

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.:
	:	
THURMAN P. BRYANT, III, and	:	4:17-CV-00336-ALM
BRYANT UNITED CAPITAL FUNDING, INC.	:	
	:	
Defendants,	:	
	:	
ARTHUR F. WAMMEL,	:	
WAMMEL GROUP, LLC,	:	
THURMAN P. BRYANT, JR.,	:	
CARLOS GOODSPEED a/k/a SEAN PHILLIPS	:	
d/b/a TOP AGENT ENTERTAINMENT d/b/a	:	
MR. TOP AGENT ENTERTAINMENT	:	
	:	
Relief Defendants.	:	
	:	

**RELIEF DEFENDANTS ARTHUR F. WAMMEL AND WAMMEL GROUP, LLC'S
EMERGENCY MOTION AND BRIEF FOR RECONSIDERATION OF *EX PARTE* TRO,
PRELIMINARY INJUNCTION, ASSET FREEZE, AND RECEIVERSHIP ORDERS
(DKT. NOS. 45-49)**

Relief Defendants Arthur F. Wammel and Wammel Group, LLC, who appeared in this case on June 8, 2017, move the Court on an emergency basis to reconsider its rulings granting the Receiver's *Ex Parte* Emergency Motion to Expand the Receivership and Asset Freeze Against the Wammel Defendants (sic), for Temporary Restraining Order, and for Preliminary Injunction. The Wammel Relief Defendants request an expedited hearing on this Motion. In the Receiver's haste to secure *ex parte* orders, she manufactured a non-existent emergency and trampled on the Wammel Relief Defendants' constitutional rights. Because of serious due

process and other constitutional violations, as well as flagrant inaccuracies to the Court in the Receiver's *ex parte* motion, the Court's orders should be set aside.

I. INTRODUCTION

The *ex parte* orders obtained by the Receiver are unlawful and unconstitutional in several respects. Therefore, they should be set aside.

First, the Receiver's *ex parte* orders have deprived the Wammel Relief Defendants of due process. The Receiver filed her *ex parte* motions under seal, denying the Wammel Relief Defendants notice and an opportunity to be heard. This is particularly egregious because the Wammel Relief Defendants have been actively participating in this litigation since answering the SEC's complaint on June 8 and would have been happy to attend a TRO hearing to ensure that all sides were heard and no facts misrepresented. The denial of a hearing was especially harmful here, because the Receiver obtained the asset freeze and receivership orders over the Wammel Relief Defendants by misleading the Court.

Among other false claims in her *ex parte* motion, the Receiver repeatedly refers to the Wammel Relief Defendants as the Wammel "Defendants," as if the SEC or the Receiver had sued them, and then discusses her likelihood of success on the merits of four un-pleaded claims (fraudulent transfer, conversion, civil conspiracy, and breach of fiduciary duty).¹ Her designation of relief defendants as the "Wammel Defendants" is false. She further misstates that the Wammel Relief Defendants had "dissipated" some \$7 million of receivership assets since December 2016 in violation of the Court's receivership order. This is false. She also claims with

¹ The Wammel Relief Defendants are not defendants, and never have been. They are relief defendants. Elsewhere in the motion, the Receiver seems to acknowledge that the "Wammel Defendants" are not, in fact, defendants. (Dkt. 45, p. 29). At a minimum, the Receiver's terminology is inaccurate.

no proof that Mr. Wammel had “recently” destroyed a computer.² This is false. Finally, she makes the baseless claim that Mr. Wammel violated this Court’s receivership order and TRO – neither of which identified him and neither of which she made any effort to enforce against him. These falsehoods would have been promptly exposed had counsel for the Wammel Relief Defendants received any notice of the TRO hearing.

Second, because the *ex parte* orders resulted from misleading statements to the Court, the searches and seizures executed by the Receiver’s team and the United States marshals violated the Fourth Amendment of the United States Constitution. In effect, executing the fraudulently obtained *ex parte* orders amounted to a warrantless search and seizure. Any evidence gathered from the unconstitutional search and seizure is fruit of the poisonous tree and unusable in this case or any action, civil or criminal.

Third, the Wammel Relief Defendants had previously consented, in writing, to a settlement with the SEC that did not include a receivership or asset freeze. Relief Defendants made clear that inclusion of those terms would be deal-breakers. The SEC responded that if the Wammel Relief Defendants backed out of the settlement, it would seek as much emergency relief (receivership, asset freeze, etc.) as it could possibly obtain. Thus, the SEC staff and the Wammel Relief Defendants had a clear understanding that there would be no receivership and no asset freeze. The Receiver’s *ex parte* motion is directly contrary to the understanding the Wammel Relief Defendants had with the SEC.

²

In truth, the computer that Mr. Wammel has been using for the last several years is in his upstairs office at his now-former residence. Counsel for Mr. Wammel has informed the Receiver’s team of the whereabouts of this computer.

II. FACTS AND PROCEDURAL HISTORY

A. The Underlying Investigation

Art Wammel learned of the SEC's investigation in December 2016 and immediately retained counsel. (Exhibit A ¶ 1). The SEC's investigation was styled "In the Matter of Bryant United Capital Funding, Inc. (FW-04150)." (*See* Subpoenas attached as Exhibits A-1 and A-2). The Wammel Relief Defendants have participated in the SEC's investigation for months, with counsel first meeting with the SEC staff and offering a settlement on March 30 of this year. (Exhibit A ¶ 2). At that time, the SEC said that it did not have enough information to settle with the Wammel Relief Defendants. (*Id.*).

B. The SEC Names Wammel and the Wammel Group as Relief Defendants and Alleges no Wrongdoing

On May 15, 2017, the SEC brought this emergency enforcement action against Defendants Thurman P. Bryant, III, and Bryant United Capital Funding, Inc., the subjects of the SEC's investigation. (Dkt. 1). At that time, the Commission named Wammel and the Wammel Group as relief defendants and did not accuse them of wrongdoing. (*Id.*) The Commission asserted no claims, no violations of the securities laws, and no need for any emergency relief, asset freeze, or receivership as to the Wammel Relief Defendants.³ (*Id.*)

C. Relief Defendants Actively Participate in the Litigation and Consent to a Settlement that Does not Include a Receivership or Asset Freeze

Wammel and the Wammel Group actively participated in the litigation. Relief Defendants answered the lawsuit on June 8 (Dkt. 29), submitted an offer of judgment under Rule

³ The Court's prior receivership order and TRO were not directed to Wammel. While it is true that counsel for the Receiver emailed the orders to counsel for Mr. Wammel, at no time did anyone suggest or, for that matter, plead that Mr. Wammel was "acting in concert" with Bryant and therefore subject to the orders. Had the Receiver wished to take that legal position, the very least she could have done was inform counsel for Mr. Wammel. Instead, she filed her *ex parte* motion alleging "wanton" violations of an order she had never even sought to enforce against Mr. Wammel. (Dkt. 45 at 30).

68,⁴ conferred under Rule 26(f) with the parties (including counsel for the receiver), served initial disclosures on July 19, and consented to a settlement with the SEC on terms that did not include a receiver or asset freeze. The initial disclosures, settlement consents, and proposed judgments are attached hereto as Exhibits A-4 through A-8. The SEC threatened that if Relief Defendants backed out of the settlement – something Relief Defendants had no intention of doing at that time – it would seek all emergency relief it could possibly obtain. (Exhibit A ¶ 5). The understanding between the SEC and the Wammel Relief Defendants was clear: There would be no receivership or asset freeze. (*Id.*)

D. The Receiver Files her *Ex Parte* Motions, Misleading the Court

Despite all of this good faith by Relief Defendants, on July 19, the Receiver filed under seal an *ex parte* motion against the Wammel Relief Defendants. This purported emergency motion mischaracterized Relief Defendants as Defendants, misrepresented that they had “dissipated” some \$7 million in assets since December 2016 in violation of a receivership order, and misleadingly stated that they had violated court orders that the Receiver had not even sought to enforce. (Dkt. 45)..

