

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING

File No. 3-22307

In the Matter of

**EPIC CAPITAL WEALTH
ADVISORS, LLC,**

Respondent.

**DIVISION OF ENFORCEMENT'S
NOTICE OF FILING**

Pursuant to the Court's Order dated June 18, 2025, the Division of Enforcement ("Division") respectfully submits this notice of filing of the Division's version of a Joint Exhibit List for the recently concluded hearing in the above-captioned matter. The attached Joint Exhibit List includes the admitted and excluded exhibits of both the Division and Respondent Epic Capital Wealth Advisors, LLC ("Epic"). Following the Court's Order, the Division compiled the information reflected in the attached Joint Exhibit List and, on June 24, 2025, shared by email the draft list with David Anthony on behalf of Respondent and requested his edits. Anthony has not otherwise provided any list of Respondent's Exhibits to the Division to include on a joint exhibit list. Anthony also has not responded to the Division's email of June 24th, nor to a follow-up email about the matter. Accordingly, the Division is filing the Joint Exhibit List without the views or position of Epic.

Respectfully submitted this 25th day of June, 2025.

/s/ James P. McDonald

James P. McDonald

Trial Counsel

Division of Enforcement

1961 Stout Street, Ste. 1700

Denver, CO 80294

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served on the following on June 25, 2025, in the manner indicated below:

Epic Capital Wealth Advisors, LLC (via email)
c/o Mr. David Anthony
dave@epiccapitalwealth.com

/s/ James P. McDonald
Division of Enforcement
Securities and Exchange Commission

JOINT EXHIBIT LIST FOR JUNE 2025 HEARING

DIVISION'S ADMITTED EXHIBITS (DX)						
DX#	DATE	EXHIBIT DESCRIPTION	OFF.	ADM.	BATES STAMP	T. CITE
1	9/24/2024	Epic Capital Wealth Advisors Form ADV	X	X	NA	353:10-13
2	10/2/2024	Epic Capital Wealth Advisors Amended Form ADV	X	X	NA	376:2-6
3	10/25/2024	Epic Capital Wealth Advisors Amended Form ADV	X	X	NA	387:17-20
4	4/17/2023	Order of Permanent Injunction and Other Relief in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	323:4-8
5	3/1/2022	Complaint in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	211:15-20
6	3/2/2022	TRO, Asset Freeze, and Related Order in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	215:24-216:4
9	5/9/2022	Order Appointing Receiver in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	227:17-22
12	1/5/2023	Memorandum of Settlement Terms in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	SEC-EMAIL-E-0000201-202	283:14-18
13	1/23/2023	Plaintiff's Motion to Enforce Settlement Agreement in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	313:10-15
14	1/26/2023	Defendant's Motion to Set Aside Mediator Settlement in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	314:15-20

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DIVISION'S ADMITTED EXHIBITS (DX)						
DX#	DATE	EXHIBIT DESCRIPTION	OFF.	ADM.	BATES STAMP	T. CITE
15	1/30/2023	Plaintiff's Combined Reply in Support of Motion to Enforce Settlement Agreement and Opposition to Motion to Set Aside Mediator Settlement in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	315:6-11
16	2/6/2023	Defendant's Reply in Support of Motion to Set Aside Mediator Settlement in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	315:20-24
17	2/28/2023	Order Regarding Settlement Agreement in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	317:24-318:4
19	4/17/2023	Order Denying Defendant's Motion to Set Aside Mediator Settlement in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO District Court; Case No. 22cv30574	X	X	NA	318:21-219:4
20	7/14/2023	Order of the Court Dismissing Appeal in <i>Tung Chan v. David M. Anthony, et al</i> ; Denver, CO Court of Appeals; Case No. 2023CA1055	X	X	NA	328:6-10
21	5/3/2023	Findings of Fact and Conclusions of Law Order <i>In the Matter of Anthony Capital, LLC and David M. Anthony</i> ; State of Colorado Securities Commissioner; Case No 2023-CDS-10	X	X	SEC-EMAIL-E-0000198-200	327:3-8
23	6/23/2021	Transcript of Audio Recording, Colorado Division of Securities, In the Matter of Anthony Capital, LLC	X	X	SEC-CDOS-E-0002282-2479	410:6-11

