

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

<p><b>In the Matter of</b></p> <p><b>WESLEY KYLE PERKINS</b></p> <p><b>Respondent.</b></p>
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**ADMINISTRATIVE PROCEEDING**  
**File No. 3-20248**

**ANSWER OF WESLEY KYLE PERKINS**

COMES NOW Respondent Wesley Kyle Perkins (“Respondent” or “Perkins”), and files this Answer of Respondent Wesley Kyle Perkins to the Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940 and Notice of Hearing (“OIP”) and pursuant to 17 C.F.R. § 201.220 answers as follows:

1.

Section I of the OIP contains legal conclusions, orders, and/or instructions to which no responsive pleading is required. Alternatively, should a response be required, Respondent denies the allegations.

2.

Respondent admits the allegations contained in Section II(A)(1) of the OIP.

3.

Respondent denies the allegations contained in Section II(B)(2) of the OIP. On February 2, 2021, Perkins suspensively appealed the January 15, 2021 judgment. Perkins’ appeal is currently pending before the United States Fifth Circuit Court of Appeals and its original appellate brief is due June 25, 2021. As such, the January 15, 2021 judgment is not final.

Respondent admits that the allegations contained in Section II(B)(2) of the OIP to the extent those allegations are a recitation of the judgment. To the extent that any of the allegation in Section II(B)(2) of the OIP are claiming those allegations to be true or the statements in the judgment to be correct, then the allegations in Section II(B)(2) of the OIP contain legal conclusions to which no responsive pleading is required. Alternatively, should a response be required, Respondent denies the allegations in Section II(B)(2) of the OIP.

4.

Respondent admits the allegations contained in Section II(B)(3) to the extent those allegations are a recitation of the allegations contained in the SEC's Complaint(s). To the extent that any of the allegations in Section II(B)(3) of the OIP are claiming those allegations to be true, then the allegations in Section II(B)(3) of the OIP contain legal conclusion to which no responsive pleading is required. Alternatively, should a response be required, Respondent denies the allegations in Section II(B)(3) of the OIP.

5.

Section III, Section III(A), and Section(B) of the OIP contain conclusions by the SEC to which no responsive pleading is required. Alternatively, the allegations contained in Section III, Section III(A), and Section(B) of the OIP contain legal conclusions to which no responsive pleading is required. Alternatively, should a response be required, Respondent denies the allegations in Section III, Section III(A), and Section(B) of the OIP.

6.

Section IV of the OIP contains conclusions, orders, and/or instructions by the SEC to which no responsive pleading is required. Alternatively, the allegations contained in Section IV of the OIP contain legal conclusions to which no responsive pleading is required. Alternatively, should a response be required, Respondent denies the allegations in Section IV of the OIP.

7.

Respondent requests that the Securities and Exchange Commission's request for public administrative proceedings be denied.

8.

Except as otherwise expressly stated in paragraphs 1-7 above, Respondent denies each and every allegation, including without limitation, all headings and subheadings and specifically deny that SEC is entitled to any relief requested. Respondent also denies any remaining allegations not expressly admitted herein.

9.

Respondent avers and raises as a defense that the allegations fail to state a claim upon which the SEC is entitled to relief can be granted against Defendants.

10.

Respondent avers and raises as a defense that the Department of Enforcement has failed to allege fraud with particularity.

11.

Respondent avers and raises as a defense that the Department of Enforcement has failed to identify the existence of any false or misleading statements or omissions by Respondent.

12.

Respondent avers and raises as a defense that the Department of Enforcement's allegations are barred in whole or in part, because the information that Respondent allegedly failed to disclose was immaterial.

13.

Respondent avers and raises as a defense that each allegation by the Department of Enforcement is barred, in whole or in part, because Respondent, at all relevant times, has acted in good faith.

14.

Respondent avers and raises as a defense that each allegation by the Department of Enforcement is barred, in whole or in part, because Respondent did not directly or indirectly induce the act or acts constituting the alleged violations and causes of action outlined in the allegations.

15.

Respondent avers and raises as a defense that each allegation by the Department of Enforcement is barred, in whole or in part, because Respondent did not act with scienter.

16.

Respondent avers and raises as a defense that each allegation by the Department of Enforcement is barred, in whole or in part, by the doctrine of waiver.

17.

Respondent avers and raises as a defense that each allegation by the Department of Enforcement is barred, in whole or in part, by the doctrine of laches.

18.

Respondent avers and raises as a defense that each allegation by the Department of Enforcement is barred from recovery because the SEC did not suffer damages because of any alleged act committed by Respondent or purportedly chargeable to Respondent.

19.

The relief sought by the Department of Enforcement and the SEC in whole or in part exceeds its lawful authority.

20.

Because prehearing submissions and disclosures have not yet occurred in this proceeding, Respondent reserves the right to assert other and further defenses as may later become known to counsel in a manner consistent with the Code of Federal Regulations.

Signed this 28th day of May 2021.

Respectfully submitted,

/s/ Lauren Noel Maurer

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**ATTORNEYS FOR WESLEY KYLE PERKINS**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 28, 2021, a true and correct copy of the foregoing was sent in the manner indicated below upon the following:

Via FedEx  
Vanessa Countryman, Secretary  
Office of the Secretary, SEC  
100 F Street, NE  
Washington, DC 20549

Via Certified Mail, Return Receipt  
Requested No. \_\_\_\_\_  
and via email: deanl@sec.gov and apfilings@sec.gov

Lynn Dean  
Los Angeles Regional Office  
Securities and Exchange Commission  
444 S Flower Street, 9<sup>th</sup> Floor  
Los Angeles, CA 90071  
(323) 965-3245

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/s/ Lauren Noel Maurer  
LAUREN NOEL MAURER