

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19720

In the Matter of

DANIEL B. VAZQUEZ, SR.,

Respondent.

DECLARATION OF CHRISTOPHER
CONTE IN SUPPORT OF DIVISION
OF ENFORCEMENT'S MOTION
FOR ENTRY OF DEFAULT
JUDGMENT AND REMEDIAL
SANCTIONS

DECLARATION OF CHRISTOPHER M. CONTE

I, Christopher M. Conte, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an accountant in the Los Angeles Regional Office of the Securities and Exchange Commission ("SEC"). I have personal knowledge of the facts and circumstances herein, and if called to testify, could and would testify competently thereto.
2. As part of its investigation of this matter, the SEC subpoenaed bank records from JP Morgan Chase, Wells Fargo Bank, N.A., and Bank of America, including bank statements and supporting transaction documents for accounts in the name of Defendants Daniel B. Vazquez, Sr., Gilbert Fluetsch, and Hoplon Financial Group ("Hoplon"), plus records for New Economic Opportunities Fund I, LLC ("NEON"). To identify the total amounts misappropriated by Vazquez and Hoplon, I reviewed the bank statements and supporting deposit slips and checks produced in response to the SEC subpoenas. A complete list of the bank accounts I reviewed is attached hereto as **Exhibit 1**.
3. I analyzed the bank records for Hoplon, NEON, and Vazquez, and created an Excel spreadsheet that summarized the deposits and withdrawals in the accounts from January

2013 to January 2018. The JP Morgan Chase accounts ending in x7675, x8875, x3948, x9421, and x9439 showed transfers to Defendants Vazquez, Fluetsch, and Hoplon for which there appeared to be no legitimate business purpose, in that the funds were transferred directly to Defendants' accounts, or otherwise spent on activities or purposes unrelated to NEON's business activities, such as Defendant's expenses or property improvements to Defendant's personal residences. A true and correct copy of an Excel spreadsheet that I created showing transfers from those JP Morgan accounts to benefit Defendants is attached hereto as **Exhibit 2**.

4. Between 2011 and 2014, Vazquez raised approximately \$2.18 million from 27 individual investors. As set forth in Exhibit 2, from January 2013 to January 2018, Vazquez received a total of \$494,842 in cash transfers from NEON and received the benefit of \$59,314 worth of improvements to his personal residence.

5. My review of the bank records show that the only payment to NEON investors was a single payment of \$1,411 in February 2014. As of January 2018, the balance in all the relevant Hoplon and NEON accounts was less than \$1,000.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3rd of February 2022, in Los Angeles, California.

/s/ Christopher M. Conte

Christopher M. Conte

In the Matter of Daniel B. Vazquez, Sr.
Administrative Proceeding File No. 3-19720
SERVICE LIST

Pursuant to Commission Rule of Practice 151 (17 C.F.R. §201.151), I certify that the attached:

**DECLARATION OF CHRISTOPHER CONTE IN SUPPORT OF DIVISION OF
ENFORCEMENT'S MOTION FOR ENTRY OF DEFAULT JUDGMENT
AND REMEDIAL SANCTIONS**

was served on February 4, 2022, upon the following parties:

Vanessa Countryman, Secretary
Securities and Exchange Commission
100 F. Street, N.E., Mail Stop 1090
Washington, DC 20549-1090

(By eFAP only)

Mr. Daniel B. Vazquez, Sr.
[REDACTED]

(By UPS Overnight)

Dated: February 4, 2022



Lynn M. Dean

EXHIBIT 1

Bank Accounts Reviewed

| Bank | <u>short</u> acct # | <u>Entity/Individual</u> | <u>Time Period</u> | <u>Analyze</u> |
|-------------|--------------------------------|--|---------------------------|-----------------------|
| Wells Fargo | 4074 | Fluetsch Consulting LLC | 3/1/10 - 4/30/16 | Yes |
| Wells Fargo | 1679 | Fluetsch Consulting LLC | 9/1/10 - 4/30/16 | Yes |
| JPMC | 3948 | Daniel B Vazquez | 12/25/09 - 12/7/15 | Yes |
| JPMC | 8875 | Daniel B Vazquez | 12/23/09 - 11/19/14 | Yes |
| JPMC | 1852 | Hoplon Financial Group | 3/4/16 - 12/30/16 | Yes |
| JPMC | 6329 | Hoplon Financial Group | 1/19/16 - 4/20/16 | Yes |
| JPMC | 1298 | Hoplon Financial Group | 6/4/10 - 7/8/14 | Yes |
| JPMC | 9439 | Hoplon Financial Group Commission Account | 11/4/10 - 9/16/15 | Yes |
| JPMC | 9421 | Hoplon Financial Group DBA Hoplon Insurance Services | 11/4/10 - 12/30/16 | Yes |
| JPMC | 7675 | New Economic Opportunities Fund I LLC | 12/28/11 - 7/15/14 | Yes |
| JPMC | 0457 | New Economic Opportunities Fund I LLC [combined with x7675: 8/1/13 - 2/28/14] | 12/2/11 - 7/31/13 | Yes |
| JPMC | 6902 | VFP Construction, LLC | 3/1/13 - 4/30/14 | Yes |
| BofA | 6018 | New Economic Opportunities Fund I LLC | 6/16/11 - 12/31/11 | Yes |
| BofA | 1817 | New Economic Opportunities Fund I LLC | 6/28/11 - 12/31/11 | Yes |
| BofA | 4551 | Hoplon Financial Group | 6/16/11 - 12/31/11 | Yes |

