen WMMA's assets and then look to steal WMMA on the cheap as the dishonest shareholders meeting stated, post projections could have been made!

11e] With respect to the $82 million IMC at McKenzie value and what's respect to 12A the original value the growth in value was based on the projections of the EBITDA that the IMC database would throw off for the first 2 1/2 years and that the last 2 1/2 years I am seeing Facebook would collectively throw up in fact Mr. Wolk's Brady when he knew he was dying [redacted] declaring he was offered $90 million for the database proves MacKenzie's appraisal was conservative and the fact that the SEC prosecution excluded it from Judge Murray alleged opinion proves that they're just deadbeats. They have no right representing the SEC and I'd be happy to file a complaint against them.

12b-12c] judge Murray's opinion with respect to 12 B & C I'm meaningless because she's using Mr. Nwugugu's disagreement with Mackenzie's valuation he's entitled to his opinion, but I've appraised 10,000 companies and have been found to be an expert by four Federal Bankruptcy judges. Nwugugu has an MBA in finance and is a CPA but he hasn't bought one business so his evaluation as far as I'm concerned is meaningless. He's a great private placement memorandum writer but he's not a business appraiser. As far as Lux alleging there's literally no way to justify $5,000,000 on my $82 million database Mr. Wolk justified it and proved it was conservative because he was offered $90 million for it and he had no reason to lie. The enforcement division excluded it from Judge Murray's opinion. Guess why?

Exd-exe] Mr. main's 2019 direct testimony admitted that he and Mr. Tropello wrote the private placement memorandums projections contained within them other balance sheets each year for the five

year projections he admitted he and missed it. Tropello wrote that this proves the fact that the projections were mine for this sub. Of 2011 in fact the demonstrate how uncouth the SEC prosecution team of McGrath and O'Connell is they put Mr. Heisterkamp, a WDI investor on the witness stand in June 2019. Mr. Heisterkamp did not admit that he only had one interview on a Friday with Miss Puccio, with Mr. Lux, Mr. Burnham, myself, and MacFarlane. He enrolled and subscribed in 2012 February to be exact. I was shocked when on the Monday after the Friday he had his first interview Richard Burnham informed me he had committed to sign their subscription and the employment contract it Burnham would say he signed on the Friday he visited WMMA. Burnham did not tell me at the time that the reason Heisterkamp wanted to do it which heister camp subsequently admitted to me about a month after the day he subscribed was because when he got home to Michigan over the weekend he received an order from a matrimonial judge that his wife was divorcing him ordering that he not use his pension fund, so we backdated his subscription and pretended that he signed the agreements before he read the judge's order however on the stand he was asked why he invested and he testified he invested because I told him that WMA had $33 million in cash in the bank. Of course, that was perjury and the only one that could have put him up to it was McGrath who asked him the question on direct. I hadn't seen the man for four years I'm sorry for seven years so I waited for my cross examination I then referred him to WMMA's January 5, 2012 private placement memoranda and sure enough and the projected balance sheet was $33 million in cash. Mr. Heisterkamp to read the note on top of the forecasted balance sheet and he read it and it stated this balance sheet is based on the revenue associated with WMMA's first projected event" I then asked Heisterkamp when he subscribed and he said in February 2012. I asked him when the first WMMA event was and he said March 31,2012. I then asked him how I could have told him there was $33 million on a current WMMA balance sheet and he backed off and admitted he made a mistake. Judge Murray's omission of those facts when he made them in her face both on direct and to my cross examination proves that she either didn't write this whole opinion and that the division wrote it for her or she's a liar and omitted a material fact which makes her a perjurer. I leave it to you to figure it out Heisterkamp's testimony and my cross examination are on the record. I'm blind in one eye my records were all lost when my wife sold her house and the buyer agreed to hold the records for 30 days, but he sent them to the dumpster. I don't have the money to get records and I couldn't read them anymore asking Mr. may to type these answers and read off Judge Murray's opinion of October 16th 2019. He will be sending you this before you rule on my motion that Judge Murray made manifest errors of fact! As far as Mr. Lux's allegation that the projections were implausible, this man was the CEO and a Director and is he admitting that he criminally induced investors to invest in WMMA. Does he want this Commission to believe that he was brain dead or is it just that he was so frightened of the McGrath O'Connell enterprise members then he agreed to testify any way they wanted him to since he had a stroke after he was an operating CEO and director of WMMA and maybe we can't really blame him for all of his memory defects but we can blame the McGrath, O'Connell enterprise which also includes others that I discussed with you in my appeal.

I want this Commission to see that if they don't permit my strategic plan to have an advocate with an ambush man which I'm more than happy to provide has she, CBI, or MKMA as long as the United states Supreme Court Justices and the Chief Justice agree that the presiding judge of each circuit could give us the standby district and Circuit Court judges that would agree to provide a 30 day meaningful judicial review of the Wells disputes with three days test of again using the Internet so they wouldn't have to go to the SEC regional office is courthouse and then the commissioners will have an unbiased pre complaint initiation meaningful judicial review and I believe one out of five wells potential defendants will be

dismissed from complaint initiation with a no bill or the advocate will have it settled with the permission and consent of the Commissioners who will have the final say but the Commissioners can no longer have the first appeal they wrote and initiated the complaint. They can't be the first appellate court to hear the complaint they initiated which was adjudicated by the judge state delegated when it's an in house correct that's part of my strategic mitigation plan"

Respectfully,

[redacted]

pro se