E. The Receiver Does Not Comply with Notice Requirements

Furthermore, the Receiver ignored the requirements of Local Rule CV-7(i) and made no effort to confer with counsel for Relief Defendants before filing the *ex parte* request for extraordinary relief. Nor did the Receiver serve Relief Defendants with a copy of her filing as required by Rule 5 of the Federal Rules of Civil Procedure. Instead, counsel learned of the receivership order on the afternoon of July 20 when Mr. Wammel called and said that United

⁴ Relief Defendants withdrew the offer of judgment at the SEC’s request, as the time limits in Rule 68 were apparently creating time pressure for the SEC staff. The offer of judgment is attached hereto as Exhibit A-3.

States Marshals and representatives of the Receiver had shown up unannounced and were seizing his property.

III. ARGUMENT AND AUTHORITIES

A. The *Ex Parte* Orders Are Improper Because They Violated Relief Defendants' Due Process Rights.

The Due Process Clause of the Fifth Amendment guarantees that “[n]o person shall ... be deprived of life, liberty, or property, without due process of law.” The Supreme Court has stated, “Our precedents establish the general rule that individuals must receive notice and an opportunity to be heard before the Government deprives them of property.” *United States v. James Daniel Good Real Prop.*, 510 U.S. 43, 48–49, 114 S. Ct. 492, 498, 126 L. Ed. 2d 490 (1993) (citing *United States v. \$8,850*, 461 U.S. 555, 562, n. 12, 103 S.Ct. 2005, 2011, n. 12, 76 L.Ed.2d 143 (1983); *Fuentes v. Shevin*, 407 U.S. 67, 82, 92 S.Ct. 1983, 1995, 32 L.Ed.2d 556 (1972)). The core guarantee of procedural due process is the opportunity to be heard “at a meaningful time and in a meaningful manner.” *Findeisen v. N. E. Indep. Sch. Dist.*, 749 F.2d 234, 237 (5th Cir. 1984) (citing *Armstrong v. Manzo*, 380 U.S. 545, 552, 85 S.Ct. 1187, 1191, 14 L.Ed.2d 62 (1965)).

In this case, the Receiver filed under seal an *ex parte* motion against Relief Defendants seeking to freeze assets and appoint a receiver. Because the Receiver’s motion was under seal, Relief Defendants had no notice or opportunity to be heard before they were deprived of personal property. Instead, without any notice or warning, on the afternoon of July 20, United States Marshals and representatives of the Receiver searched Mr. Wammel’s home and seized Relief Defendants’ personal property. Further compounding the lack of notice is the absence of a pleading notifying the Wammel Relief Defendants of what they supposedly did wrong.

The Receiver has brought another purported entity within the ambit of the receivership order, asset freeze, and TRO. This purported entity – Wammel Group Holdings Partnership – may or may not even exist. If it does exist, it does not appear in any pleading in this case. The SEC has not even sued it as a relief defendant. Nor has it been served with a summons and complaint. The Receiver has led the Court to order relief against a party not before the Court.

Another fatal flaw in the Receiver's actions is that the order she submitted for the Court's signature does not provide for a hearing on the asset freeze or receivership. (Dkt. 49). Paragraph 11 of that order provides:

Unless extended by agreement of the parties, the portion of this order that constitutes a temporary restraining order shall expire at 5:00 p.m. on August 2, 2017, or such later date as may be ordered by the Court. *All other provisions of the orders issued herein, including the asset freeze, shall remain in full force and effect until specifically modified by further order of the Court.*

(Dkt. 49, ¶ 11)(emphasis added). It is unclear why the Receiver believes that there should be no hearing on the receivership or the asset freeze, arguably the two most disruptive parts of the relief sought and obtained.

These actions constitute egregious violations of Relief Defendants' due process rights under the United States constitution. Accordingly, the *ex parte* orders are improper and must be dissolved.

B. The *Ex Parte* Orders Should be Dissolved Because the Receiver Misled the Court in her Motion.

The Receiver portrays the Wammel Relief Defendants as culprits who cannot be trusted not to destroy evidence and dissipate assets – not even long enough to have a TRO hearing with their counsel. In so doing, the Receiver takes considerable liberties with the facts. For example, the Receiver's purported emergency motion mischaracterizes Relief Defendants as Defendants, misrepresents that they had "dissipated" some \$7 million in assets since December 2016 in

violation of a receivership order, claims that Art Wammel had recently destroyed his computer, and falsely accuses the Wammel Relief Defendants of “refus[ing]” to comply with court orders that the Receiver had never even sought to enforce against them.

1. The Wammel Relief Defendants Did Not Dissipate \$7 Million Since December 2016 in Violation of a Receivership Order

The Receiver simply reviews the decline in account value in the Wammel Group’s OptionsXpress account and concludes that the Wammel Relief Defendants have dissipated assets. (Dkt. 45, ¶¶ 34-39). The Receiver apparently reaches this conclusion without considering any other possibility for the decline in value. The only evidence she offers is a single conclusory sentence, devoid of analysis, from the declaration of a forensic accountant hired by the Receiver. (*Id.* at ¶39, Ex. B, Kleinman Decl., ¶ 11). She also attaches the account statements, as if a decline in account value can have no explanation other than “dissipation.” Yet, elsewhere in her motion, she declares that “trading records from 2017” show “severe losses.” (Dkt. 45, ¶ 52). Severe trading losses can certainly cause a serious decline in account value, and a decline in account value does not necessarily flow from wasteful spending or dissipation. The Receiver has simply not demonstrated any dissipation of assets whatsoever.

Furthermore, by her own admission, the vast majority of the decline in account value occurred before the SEC even filed this case and before a receivership order or TRO was entered. (Dkt. 45, ¶¶ 34-39). As of December 31, 2016, the account value was \$7.1 million. “In January, February, and March 2017, the account value dropped to \$4.7 million, \$2.3 million, and \$1.6 million, respectively.” (*Id.* at ¶ 35). By the end of April, the account value had declined to \$454,270. (*Id.* at ¶ 36). By the end of May – the month when the SEC filed suit – the account value was at \$200,546.85. (*Id.* at ¶ 37). But by the end of June, the account value had actually increased to \$213,570.89. (*Id.* at ¶ 38). While the Receiver speaks of “recent dissipation of

assets” (Dkt. 45, p. 24), what her motion reveals is that the decline in value occurred before the receivership order was even entered. Thus, the Receiver’s claim that “[t]he Wammel Defendants’ dissipation of over \$8 million cash and \$7 million in total value of the Receivership Defendants’ funds directly violates the Receivership Order” is false.

Notably, this false statement is the first argument in the Receiver’s request for *ex parte* emergency relief at p. 22 of her motion. It forms the very foundation of her request. Yet it is untrue. The orders should be dissolved for this reason alone.

Moreover, this decline in account value occurred during the SEC’s investigation, when they had possession of the account statements produced by Wammel. The SEC could easily have named the Wammel Relief Defendants as true defendants and sought emergency relief against them. But they evidently did not deem such action appropriate. What is the sudden emergency, so drastic that no notice and an opportunity to be heard could be afforded?

2. Mr. Wammel Did Not Destroy His Computer Amid an SEC Investigation or Receivership

The Receiver claims that, during the Rule 26(f) conference, counsel for the Wammel Relief Defendants “represented that computers used by the Wammel Group during the relevant time frame had either been disposed of or were no longer able to be located.” She further claims this was the first she had heard of this issue. What the Receiver does not say was that the computer in question was one that Mr. Wammel had stopped using around 2014, three years before the SEC filed its enforcement action. In addition, counsel for Mr. Wammel had made this known to the SEC months earlier. The Receiver’s misleading statement is no support at all for emergency relief. In fact, the computer that Mr. Wammel was using until the Receiver took possession of his home is in his home office. Counsel has informed the Receiver’s team of the computer’s location.

