

(1)

01/11/2

SECURITIES AND EXCHANGE Commission

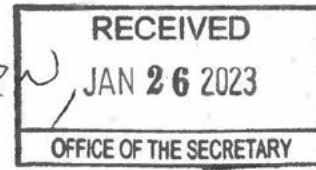
The matter of LEON VACCARELLI

FILE # 3-21030

- STATEMENT TO SHOW CAUSE that the ^{(1) then (4)} DEFENDANT shall not be considered in default for failing to FILE AN ANSWER by the due DATE.
- STATEMENT OF APOLOGY (5)
- EXHIBITS (7) then (13)
- CERTIFICATE OF SERVICE (6) (14)
- CERTIFICATE OF INABILITY TO FILE ELECTRONICALLY (6)

(2)

01/11/22



To Whom it may CONCERN,

I believe I should not be found in default because I was late in filing a response. I tried numerous times to contact my lawyer by phone, written letter, and e-mail (Exhibit A). I also tried contacting the SEC lawyer Mr. London via e-mail (Exhibit B). I also sent a letter to ANESSA Countryman essentially certifying that I did not have electronic filing capabilities and that I anticipated my lawyer would handle the matter, sadly I was able to make a copy of that correspondence because the 1991 copy machine we have was "out of order" at the time.

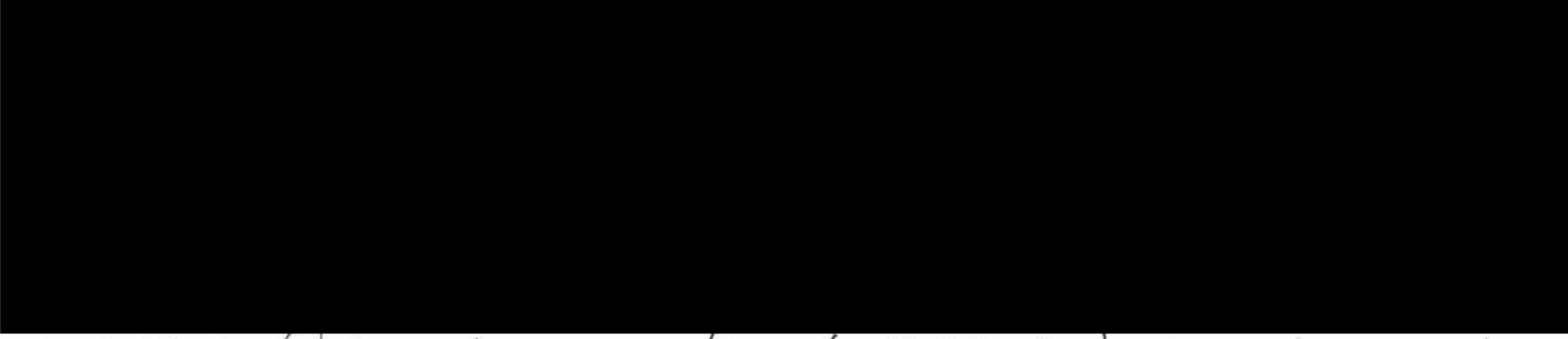
I did not receive a response from my lawyer until 12/27/22 (Exhibit C) and I never received a response from Mr. London.

Over the last few weeks I have been trying my best to complete →

→ this reply. It has been very (3)
challenging as to obtain paper, make
copies, and postage costs money. I am
currently indigent, I only make .18¢
per hour as a Dishwasher at the FMC-
SEVENS. Otherwise, I am completely broke
with a negative net worth. The other
wirdle was figuring out the acceptable
protocol for both the BOP & the SEC.
Therefore, I do not believe I should
be penalised for not replying in time
as I thought my lawyer would handle this
and I ~~was~~ also thought I get some guidance
from Mr. London or Ms. Countryman. Obviously
none of this happened leading me to
his reply.


Lastly, I do not think I should be
penalized with remedial sanctions
because I have most certainly apologized
during my trial & sentencing. All of these
matters stemmed from my alcoholism
→

→ (Exhibits D, E, E-1, & F) AND I CONTINUE (4)
TO IMPROVE AND WORK ON MY ALCOHOLISM.