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DIVISION'S ADMITTED EXHIBITS (DX)						
DX#	DATE	EXHIBIT DESCRIPTION	OFF.	ADM.	BATES STAMP	T. CITE
24	2/6/2021	Anthony Capital Alternative Investments Income V Fund, LLC Confidential Private Placement Offering Memorandum	X	X	SEC-CDOS-E-0001056-1077	300:17-21
25	12/1/2023	Anthony Capital LLC, Form ADV	X	X	NA	57:3-8
27	9/8/2022	Certificate of Organization of Epic Capital Wealth Advisors LLC	X	X	NA	329:14-18
29	1/7/2023	Email from Dave Anthony to Otto Hilbert re Harbor city notice- Alabama & Reasons to rescind the order	X	X	NA	304:18-23
33	12/5/2023	Certificate of Organization of Anthony Capital LLC	X	X	NA	70:11-16
34	9/23/2024	Epic Capital Wealth Advisors, LLC Firm Brochure (Part 2A of Form ADV)	X	X	NA	390:22-391:4
35	9/30/2024	Email chain re UT Div of Sec - RE Anthony Capital, LLC IARD #152504 - Notice of Intent to Deny	X	X	NA	361:15-19
36	9/30/2024	Utah Division of Securities, Notice of Intent to Deny Investment Adviser Application re Anthony Capital, LLC IARD #152504	X	X	NA	368:15-19
37	10/2/2024	Email from Sheila Thomas to David Anthony re Withdrawal of State IA and Federal Covered Investment Adviser Representative Licensing	X	X	NA	369:18-22
38	10/9/2024	US SEC Form ADV comment letter re Epic Capital Wealth Advisors, LLC	X	X	NA	401:10-15
41	4/22/2025	Epic Capital Wealth Advisors, LLC's Response to SEC 4/8/2025 subpoena	X	X	NA	348:12-16
42	5/7/2025	Epic Capital Wealth Advisors, LLC's Response to SEC 4/24/2025 subpoena	X	X	NA	404:25-405:4

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DIVISION'S ADMITTED EXHIBITS (DX)						
DX#	DATE	EXHIBIT DESCRIPTION	OFF.	ADM.	BATES STAMP	T. CITE
47		US Securities and Exchange Commission FAQs on Form ADV and IARD	X	X	NA	575:13-19
48C	12/2/2024	David Anthony Exhibit to Amended Answer re: Initial Report of Receiver	X	X	NA	245:23-246:2
48D	12/2/2024	David Anthony Exhibit to Amended Answer re: Confidential Settlement Statement	X	X	NA	279:12-17
48E	12/2/2024	David Anthony Exhibit to Amended Answer re: Receiver's Confidential Mediation Statement	X	X	NA	280:7-11
50	4/8/2025	SEC Subpoena to David Anthony In the Matter of Epic Capital Wealth File No 3-22307	X	X	NA	409:16-20
51		CRD Screenshot for Account Held by David Anthony	X	X	NA	585:22-586:6
DIVISION'S EXCLUDED EXHIBITS						
DX#	DATE	EXHIBIT DESCRIPTION	OFF.	EXCL.	BATES STAMP	T. CITE
None						

JOINT EXHIBIT LIST FOR JUNE 2025 HEARING

RESPONDENT'S ADMITTED EXHIBITS (RX)						
RX#	DATE	EXHIBIT DESCRIPTION	OFF.	ADM.	BATES STAMP	T. CITE
1	12/1/2024	Epic Answer	X	X	NA	439:22-440:3
3	12/2/2024	Allegation 1 and 2	X	X	NA	456:17-20
5	12/2/2024	Allegation 3 flow chart [Admitted as a demonstrative/aid to testimony]	X	X	NA	462:13-14; 466:17-467:13
6	12/2/2024	Allegation 3 Fake flow chart [Admitted as a demonstrative/aid to testimony]	X	X	NA	467:14-19
7	12/2/2024	Allegation 4	X	X	NA	477:19-25
10	11/2022	Notes- ACAII1 Fund	X	X	NA	490:19-491:8
11	05/2019	Notes - ACAII2 Fund	X	X	NA	491:10-493:24
12	05/2020	Notes ACAII 3-5 PPM	X	X	NA	498:21-499:3
13	3/1/2022	Complaint Edited	X	X	NA	478:10-480:15
14	3/2/2022	TRO Edited	X	X	NA	478:1-8
15	1/26/2023	Bovo Declaration	X	X	NA	532:7-19
17	3/14/2023	Motion to Reconsider	X	X	NA	520:5-9
18	12/2021	ACF PPM NOTES	X	X	NA	499:22-501:2

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RESPONDENT'S ADMITTED EXHIBITS (RX)						
RX#	DATE	EXHIBIT DESCRIPTION	OFF.	ADM.	BATES STAMP	T. CITE
19	12/2022	Bond Fund PPM Notes	X	X	NA	502:4-17
31	11/2021	Flickner PPM	X	X	NA	650:15-24
32	11/2021	Flickner Sub Docs	X	X	NA	650:15-24
RESPONDENT'S EXCLUDED EXHIBITS						
RX#	DATE	EXHIBIT DESCRIPTION	OFF.	EXCL.	BATES STAMP	T. CITE
2	1/3/2025	Epic Answer	X	X	NA	546:11-547:9
9	2/5/2025	Receiver Report to Liquidate-(#8)	X	X	NA	505:15-508:14
16	1/5/2023	Mediation Transcript	X	X	NA	531:16-17
20	3/24/2022	March Hearing 3-24	X	X	NA	534:25-544:13
21	3/28/2022	March Hearing 3-28	X	X	NA	536:9-544:13
22	3/28/2022	March Hearing All Funds Fake Wire	X	X	NA	546:8-10
24	9/12/2021	Parksky Ledger	X	X	NA	513:24-518:25