3. Mr. Wammel Did Not “Refuse” to Comply with Any Court Orders

The first time the Wammel Relief Defendants heard any complaints that they had not provided an accounting in violation of the receivership order was in the Receiver’s *ex parte* motion. Had the Receiver truly wanted the accounting, logic suggests she would have contacted counsel and asked for it, rather than filing the motion. Certainly, the accusation that the Wammel Relief Defendants “refused” to comply with court orders is false. (*See* Dkt. 45, p. 22). Likewise, while counsel for the Receiver supplied counsel for the Wammel Relief Defendants with the TRO that they were not a subject of, she nowhere suggested that the Wammel Relief Defendants were subject to that order because they were “acting in concert” with the Bryant Defendants. After all, the Wammel Relief Defendants had not (and still have not) even been charged with any wrongdoing.

The Receiver made no effort to secure what she believed was required of the Wammel Relief Defendants to comply with the orders. Instead, she filed her *ex parte* motion using this alleged violation to create the illusion of an emergency where none existed. For this reason, there was not adequate notice of the expectations under the orders, which were insufficiently specific in any event.

Indeed, the entire basis of the TRO is that the Wammel Relief Defendants somehow violated court orders. But the Receiver could never have established violation of such orders for purposes of civil contempt. The Receiver would have had to show by clear and convincing evidence violation of a “definite and specific order requiring [the Wammel Relief Defendants] to perform or refrain from performing a particular act or acts.” *Shafer v. Army & Air Force Exchange Service*, 376 F.3d 386, 396 (5th Cir. 2004). First, they are not even identified in the orders. Second, whether they were acting in concert with the Bryant Defendants is a disputed

fact. Are the Wammel Relief Defendants required to reach the legal conclusion that they are “acting in concert” with the Bryant Defendants (whatever that means), even though no one has even pleaded that? And the alleged “recent dissipation” cannot form the basis of a violation, because the decline in account value predated entry of the receivership order. The Receiver’s motion misrepresents the facts.

4. In the *ex parte* Proceeding, the Receiver was Obligated to Make Full Disclosures.

The false and misleading statements used to obtain the *ex parte* orders invalidate those orders. Indeed, Texas Disciplinary Rule of Professional Conduct 3.03 imposes a heightened duty of candor to the tribunal in *ex parte* proceedings. Rule 3.03(a)(3) provides: “A lawyer shall not knowingly in an *ex parte* proceeding, fail to disclose to the tribunal an unprivileged fact which the lawyer reasonably believes should be known by that entity for it to make an informed decision.” The comment to that rule explains:

Ordinarily, an advocate has the limited responsibility of presenting one side of the matters that a tribunal should consider when reaching a decision; the conflicting position is expected to be presented by the opposing party. However, in an *ex parte* proceeding, such as an application for a temporary restraining order, there is no balance of presentation by opposing advocates. The object of an *ex parte* proceeding is nevertheless to yield a substantially just result. The judge has an affirmative responsibility to accord the absent party just consideration. *The lawyer for the represented party has the correlative duty to make disclosures of unprivileged material facts known to the lawyer if the lawyer reasonably believes the tribunal will not reach a just decision unless informed of those facts.*

Having chosen the highly unusual step of proceeding *ex parte* against parties represented by counsel who had appeared in the case, the Receiver was obligated to disclose material facts adverse to her position. For instance, she should have made unmistakably clear that the Wammel Relief Defendants were not true defendants and had not been accused of wrongdoing. She should

have made clear that the decline in account value occurred before the receivership order was entered, that some of the decline was due to trading losses, and that the decline could not have violated the receivership order. She should have also disclosed that the SEC had the account records in its possession, and that the SEC apparently did not deem this enough of an emergency to seek an asset freeze and receivership.

She should have notified the Court that the Wammel Relief Defendants and the SEC had an understanding that did not involve a receivership or asset freeze, and that her request violated the spirit of that understanding. She should have informed the Court that Mr. Wammel did not destroy a computer amid an SEC investigation, but rather abandoned the computer in 2014 when he purchased a new one. And she should have told the Court that she never spoke to counsel for the Wammel Relief Defendants about the orders she claims he “refused” to comply with. She should have disclosed that she never told the Wammel Relief Defendants that she thought they were in violation of any court orders, that she believed an accounting was required, or that she believed the Wammel Relief Defendants were “acting in concert” with the Bryant Defendants.

D. The U.S. Marshals and Receiver’s Team Executed an Unconstitutional Search and Seizure

The *ex parte* receivership order is the functional equivalent of a search warrant. It enables the Receiver, assisted by U.S. marshals, to search and seize the property of the Wammel Relief Defendants. The Warrants Clause of the Fourth Amendment to the Constitution provides in part, “...no Warrants shall issue, but upon probable cause, supported by Oath or affirmation ...” Of course, the oath or affirmation must be true; a search warrant obtained by false pretenses is invalid. *Franks v. Delaware*, 438 U.S. 154, 155 (1978).

The Supreme Court has held that where a search warrant affidavit contains a knowingly or recklessly made false statement, and the false statement is necessary to the finding of probable

cause and without it the affidavit's remaining content is insufficient to establish probable cause, "the search warrant must be voided and the fruits of the search excluded to the same extent as if probable cause was lacking on the face of the affidavit." *Id.*

Here, the Receiver's *ex parte* application contained knowing or reckless falsehoods. Those falsehoods – that Wammel and the Wammel Group were "defendants," that the Wammel Relief Defendants had dissipated millions of dollars of assets, that Art Wammel had destroyed a computer, and that the Wammel Relief Defendants had violated court orders – are the beating heart of her request for extraordinary relief. Without those untruths, her application has no merit. For these reasons, the *ex parte* orders and the ensuing search and seizure violated the Fourth Amendment to the United States Constitution. Therefore, the orders are invalid and the fruits of the search must be excluded from this and any other case, civil or criminal.

IV. CONCLUSION

For these reasons, the Wammel Relief Defendants respectfully request that the Court: (1) grant an expedited hearing on this Motion; (2) dissolve the *ex parte* orders and exclude the evidence obtained by the unlawful search; (3) award reasonable and necessary attorneys' fees incurred in connection with the preparation and presentation of this motion; and (4) grant Wammel Relief Defendants such other and further relief to which they may show themselves justly entitled, whether at law or in equity.

Respectfully submitted,

/s/ Toby M. Galloway

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CERTIFICATE OF SERVICE

I certify that on July 24, 2017, a copy of the foregoing document has been served on all parties via electronic service:

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Counsel for Court-Appointed Receiver

/s/ Toby M. Galloway
Toby M. Galloway

CERTIFICATE OF CONFERENCE

This is to certify that the undersigned attempted in good faith to resolve the issues presented in this Motion, however those attempts have failed. Therefore, the matter is presented to the Court for determination.

/s/ Toby M. Galloway
Toby M. Galloway

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

v.

**THURMAN P. BRYANT, III, and
BRYANT UNITED CAPITAL FUNDING, INC.**

Defendants,

**ARTHUR F. WAMMEL,
WAMMEL GROUP, LLC,
THURMAN P. BRYANT, JR.,
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

Relief Defendants.

Civil Action No.:

4:17-CV-00336-ALM

DECLARATION OF TOBY M. GALLOWAY

1. My name is Toby Galloway. I am a partner at the law firm of Kelly Hart & Hallman LLP. Along with my co-counsel Jimmy Ardoin, I serve as counsel for Relief Defendants Arthur F. Wammel and Wammel Group, LLC (collectively the "Wammel Relief Defendants") in the referenced matter. I have personal knowledge of the statements contained herein due to my duties serving as counsel for the Wammel Relief Defendants since December 2016.

2. The Wammel Relief Defendants have actively participated in the United States Securities and Exchange Commission's ("SEC") investigation and in the captioned lawsuit.