WAITING FOR THE MEDICAL RECORD TO INCLUDE
IN THIS REPLY BUT HAVE NOT RECEIVED IT
YET. IT IS AVAILABLE ON-LINE WITH MY FEDERAL
COURT CASE AND I CAN ALSO PROVIDE IT AT
A LATER DATE.

WHILE I DISAGREE WITH MUCH OF THE
DETAILS ABOUT THE COMPLAINT AND SOME
OF WHICH CAME OUT AT MY TRIAL IN MY
FAVOR, I DO NOT DISAGREE WITH THE FACT
THAT I VIOLATED MULTIPLE TIMES SEC LAWS.



Attached

PLEASE REVIEW MY APOLOGY.

Statement of Apology

⑤

I wish to make this apology to the SEC. I am grievously sorry for the violations and engorgement that lead to my criminal conviction. I know ALL REGISTERED REPS of the SEC should follow all rules and procedures. The SEC has a track record of Integrity and my actions have tarnished that record and the record of ALL OTHER REGISTERED REPS AS WELL.

I cut corners, took risks, and was not completely truthful with my clients and Broker Dealer. I am ashamed of my conduct. I have lost my career which began with my passing of the Series 7 in 1999. I had over \$70 million in AUM and more than 700 clients. Most importantly I lost my marriage and my eight children live with their fathers shame. The ripple effects of my actions have affected my former clients, employees, business associates, and my community. I take responsibility and I will never make these or similar mistakes again. I ask the commission to take into account my alcoholism and the credo of 2nd chances in any deliberations or penalties.

Sincerely, Jonathan


⑥

01/11/22

CERTIFICATE of INABILITY to TRANSMIT various filings ELECTRONICALLY.

I hereby CERTIFY that due
to my INCARCERATION AT FMC-DEWENS that
I do NOT HAVE ACCESS to SCANNERS, FAX machines,
OR COMPUTERS where I can DOWNLOAD AND
FILE documents on the eFAP system or
VIA E-MAIL.

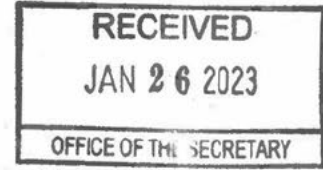
SINCERLEY Yours,


LEON VACCARELLI

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TRULINCS 25859014 - VACCARELLI, LEON - Unit: DEV-I-A

FROM: 25859014
TO: Einhorn, Jonathon
SUBJECT: from Leon Vaccarelli
DATE: 11/15/2022 01:22:59 PM



Hi Jon,

I am sure you are busy but I would like to speak to you on the phone. I would like to know the end result with the SEC in the federal Court, as I need to file a response and/or apology with the SEC and this David London, the money you are holding for the SEC, etc... please give me the lay of the land with this.....

Also, I have some concerns about the business assets with Kolesnik and a threatened partition action.....

Lastly, my dad is not doing well and will be doing a will and putting my brother on ownership etc..etc... and I have a couple of questions about my status that my dad and brother would find helpful....

Thank you

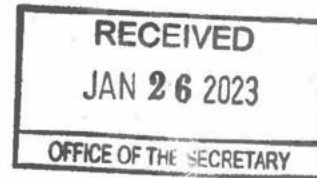
Leon

EXHIBIT A

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TRULINCS 25859014 - VACCARELLI, LEON - Unit: DEV-I-A

FROM: 25859014
TO: London, David
SUBJECT: From Leon Vaccarelli
DATE: 11/18/2022 10:33:23 AM



Mr. London,

Thank you for accepting my request to communicate via e-mail. I have recieved two letters from you/SEC. It has been my intention to have Atty. Einhorn handle the matter but I have been unable to contact him. I do know the Federal Court Case was coming to some sort of head but I do not know what happened. Perhaps you can fill me in?

As for the SEC matter (Not Federal Court) I am unsure about all of the procedure. I wrote to Vanessa Countryman in D.C> from the first bundle but have not heard back as of yet. I donot have access to the internet or the various laws mentioned in the papers. I do not know the proper procedure for responding. I know you are essentially opposing counsel but please understand my situation as an inmate with zero access to laws, procedures, filing, etc....

Lastly, in your latest correspondance you metioned that I never apologized and that is simply not true. I testified for 2 full days at my trial in which I very much apologized and expressed remorse. Also, at my sentencing hearing I gave my statement of alucation for aprox. 20 minutes where I apologized to the victims, my business associates and I mentioned the "SEC" as well.