EXHIBIT 2

Amount received by principals - 1/12/13 to present

| | <u>Sum of Deposit Amt</u> | <u>Sum of Withdrawal Amt</u> | <u>\$\$ Rec'd</u> | <u>Fleutsch</u> | <u>Vazquez</u> | <u>Hoplon</u> | <u>Other Property Improvements</u> | |
|---------------------------------|------------------------------|------------------------------|-------------------|-----------------|------------------|----------------|------------------------------------|----------------|
| NEON (JPMC x7675) | | | | | | | | |
| Business Expense | 107,632 | 528,926 | | | | | | |
| Vazquez Credit Cards | | 30,685 | 30,685 | | 30,685 | | | |
| Hoplon Credit Cards | | 36,000 | 36,000 | | | 36,000 | | |
| Daniel Vazquez | 145,234 | 176,315 | 31,081 | | 31,081 | | | |
| Investor | 676,021 | 1,411 | | | | | | |
| Other | 11,885 | 19,207 | | | | | | |
| Withdrawal | | 4,500 | 4,500 | | 4,500 | | | |
| x0457 - NEO Fund I LLC | 173,885 | 525,000 | 67,307 | | 15,643 | 51,664 | | |
| x1298 - HFG | 24,150 | 413,477 | 103,002 | 25,000 | 25,963 | 52,039 | | |
| Sale Proceeds | 862,424 | | | | | | | |
| Mortgage payment - Investor | 199,400 | 174,937 | | | | | | |
| VFP Construction LLC | 79,600 | 159,201 | 95,339 | 13,590 | | 15,936 | 65,814 | |
| AMEX | | 144,169 | 144,169 | | 144,169 | | | |
| Gilbert Fluetsch | | 106,743 | 106,743 | 106,743 | | | | |
| Hoplon Investor | 9,975 | | | | | | | |
| Grand Total | 2,290,206 | 2,320,572 | 618,827 | 145,333 | 252,041 | 155,639 | 65,814 | 618,827 |
| Vazquez (JPMC x8875) | | | | | | | | |
| <u>Sum of Deposit Amt</u> | <u>Sum of Withdrawal Amt</u> | <u>\$\$ Rec'd</u> | | | | | | |
| NEIGHBORHOOD ESCROW, INC | 246,600 | | | | | | | |
| Other Deposits | 37,568 | | | | | | | |
| Business Expenses/Other | | 68,134 | | | | | | |
| Daniel Vazquez/personal | | 214,588 | 177,020 | | 177,020 | | | |
| Grand Total | 284,168 | 282,722 | 177,020 | - | 177,020 | - | - | 177,020 |
| Vazquez (JPMC x3948) | | | | | | | | |
| <u>Sum of Deposit Amt</u> | <u>Sum of Withdrawal Amt</u> | <u>\$\$ Rec'd</u> | | | | | | |
| D AMICO PALOS VERDES REALTY | 18,000 | | | | | | | |
| Hoplon | | 13,594 | 13,594 | | | 13,594 | | |
| Daniel Vazquez/personal | | 4,315 | 4,315 | | 4,315 | | | |
| Grand Total | 18,000 | 17,909 | 17,909 | - | 4,315.18 | 13,594 | - | 17,909 |
| Hoplon Ins (JPMC x9421) | | | | | | | | |
| <u>Sum of Deposit Amt</u> | <u>Sum of Withdrawal Amt</u> | <u>\$\$ Rec'd</u> | | | | | | |
| D AMICO PALOS VERDES REALTY | 10,000 | | | | | | | |
| Daniel Vazquez/personal | | 10,000 | 10,000 | | 10,000 | | | |
| Grand Total | 10,000 | 10,000 | 10,000 | - | 10,000.00 | - | - | 10,000 |
| HFG: Comm (JPMC x9439) | | | | | | | | |
| <u>Sum of Deposit Amt</u> | <u>Sum of Withdrawal Amt</u> | <u>\$\$ Rec'd</u> | | | | | | |
| D AMICO PALOS VERDES REALTY | 479,271 | | | | | | | |
| Investor | | 113,950 | | | | | | |
| Non-Business Expense | | 90,061 | 90,061 | | 90,061 | | | |
| Other | 2,211 | 3,313 | | | | | | |
| Other JPMC accounts | 22,154 | 19,027 | | | | | | |
| Credit Cards - Vazquez | | 29,157 | 29,157 | | 29,157 | | | |
| HFG | 2,549 | 85,763 | 83,215 | | | 83,215 | | |
| NEON expense | | 5,400 | | | | | | |
| Loan payment | | 63,752 | | | | | | |
| Daniel Vazquez | 12,990 | 106,686 | 93,696 | | 93,696 | | | |
| Life Insurance payments | 8,518 | | | | | | | |
| Fleutsch | | 10,000 | 10,000 | 10,000 | | | | |
| Grand Total | 527,693 | 527,108 | 306,128 | 10,000 | 212,914 | 83,215 | - | 306,128 |
| Vazquez - Hoplon credit (x1298) | 175,338 | 13,890 | (161,448) | | (161,448) | | | (161,448) |
| | | | 968,436 | 155,333 | 494,842 | 252,447 | 65,814 | 968,436 |