Jimmy Ardoin and I first met with the SEC staff and offered a settlement on behalf of the

DECLARATION OF TOBY GALLOWAY
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Wammel Relief Defendants on March 30, 2017. At that time, the SEC staff said that it did not have enough information to settle with the Wammel Relief Defendants.

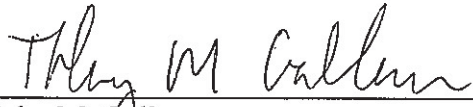
3. The SEC issued subpoenas to the Wammel Relief Defendants on March 20, 2017. Attached hereto as "Exhibit A-1" is a genuine copy of the subpoena issued to Wammel Group, LLC by the SEC on March 20, 2017. Attached hereto as "Exhibit A-2" is a genuine copy of the subpoena issued to Arthur F. Wammel by the SEC on March 20, 2017.

4. On May 26, 2017, the Wammel Relief Defendants submitted an offer of judgment under Federal Rule of Civil Procedure 68. Attached hereto as "Exhibit A-3" is a genuine copy of the offer of judgment that was sent to the SEC.

5. The Wammel Relief Defendants have actively engaged in settlement discussions with the SEC. On July 14, 2017, the Wammel Relief Defendants consented to a settlement with the SEC that did not include a receivership or asset freeze. This settlement was subject to approval by the Commission in Washington, D.C. Throughout the settlement discussions, the Wammel Relief Defendants made clear to the SEC that they would not consent to a receivership or an asset freeze. The SEC responded that if the Wammel Relief Defendants backed out of the settlement, the SEC would seek as much emergency relief (receivership, asset freeze, etc.) as it could possibly obtain. My clear understanding of what the Wammel Relief Defendants had consented to with the SEC did not include a receivership or asset freeze. Attached hereto as "Exhibit A-4" and "Exhibit A-5" are genuine copies of the Consent of Wammel Group, LLC and the proposed Judgment as to Wammel Group, LLC. Attached hereto as "Exhibit A-6" and "Exhibit A-7" are genuine copies of the Consent of Arthur F. Wammel and the proposed Judgment as to Arthur F. Wammel.

6. Attached hereto as "Exhibit A-8" is a genuine copy of the Wammel Relief Defendants' Initial Disclosures in the captioned lawsuit.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 24th day of July, 2017.



Toby M. Galloway



**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**

Fort Worth Regional Office
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102

DIVISION OF ENFORCEMENT

Jason P. Reinsch
Enforcement Attorney
(817) 900-2601

March 20, 2017

Via UPS

Wammel Group LLC
c/o Toby M. Galloway
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102

Re: In the Matter of Bryant United Capital Funding, Inc. (FW-04150)

Dear Mr. Galloway:

Pursuant to Rule 8 of the United States Securities and Exchange Commission's Rules Relating to Investigations, 17 C.F.R. § 203.8, and your agreement to accept service, I have enclosed a subpoena for documents and testimony issued to your client, Wammel Group LLC, in connection with the above-referenced formal investigation. The subpoena requires Wammel Group LLC to produce documents by March 31, 2017 to the SEC's Fort Worth Regional Office.

Please send the materials to:

ENF-CPU
U.S. Securities and Exchange Commission
100 F St., N.E., Mailstop 5973
Washington, DC 20549-5973

For smaller electronic productions under 10MB in size, the materials may be emailed to the following email address: ENF-CPU@sec.gov.

The subpoena also requires Wammel Group LLC to appear for testimony on April 28, 2017 at 9:30 a.m. at the above address.

Please carefully read the subpoena attachment, which contains, among other things, important instructions related to the manner of producing documents. In particular, if your client prefers to send us copies of original documents, **the staff requests that you scan and produce hard copy documents, as well as electronic documents, in an electronic format consistent**



Wammel Group LLC
c/o Toby Galloway, Esq.
March 20, 2017
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with the SEC Data Delivery Standards attached hereto. All electronic documents responsive to the document subpoena, including all metadata, should also be produced in their native software format. If you have any questions concerning the production of documents in an electronic format, please contact me as soon as possible and in any event before producing documents.

In your cover letter(s) accompanying the production of responsive documents, please enclose a list briefly describing each item you send. The list should state to which paragraph(s) in the subpoena attachment each item responds. Please also state in the cover letter(s) whether you believe your client has met its obligations under the subpoena by searching carefully and thoroughly for everything called for by the subpoena, and sending it all to us. A copy of the subpoena should be included with the documents that are produced.

Passwords for documents, files, compressed archives, and encrypted media should be provided separately either via email addressed to ENF-CPU@sec.gov, or in a separate cover letter mailed separately from the data.

Please also provide a narrative description describing what was done to identify and collect documents responsive to the subpoena. At a minimum, the narrative should describe:

- who searched for documents;
- who reviewed documents found to determine whether they were responsive;
- which custodians were searched;
- what sources were searched (e.g., computer files, CDs, DVDs, thumb drives, flash drives, online storage media, hard copy files, diaries, datebooks, planners, filing cabinets, storage facilities, home offices, work offices, voice mails, home email, webmail, work email, backup tapes or other media);
- what search terms, if any, were employed to identify responsive documents;
- what firms and/or persons, if any, assisted in analyzing the data collected;
- what third parties, if any, were contacted to obtain responsive documents (e.g., phone companies for phone records, brokerage firms for brokerage records); and
- where the original electronic and hardcopy documents are maintained and by whom.

A background questionnaire is also enclosed. During your client's testimony, the staff intends to ask background questions concerning, among other things, your client's residences, telephone numbers, education and employment. To expedite that part of the testimony, we request that your client complete the enclosed questionnaire on a voluntary basis and provide it to the staff prior to your client's testimony.

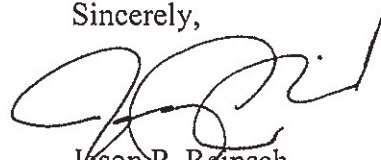
Please note that, in any matter in which enforcement action is ultimately deemed to be warranted, the Division of Enforcement will not recommend any settlement to the Commission unless the party wishing to settle certifies, under penalty of perjury, that all documents responsive to Commission subpoenas and formal and informal document requests in this matter have been produced.

Wammel Group LLC
c/o Toby Galloway, Esq.
March 20, 2017
Page 3

This investigation is a non-public, fact-finding inquiry. We are trying to determine whether there have been any violations of the federal securities laws. The investigation and the subpoena do not mean that we have concluded that your client or anyone else has violated the law. Also, the investigation does not mean that we have a negative opinion of any person, entity or security. Enclosed are copies of the Commission's Form 1662 entitled "Supplemental Information for Persons Requested to Supply Information Voluntarily or Directed to Supply Information Pursuant to a Commission Subpoena." Form 1662 explains how we may use the information your client provides to the Commission and has other important information. Please provide a copy of this form to your client.

If you have any questions or would like to discuss this matter, you may call me at 817-900-2601.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Reinsch", with a stylized flourish at the end.

Jason P. Reinsch
Enforcement Attorney
Division of Enforcement

Enclosures: Subpoena, Attachment, and Exhibit A Thereto
SEC Data Delivery Standards
SEC Form 1662
Background Questionnaire
Business Records Affidavit



SUBPOENA

UNITED STATES OF AMERICA SECURITIES AND EXCHANGE COMMISSION

In the Matter of Bryant United Capital Funding (FW-04150)

To: Wammel Group LLC
c/o Toby M. Galloway
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102

☒ **YOU MUST PRODUCE** everything specified in the Attachment to this subpoena to officers of the Securities and Exchange Commission, at the place, date and time specified below:

ENF-CPU, U.S. Securities and Exchange Commission, 100 F St., N.E., Mailstop 5973,
Washington, DC 20549-5973, no later than March 31, 2017 at 9:30 a.m.

☒ **YOU MUST TESTIFY** before officers of the Securities and Exchange Commission, at the place, date and time specified below:

Securities and Exchange Commission, Fort Worth Regional Office, 801
Cherry Street, Suite 1900, Fort Worth, Texas on April 28, 2017 at 9:30
a.m.