I am happy to appear via zoom or telephone at an SEC hearing to apologize and give my perspective if that is permissable. It also might be best that we speak on the telephone. You can arrange this with Mr. Larkin here at the prison. I am not looking to draw this out or to be diffulcult as I want closure as much as you do as well. I do believe I deserve to express my perspective and apology though.

I look forward to your response. Please note it can take up to 72 hours to recieve your e-mail response.

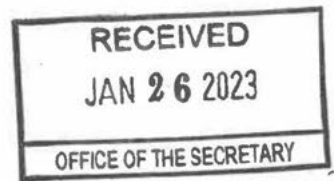
Sincerely yours,

Leon Vaccarelli

Exhibit B

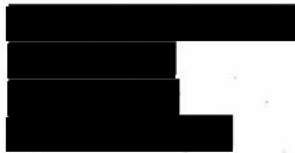
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JONATHAN J. EINHORN
Attorney and Counselor At Law
129 WHITNEY AVENUE
NEW HAVEN, CONNECTICUT 06510
(203) 777-3777
Facsimile (203) 782-1721
einhornlawoffice@gmail.com



December 21, 2022

Leon Vaccarelli



Dear Leon:

I received your materials from the SEC. This is a new matter which the SEC has brought against you because you did not resolve the civil action. In this new matter they seek to bar you from the securities industries. If you wish me to represent you on this matter, we will need a retainer for that purpose. Frankly, I do not believe it is necessary if you will agree to execute the stipulation that they sent previously. I am sending to you the copies you requested.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Jonathan J. Einhorn", written over the typed name.

JONATHAN J. EINHORN

JJE:gab
Enclosure

Exhibit C

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Exhibit D from Atty. LONDON'S motion for
pg. 2 of 6
Default Judgment
and Imposition of Sanctions

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on Supervised Release for a total term of 3 years.

The Mandatory and Standard Conditions of Supervised Release as attached are imposed. In addition, the following Special Conditions are imposed:

1. The defendant must not have any contact, directly or indirectly, with any of the witnesses or victims of his offense.
2. The defendant must provide the probation officer access to any requested financial information or authorize the release of any financial information until his financial obligation is paid.
3. The defendant must not encumber personal homes or investment properties without permission of the Court and shall not transfer, sell, give away, barter, or dissipate in anyway any assets, including personal property such as motor vehicles without the express permission of the probation officer and notification to the Court.
4. If the probation officer determines that the defendant poses a risk to another person, the probation officer may, with the Court's approval, require the defendant to notify the person or organization about the risk and the defendant must comply with that instruction. The probation officer may contact the person or organization and confirm that the defendant has notified the person about the risk.
5. The defendant must pay any restitution that is imposed by this judgment in a lump sum immediately. If he is unable to pay the full balance in a lump sum, any remaining balance is payable at a rate of not less than \$500 per month or 10% of your gross monthly income, whichever is greater. The monthly payment schedule may be adjusted based on the defendant's ability to pay as determined by the probation officer and approved by the Court.
6. The defendant shall participate in a mental health treatment program approved by the Probation Office. The defendant must follow the rules and regulations of that program. The probation officer will supervise the defendant's participation in the program. The defendant must pay all or a portion of costs associated with treatment based on his ability to pay as recommended by the probation officer and approved by the Court.
7. The defendant shall participate in a substance abuse treatment program approved by the Probation Office. The defendant must follow the rules and regulations of that program. The probation officer will supervise the defendant's participation in the program. The defendant must pay all or a portion of costs associated with treatment based on his ability to pay as recommended by the probation officer and approved by the Court.
8. The defendant must totally abstain from alcohol consumption.

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments as follows:

Special Assessment: \$2,100.00 to be paid to the Clerk of the Court immediately

Exhibit D

**Bureau of Prisons
Psychology Services
Non-Residential DAP**

SENSITIVE BUT UNCLASSIFIED

(11)

Inmate Name: VACCARELLI, LEON

Reg #: 25859-014

Date of Birth: 12/14/1976

Sex: M

Race: WHITE

Facility: DEV

Open Date: 06/10/2022

Closed Date:

Status: Active

Discussed: Yes

PGI Title: Overall Progress

Status: Active

Last Updated: 06/10/2022

Last Provider: Travers, Eleni MA, DTS

Problem: I have led a disordered lifestyle that has had a negative impact on many aspects of my life so I have volunteered to participate in this treatment program to help me address my specific problems.