FEDERAL LAW REQUIRES YOU TO COMPLY WITH THIS SUBPOENA.

If you do not comply with this subpoena, the SEC may bring an action in Federal Court to enforce this subpoena. Failure to comply with a court order enforcing this subpoena may result in the court imposing a fine, imprisonment, or both.

By: 

Jason P. Reinsch, Enforcement Attorney
U.S. Securities and Exchange Commission
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102

Date: March 20, 2017

I am an officer of the U.S. Securities and Exchange Commission authorized to issue subpoenas in this matter. The Securities and Exchange Commission has issued a formal order authorizing this investigation under: Section 20(a) of the Securities Act of 1933, Section 21(a) of the Securities Exchange Act of 1934.

NOTICE TO WITNESS: If you claim a witness fee or mileage, submit this subpoena with the claim voucher.

SUBPOENA ATTACHMENT FOR WAMMEL GROUP LLC

March 20, 2017

In the Matter of Bryant United Capital Funding, Inc. (FW-04150)

A. Definitions

As used in this subpoena, the words and phrases listed below shall have the following meanings:

1. “Wammel Group” means the entity doing business under the name “Wammel Group LLC” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing including but not limited to WSG Equity Partners LLC. “Wammel Group” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Wammel Group.
2. “Global Motorcars” means the entity doing business under the name “Global Motorcars of Houston, LLC” f/k/a Houston Luxury Car Rental including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. “Global Motorcars” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Global Motorcars.
3. “Summus” means the entity doing business under the name “Summus Investment Holdings, LLC” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. “Summus” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Summus.
4. “Black Gold” means the entity doing business under the name “Black Gold Investments Holdings Inc.” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents (including but not limited to Blake Ducharme), general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. “Black Gold” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Black Gold.
5. “Person” means a natural person, firm, association, organization, partnership, business, trust, corporation, bank or any other private or

public entity.

6. A “Representative” of a Person means any present or former family members, officers, executives, partners, joint-venturers, directors, trustees, employees, consultants, accountants, attorneys, agents, or any other representative acting or purporting to act on behalf of the Person.
7. “Wammel”, “you” and “your” means (i) Arthur Franz Wammel, SSN 455-69-8376, and/or (ii) any present or former representative of Wammel.
8. “Document” shall include, but is not limited to, any written, printed, or typed matter including, but not limited to all drafts and copies bearing notations or marks not found in the original, letters and correspondence, interoffice communications, slips, tickets, records, worksheets, financial records, accounting documents, bookkeeping documents, memoranda, reports, manuals, telephone logs, telegrams, facsimiles, messages of any type, telephone messages, voice mails, tape recordings, notices, instructions, minutes, summaries, notes of meetings, file folder markings, and any other organizational indicia, purchase orders, information recorded by photographic process, including microfilm and microfiche, computer printouts, spreadsheets, and other electronically stored information, including but not limited to writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations that are stored in any medium from which information can be retrieved, obtained, manipulated, or translated.
9. “Communication” means any correspondence, contact, discussion, e-mail, instant message, or any other kind of oral or written exchange or transmission of information (in the form of facts, ideas, inquiries, or otherwise) and any response thereto between two or more Persons or entities, including, without limitation, all telephone conversations, face-to-face meetings or conversations, internal or external discussions, or exchanges of a Document or Documents.
10. “Concerning” means directly or indirectly, in whole or in part, describing, constituting, evidencing, recording, evaluating, substantiating, concerning, referring to, alluding to, in connection with, commenting on, relating to, regarding, discussing, showing, describing, analyzing or reflecting.
11. An “Agreement” means any actual or contemplated (i) written or oral Agreement; (ii) term or provision of such Agreement; or (iii) amendment of any nature or termination of such Agreement. A request for any Agreement among or between specified parties includes a request for all Documents Concerning (i) any actual or contemplated Agreement among or between such parties, whether or not such Agreement included any other Person; (ii) the drafting or negotiation of any such Agreement; (iii)

any actual or contemplated demand, request or application for any such Agreement, and any response thereto; and (iv) any actual or contemplated objection or refusal to enter into any such Agreement, and any response thereto.

12. The terms “Reviewed” means examined, assessed, considered, analyzed or evaluated.
13. The term “you” and “your” means the Person or entity to whom this subpoena was issued.
14. To the extent necessary to bring within the scope of this subpoena any information or Documents that might otherwise be construed to be outside its scope:
 - a. the word “or” means “and/or”;
 - b. the word “and” means “and/or”;
 - c. the functional words “each,” “every” “any” and “all” shall each be deemed to include each of the other functional words;
 - d. the masculine gender includes the female gender and the female gender includes the masculine gender; and
 - e. the singular includes the plural and the plural includes the singular.

B. Instructions

1. Unless otherwise specified, the subpoena calls for production of the original Documents and all copies and drafts of same. Documents responsive to this subpoena may be in electronic or paper form. Electronic Documents such as email should be produced in accordance with the attached Document entitled SEC Data Delivery Standards. All electronic Documents responsive to the Document subpoena, including all metadata, should also be produced in their native software format.
2. For Documents in paper format, you may send the originals, or, if you prefer, you may send copies of the originals. The Commission cannot reimburse you for the copying costs. If you are sending copies, the staff requests that you scan (rather than photocopy) hard copy Documents and produce them in an electronic format consistent with the SEC Data Delivery Standards. Alternatively, you may send us photocopies of the Documents in paper format. If you choose to send copies, you must secure and retain the originals and store them in a safe place. The staff may later request or require that you produce the originals.
3. Whether you scan or photocopy Documents, the copies must be identical to the originals, including even faint marks or print. Also, please note that

if copies of a Document differ in any way, they are considered separate Documents and you must send each one. For example, if you have two copies of the same letter, but only one of them has handwritten notes on it, you must send both the clean copy and the one with notes.

4. In producing a photocopy of an original Document that contains post-it(s), notation flag(s), or other removable markings or attachments which may conceal all or a portion of the markings contained in the original Document, photocopies of the original Document both with and without the relevant post-it(s), notation flag(s), or removable markings or attachments should be produced.
5. Documents should be produced as they are kept in the ordinary course of business or be organized and labeled to correspond with the categories in this request. In that regard, Documents should be produced in a unitized manner, *i.e.*, delineated with staples or paper clips to identify the Document boundaries.
6. Documents should be labeled with sequential numbering (bates-stamped).
7. You must produce all Documents created during, or Concerning, the period January 1, 2010 to the present, unless otherwise specified.
8. The scope of any given request should not be limited or narrowed based on the fact that it calls for Documents that are responsive to another request.
9. You are not required to produce exact duplicates of any Documents that have been previously produced to the Securities and Exchange Commission staff **in connection with this matter**. If you are not producing Documents based upon a prior production, please identify the responsive Documents that were previously produced.
10. For any Documents that qualify as records of regularly conducted activities under Federal Rule of Evidence 902(11).
11. This subpoena covers all Documents in or subject to your possession, custody or control, including all Documents that are not in your immediate possession but that you have the effective ability to obtain, that are responsive, in whole or in part, to any of the individual requests set forth below. If, for any reason – including a claim of attorney-client privilege – you do not produce something called for by the request, you should submit a list of what you are not producing. The list should describe each item separately, noting:
 - a. its author(s);

- b. its date;
 - c. its subject matter;
 - d. the name of the Person who has the item now, or the last Person known to have it;
 - e. the names of everyone who ever had the item or a copy of it, and the names of everyone who was told the item's contents;
 - f. the basis upon which you are not producing the responsive Document;
 - g. the specific request in the subpoena to which the Document relates;
 - h. the attorney(s) and the client(s) involved; and
 - i. in the case of the work product doctrine, the litigation for which the Document was prepared in anticipation.
12. If Documents responsive to this subpoena no longer exist because they have been lost, discarded, or otherwise destroyed, you should identify such Documents and give the date on which they were lost, discarded or destroyed.

C. Documents to be Produced

- 1. All tax returns, tax filings or documents provided to the IRS, including all supporting documentation for Wammel Group from tax years 2010 to present;
- 2. All tax forms or tax schedules provided to any investors, members, or limited partners of Wammel Group from tax years 2010 to present;
- 3. Documents sufficient to identify all accountants or other persons Wammel Group used to prepare any tax returns, tax filings, documents provided to the IRS, and tax forms or tax schedules provided to any investors, members, or limited partners of Wammel Group from tax years 2010 to present;
- 4. All Documents Concerning Communications between Wammel Group and Global Motorcars;
- 5. All Documents Concerning Communications between Wammel Group and investors or potential investors in Global Motorcars;
- 6. All Documents Concerning agreements or contracts between Wammel Group and Global Motorcars;
- 7. Documents sufficient to identify the nature of Wammel Group's relationship with Global Motorcars and all salary or other compensation Wammel Group received from Global Motorcars from January 1, 2010 through present;
- 8. All Documents used or referred to by Wammel Group to calculate or determine any payments made to Global Motorcars;

9. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and between Wammel Group and Global Motorcars;
10. All Documents Concerning Communications between Wammel Group and Summus;
11. All Documents Concerning communications between Wammel Group and investors or potential investors in Summus;
12. All Documents Concerning agreements or contracts between Wammel Group and Summus;
13. Documents sufficient to identify the nature of Wammel Group relationship with Summus and all salary or other compensation Wammel Group received from Summus from January 1, 2010 through present;
14. All Documents used or referred to by Wammel Group to calculate or determine any payments made to Summus;
15. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and between Wammel Group and Summus;
16. All Documents Concerning Communications between Wammel Group and Black Gold from January 1, 2008 through present;
17. All Documents Concerning Communications between Wammel Group and investors or potential investors in Black Gold from January 1, 2008 through present;
18. All Documents Concerning agreements or contracts between Wammel Group and Black Gold from January 1, 2008 through present;
19. Documents sufficient to identify the nature of Wammel Group's relationship with Black Gold and all salary or other compensation Wammel Group received from Black Gold from January 1, 2008 through present;
20. All Documents used or referred to by Wammel Group to calculate or determine any payments made to Black Gold;
21. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and between Wammel Group and Black Gold;
22. All Documents used or referred to by Wammel Group to calculate or determine the following values as set forth in the account statements for each investor, member, or limited partner (present or former) of Wammel Group LLC (see, e.g., Exhibit A attached hereto):

- a. Capital Balance;
 - b. Available Disbursement;
 - c. Withdrawal Requested;
 - d. Deferred Disbursement;
 - e. Scheduled Disbursement;
 - f. Monthly Reinvested;
 - g. Payment Date;
 - h. Calculated Account Balance;
 - i. Beneficiary of Account;
 - j. Monthly Rate of Return;
 - k. Monthly Earnings;
 - l. Additional Investment Deposit;
 - m. Disbursed Earnings (YTD);
 - n. Reinvested Earnings;
 - o. Accumulated Account Balance;
 - p. The graph listing "Monthly Earnings", "Paid Monthly Earnings", and "Reinvested Monthly Earnings"; or
 - q. Any other data or values included on any account statements.
23. All Documents used or referred to by Wammel Group to calculate or determine any payments made to Bryant United; and
24. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and between Wammel Group and Bryant United.



STATEMENT

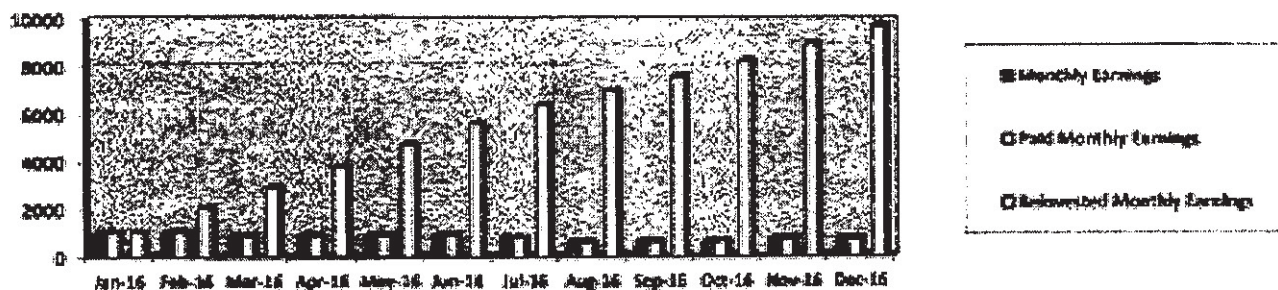
MEMBER: CANTALLOPE
 STATEMENT DATE: DECEMBER 22, 2016
 STATEMENT TERM: NOV 21 - DEC 18, 2016

Wammel Group LLC
 3 Mariners Lane
 Kemah, TX 77565
 Phone 713.493.0555
 Fax 281.605.1881
 Info@wammelgeplc.com

TO: Brent Cantalope

Capital Balance	Available Disbursement	Withdrawal Requested	Deferred Disbursement	Scheduled Disbursement	Monthly Reinvested	Payment Date
\$50,000.00	\$760.00	\$0.00	\$0.00	\$760.00	\$0.00	12/23/2016

CALCULATED ACCOUNT BALANCE	BENEFICIARY OF ACCOUNT	MONTHLY RATE OF RETURN	MONTHLY EARNINGS
\$50,000.00 USD	Brent Cantalope	1.52%	\$760.00



ADDITIONAL INVESTMENT DEPOSIT	DISBURSED EARNINGS (YTD)	REINVESTED EARNINGS	ACCUMULATED ACCOUNT BALANCE
\$0.00	\$9,765.00	\$0.00	\$50,000.00

Messages/Notes:

Thank you!!

THANK YOU

Exhibit
A



U.S. Securities and Exchange Commission

Data Delivery Standards

This document describes the technical requirements for paper and electronic document productions to the U.S. Securities and Exchange Commission (SEC). ****Any questions or proposed file formats other than those described below must be discussed with the legal and technical staff of the SEC Division of Enforcement prior to submission.****

General Instructions.....	1
Delivery Formats.....	2
I. Concordance® Imaged Productions.....	2
1. Images	2
2. Concordance Image® or Opticon Cross-Reference File.....	2
3. Concordance® Data File.....	3
4. Text	3
5. Linked Native Files	3
II. Native File Productions without Load Files.....	3
III. Adobe PDF File Productions.....	3
IV. Audio Files	4
V. Video Files.....	4
VI. Electronic Trade and Bank Records	4
VII. Electronic Phone Records	4
VIII. Audit Workpapers	4

General Instructions

Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. (Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)

In the event produced files require the use of proprietary software not commonly found in the workplace, the SEC will explore other format options with the producing party.

The proposed use of file de-duplication methodologies or *computer-assisted review* or *technology-assisted review* (TAR) during the processing of documents must be discussed with and approved by the legal and technical staff of the Division of Enforcement (ENF). If your production will be de-duplicated it is vital that you 1) preserve any unique metadata associated with the duplicate files, for example, custodian name, and, 2) make that unique metadata part of your production to the SEC.