Goal: Incorporate the principles and techniques of this treatment program to address my thinking errors and modify my problematic behaviors.

Interventions: Full program participation as directed and reviewed by my clinical team.

Exhibit E

PGI Title: Substance Abuse

Status: Active

Last Updated: 06/14/2022

Last Provider: Travers, Eleni MA, DTS

Problem: I have a problem with abusing substances, specifically alcohol. This abuse has affected my health, my cognitive capacity, and my home life. Specifically, decisions I made when drinking affected my career, marriage, and ultimately led me to prison.

Goal: Lead a drug-free lifestyle, utilizing healthy coping mechanisms to manage unpleasant emotions and difficult situations and engage in physically and emotionally healthy leisure activities.

Interventions: Activity 1 : I will learn about the 5 stages of change, the 10 strategies for change, and my motivation for change by completing workbook assignments. (Group Journal, p. 10-17).

Activity 2: I will explore how to move toward healthier choices by understanding how SUD can affect my life and share this with the group. (Personal Journal, p. 25-27).

Activity 3: I will assess my ability to avoid triggers that encourage substance abuse and irresponsible behaviors by completing Strategies for Change Step 9 in my journal and discussing it with the group. (Personal Journal p. 15)

Activity 4: I will explore my substance use through pages 2-5 of my Personal Journal, identifying my main drugs of choice and what areas of my life those drugs have affected the most. I will document this in my journal and share these thoughts with my group. (Personal Journal p. 2-5).

Activity 5: I will learn about the stages of change and identify which stage of change I believe to be in currently. I will complete these pages thoroughly in my journal and select strategies for change that I wish to work on based on my current stage of change. (Personal Journal p. 10-15).

PGI Title: Emotional Self-Regulation

Status: Active

Last Updated: 06/10/2022

Last Provider: Travers, Eleni MA, DTS

Problem: I struggle with managing my feelings at times. For example, I previously "self-medicated with all my drinking" to handle anxiety and depression.

Goal: Avoid emotional swings by learning to identify triggers and hot spots and then find appropriate strategies to mitigate my emotional responses, as well as my tendency to worry.

Interventions: Activity 6: I will practice thinking, feeling, and acting in responsible ways by learning to identify old behaviors and thoughts and replace them with new, responsible behaviors and thoughts and completing this in my journal. (Personal Journal, p. 14).

Activity 7: I will conduct weekly attitude checks utilizing the 8 Positive attitudes for change, specifically honesty and responsibility, to abstain from substance use after treatment. I will document this in my Group journal and/or composition notebook each week. (Group Journal, p. 3-7).

Activity 8: I will learn the 5 rules for rational thinking and be able to separate irrational and rational self-talk.

Inmate Name: VACCARELLI, LEON

Reg #: 25859-014

Date of Birth: 12/14/1976

Sex: M

Race: WHITE

Facility: DEV

Open Date: 06/10/2022

Closed Date:

Status: Active

Discussed: Yes

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I will practice using these rules to examine my thought process by discussing in group and completing my journal pages. (Group Journal p. 17).

Activity 9: I will explore the benefits of finding a positive mentor or role model and list potential role models for my safety net in my journal. (Group Journal, p. 33).

Activity 10: I will identify, in writing, a pattern of using drugs and alcohol as a means of escape from depression, anxiety, and other negative feelings in my journal. I will focus on the listed strategies for managing feelings as an alternative. (Personal Journal, p. 21-24).

Exhibit E-1

Certificate of Completion

Presented to

Leon Vaccarelli #25859-014

For successfully completing the
Non-Residential Drug Abuse Program

On August 2, 2022



Ms. Travers, DTS



Dr. Park, DAPC

Federal Medical Center, Devens, MA

EXhibit 13

(14)

CERTIFICATE of SERVICE

① - Office of the Secretary SEC
100 F STREET NE, Mail Stop 1090
WASHINGTON, DC 20549
(CERTIFIED MAIL)

② - Mr. David H. London, Esq.
SEC - BOSTON REGIONAL OFFICE
33 ARCH ST. 24TH FLOOR
BOSTON, MA 02110
(1ST CLASS MAIL)