General requirements for ALL document productions are:

1. A cover letter should be included with each production and include the following:
 - a. A list of each piece of media included in the production with its unique production volume number
 - b. A list of custodians, identifying the Bates range for each custodian.
 - c. The time zone in which the emails were standardized during conversion.
2. Data can be produced on CD, DVD, thumb drive, etc., using the media requiring the least number of deliverables and labeled with the following:
 - a. Case number
 - b. Production date
 - c. Producing party
 - d. Bates range
3. All submissions must be organized by custodian unless otherwise instructed.
4. All document family groups, i.e. email attachments, embedded files, etc., should be produced together and children files should follow parent files sequentially in the Bates numbering.
5. All load-ready collections should include only one data load file and one image pointer file.
6. All load-ready text must be produced as separate text files.
7. All load-ready collections should account for custodians in the custodian field.
8. Audio files should be separated from data files if both are included in the production.
9. Only alphanumeric characters and the underscore character are permitted in file names and folder names. Special characters are not permitted.
10. All electronic productions submitted on media must be produced using industry standard self-extracting encryption software.
11. Electronic productions may be submitted via Secure File Transfer. The SEC cannot accept productions made using file sharing sites.
12. Productions containing BSA or SARs material must be delivered on encrypted physical media. The SEC cannot accept electronic transmission of BSA or SARs material. Any BSA or SARs material produced should be segregated and appropriately marked as BSA or SARs material, or should be produced separately from other case related material.
13. Passwords for electronic documents, files, compressed archives and encrypted media must be provided separately either via email or in a separate cover letter from the media.
14. All electronic productions should be produced free of computer viruses.
15. Additional technical descriptions can be found in the addendum to this document.

Please note that productions sent to the SEC via United States Postal Service are subject to Mail Irradiation, and as a result electronic productions may be damaged.

Delivery Formats

I. *Concordance*® Imaged Productions

The SEC prefers that all documents and data be produced in a structured format prepared for Concordance. All scanned paper and electronic file collections should be converted to TIFF files, Bates numbered, and include fully searchable text files.

1. Images

- a. Black and white images must be 300 DPI Group IV single-page TIFF files.
- b. Color images must be produced in JPEG format.
- c. File names cannot contain embedded spaces or special characters (including the comma).
- d. Folder names cannot contain embedded spaces or special characters (including the comma).
- e. All TIFF image files must have a unique file name, i.e. Bates number.
- f. Images must be endorsed with sequential Bates numbers in the lower right corner of each image.
- g. The number of TIFF files per folder should not exceed 500 files.
- h. Excel spreadsheets should have a placeholder image named by the Bates number of the file.
- i. AUTOCAD/photograph files should be produced as a single page JPEG file.

2. Concordance Image® OR Opticon Cross-Reference File

The image cross-reference file (.LOG or .OPT) links the images to the database records. It should be a comma-delimited file consisting of seven fields per line with a line in the cross-reference file for every image in the database with the following format:

ImageID, VolumeLabel, ImageFilePath, DocumentBreak, FolderBreak, BoxBreak, PageCount

3. Concordance® Data File

The data file (.DAT) contains all of the fielded information that will be loaded into the *Concordance®* database.

- a. The first line of the .DAT file must be a header row identifying the field names.
- b. The .DAT file must use the following *Concordance®* default delimiters:
Comma ¶ ASCII character (020)
Quote ¢ ASCII character (254)
- c. Date fields should be provided in the format: mm/dd/yyyy
- d. Date and time fields must be two separate fields.
- e. If the production includes imaged emails and attachments, the attachment fields must be included to preserve the parent/child relationship between an email and its attachments.
- f. An OCRPATH field must be included to provide the file path and name of the extracted text file on the produced storage media. The text file must be named after the FIRSTBATES. Do not include the text in the .DAT file.
- g. For productions with native files, a LINK field must be included to provide the file path and name of the native file on the produced storage media. The native file must be named after the FIRSTBATES.
- h. BEGATTACH and ENDATTACH fields must be two separate fields.
- i. A complete list of metadata fields is available in **Addendum A** to this document.

4. Text

Text must be produced as separate text files, not as fields within the .DAT file. The full path to the text file (OCRPATH) should be included in the .DAT file. We require document level ANSI text files, named per the FIRSTBATES/Image Key. Please note in the cover letter if any non-ANSI text files are included in the production. Extracted text files must be in a separate folder, and the number of text files per folder should not exceed 1,000 files. There should be no special characters (including commas in the folder names). For redacted documents, provide the full text for the redacted version.

5. Linked Native Files

Copies of original email and native file documents/attachments must be included for all electronic productions.

- a. Native file documents must be named per the FIRSTBATES number.
- b. The full path of the native file must be provided in the .DAT file for the LINK field.
- c. The number of native files per folder should not exceed 1,000 files.

II. Native File Production without Load Files

With prior approval, native files may be produced without load files. The native files must be produced as they are maintained in the normal course of business and organized by custodian-named file folders. When approved, Outlook (.PST) and Lotus Notes (.NSF) email files may be produced in native file format. A separate folder should be provided for each custodian.

III. Adobe PDF File Production

With prior approval, Adobe PDF files may be produced in native file format.

1. PDF files should be produced in separate folders named by the custodian. The folders should not contain any special characters (including commas).
2. All PDFs must be unitized at the document level, i.e., each PDF must represent a discrete document.
3. All PDF files must contain embedded text that includes all discernible words within the document, not selected text or image only. This requires all layers of the PDF to be flattened first.
4. If PDF files are Bates endorsed, the PDF files must be named by the Bates range.

IV. Audio Files

Audio files from telephone recording systems must be produced in a format that is playable using Microsoft Windows Media Player™. Additionally, the call information (metadata) related to each audio recording MUST be provided. The metadata file must be produced in a delimited text format. Field names must be included in the first row of the text file.

The metadata must include, at a minimum, the following fields:

- 1) Caller Name: Caller's name or account/identification number
- 2) Originating Number: Caller's phone number
- 3) Called Party Name: Called party's name
- 4) Terminating Number: Called party's phone number
- 5) Date: Date of call
- 6) Time: Time of call
- 7) Filename: Filename of audio file

V. Video Files

Video files must be produced in a format that is playable using Microsoft Windows Media Player™.

VI. Electronic Trade and Bank Records

When producing electronic trade and bank records, provide the files in one of the following formats:

1. MS Excel spreadsheet with header information detailing the field structure. If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details.
2. Delimited text file with header information detailing the field structure. The preferred delimiter is a vertical bar "|". If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details.

VII. Electronic Phone Records

When producing electronic phone records, provide the files in the following format:

1. MS Excel spreadsheet with header information detailing the field structure. If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details. Data must be formatted in its native format (i.e. dates in a date format, numbers in an appropriate numerical format, and numbers with leading zeroes as text).
 - a. The metadata that must be included is outlined in **Addendum B** of this document. Each field of data must be loaded into a separate column. For example, Date and Start_Time must be produced in separate columns and not combined into a single column containing both pieces of information. Any fields of data that are provided in addition to those listed in **Addendum B** must also be loaded into separate columns.

VIII. Audit Workpapers

The SEC prefers for workpapers to be produced in two formats: (1) With Bates numbers in accordance with the SEC Data Delivery Standards; and (2) in native format or if proprietary software was used, on a standalone laptop with the appropriate software loaded so that the workpapers may be reviewed as they would have been maintained in the ordinary course of business. When possible, the laptop should be configured to enable a Virtual Machine (VM) environment.

ADDENDUM A

The metadata of electronic document collections should be extracted and provided in a .DAT file using the field definition and formatting described below:

Field Name	Sample Data	Description
FIRSTBATES	EDC0000001	First Bates number of native file document/email
LASTBATES	EDC0000001	Last Bates number of native file document/email **The LASTBATES field should be populated for single page documents/emails.
ATTACHRANGE	EDC0000001 - EDC0000015	Bates number of the first page of the parent document to the Bates number of the last page of the last attachment "child" document
BEGATTACH	EDC0000001	First Bates number of attachment range
ENDATTACH	EDC0000015	Last Bates number of attachment range
PARENT_BATES	EDC0000001	First Bates number of parent document/Email **This PARENT_BATES field should be populated in each record representing an attachment "child" document
CHILD_BATES	EDC0000002; EDC0000014	First Bates number of "child" attachment(s); can be more than one Bates number listed depending on the number of attachments **The CHILD_BATES field should be populated in each record representing a "parent" document
CUSTODIAN	Smith, John	Email: Mailbox where the email resided Native: Name of the individual or department from whose files the document originated
FROM	John Smith	Email: Sender Native: Author(s) of document **semi-colon should be used to separate multiple entries
TO	Coffman, Janice; LeeW [mailto:LeeW@MSN.com]	Recipient(s) **semi-colon should be used to separate multiple entries
CC	Frank Thompson [mailto:frank_Thompson@cdt.com]	Carbon copy recipient(s) **semi-colon should be used to separate multiple entries
BCC	John Cain	Blind carbon copy recipient(s) **semi-colon should be used to separate multiple entries
SUBJECT	Board Meeting Minutes	Email: Subject line of the email Native: Title of document (if available)
FILE_NAME	BoardMeetingMinutes.docx	Native: Name of the original native file, including extension
DATE_SENT	10/12/2010	Email: Date the email was sent Native: (empty)
TIME_SENT/TIME_ZONE	07:05 PM GMT	Email: Time the email was sent/ Time zone in which the emails were standardized during conversion. Native: (empty) **This data must be a separate field and cannot be combined with the DATE_SENT field
TIME_ZONE	GMT	The time zone in which the emails were standardized during conversion. Email: Time zone Native: (empty)

U.S. Securities and Exchange Commission
Data Delivery Standards

LINK	D:\001\EDC0000001.msg	Hyperlink to the email or native file document **The linked file must be named per the FIRSTBATES number
MIME_TYPE	MSG	The content type of an Email or native file document as identified/extracted from the header
FILE_EXTEN	MSG	The file type extension representing the Email or native file document; will vary depending on the email format
AUTHOR	John Smith	Email: (empty) Native: Author of the document
DATE_CREATED	10/10/2010	Email: (empty) Native: Date the document was created
TIME_CREATED	10:25 AM	Email: (empty) Native: Time the document was created **This data must be a separate field and cannot be combined with the DATE_CREATED field
DATE_MOD	10/12/2010	Email: (empty) Native: Date the document was last modified
TIME_MOD	07:00 PM	Email: (empty) Native: Time the document was last modified **This data must be a separate field and cannot be combined with the DATE_MOD field
DATE_ACCESSD	10/12/2010	Email: (empty) Native: Date the document was last accessed
TIME_ACCESSD	07:00 PM	Email: (empty) Native: Time the document was last accessed **This data must be a separate field and cannot be combined with the DATE_ACCESSD field
PRINTED_DATE	10/12/2010	Email: (empty) Native: Date the document was last printed
FILE_SIZE	5,952	Size of native file document/email in KB
PGCOUNT	1	Number of pages in native file document/email
PATH	J:\Shared\SmithJ\October Agenda.doc	Email: (empty) Native: Path where native file document was stored including original file name.
INTFILEPATH	Personal Folders\Deleted Items\Board Meeting Minutes.msg	Email: original location of email including original file name. Native: (empty)
INTMSGID	<000805c2c71b\$75977050\$cb8306d1@MSN>	Email: Unique Message ID Native: (empty)
MD5HASH	d131dd02c5e6ecc4693d9a0698aff95c2fcab58712467eab4004583eb8fb7f89	MD5 Hash value of the document.
OCRPATH	TEXT/001/EDC0000001.txt	Path to extracted text of the native file

Sample Image Cross-Reference File:

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IMG00000001,,E:\001\IMG00000001.TIF,Y,,,
IMG00000002,,E:\001\IMG00000002.TIF,,,,
IMG00000003,,E:\001\IMG00000003.TIF,,,,
IMG00000004,,E:\001\IMG00000004.TIF,Y,,,
IMG00000005,,E:\001\IMG00000005.TIF,Y,,,
IMG00000006,,E:\001\IMG00000006.TIF,,,,

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ADDENDUM B

For Electronic Phone Records, include the following fields in separate columns:

For Calls:

- 1) Account Number
- 2) Connection Date – Date the call was received or made
- 3) Connection Time – Time call was received or made
- 4) Seizure Time – Time it took for the call to be placed in seconds
- 5) Originating Number – Phone that placed the call
- 6) Terminating Number – Phone that received the call
- 7) Elapsed Time – The length of time the call lasted, preferably in seconds
- 8) End Time – The time the call ended
- 9) Number Dialed – Actual number dialed
- 10) IMEI Originating – Unique id to phone used to make call
- 11) IMEI Terminating– Unique id to phone used to receive call
- 12) IMSI Originating – Unique id to phone used to make call
- 13) IMSI Terminating- Unique id to phone used to receive call
- 14) Call Codes – Identify call direction or other routing information
- 15) Time Zone – Time Zone in which the call was received or placed, if applicable

For Text messages:

- 1) Account Number
- 2) Connection Date – Date the text was received or made
- 3) Connection Time – Time text was received or made
- 4) Originating Number – Who placed the text
- 5) Terminating Number – Who received the text
- 6) IMEI Originating – Unique id to phone used to make text
- 7) IMEI Terminating– Unique id to phone used to receive text
- 8) IMSI Originating - Unique id to phone used to make text
- 9) IMSI Terminating- Unique id to phone used to receive text
- 10) Text Code – Identify text direction, or other text routing information
- 11) Text Type Code – Type of text message (sent SMS, MMS, or other)
- 12) Time Zone – Time Zone in which the call was received or placed, if applicable

For Mobile Data Usage:

- 1) Account Number
- 2) Connection Date – Date the data was received or made
- 3) Connection Time – Time data was received or made
- 4) Originating number – Number that used data
- 5) IMEI Originating – Unique id of phone that used data
- 6) IMSI Originating - Unique id of phone that used data
- 7) Data or Data codes – Identify data direction, or other data routing information
- 8) Time Zone – Time Zone in which the call was received or placed, if applicable

**SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549**

**Supplemental Information for Persons Requested to Supply
Information Voluntarily or Directed to Supply Information
Pursuant to a Commission Subpoena**

A. False Statements and Documents

Section 1001 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

[W]hoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully--

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

Section 1519 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States . . . , or in relation to or contemplation of any such matter.

B. Testimony

If your testimony is taken, you should be aware of the following:

1. *Record.* Your testimony will be transcribed by a reporter. If you desire to go off the record, please indicate this to the Commission employee taking your testimony, who will determine whether to grant your request. The reporter will not go off the record at your, or your counsel's, direction.
2. *Counsel.* You have the right to be accompanied, represented and advised by counsel of your choice. Your counsel may advise you before, during and after your testimony; question you briefly at the conclusion of your testimony to clarify any of the answers you give during testimony; and make summary notes during your testimony solely for your use. If you are accompanied by counsel, you may consult privately.

If you are not accompanied by counsel, please advise the Commission employee taking your testimony if, during the testimony, you desire to be accompanied, represented and advised by counsel. Your testimony will be adjourned once to afford you the opportunity to arrange to be so accompanied, represented or advised.

You may be represented by counsel who also represents other persons involved in the Commission's investigation. This multiple representation, however, presents a potential conflict of interest if one client's interests are or may be adverse to another's. If you are represented by counsel who also represents other persons involved in the investigation, the Commission will assume that you and counsel have discussed and resolved all issues concerning possible conflicts of interest. The choice of counsel, and the responsibility for that choice, is yours.

3. *Transcript Availability.* Rule 6 of the Commission's Rules Relating to Investigations, 17 CFR 203.6, states:

A person who has submitted documentary evidence or testimony in a formal investigative proceeding shall be entitled, upon written request, to procure a copy of his documentary evidence or a transcript of his testimony on payment of the appropriate fees: *Provided, however,* That in a nonpublic formal investigative proceeding the Commission may for good cause deny such request. In any event, any witness, upon proper identification, shall have the right to inspect the official transcript of the witness' own testimony.

If you wish to purchase a copy of the transcript of your testimony, the reporter will provide you with a copy of the appropriate form. Persons requested to supply information voluntarily will be allowed the rights provided by this rule.

4. *Perjury.* Section 1621 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

Whoever--

- (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify

truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true.

5. *Fifth Amendment and Voluntary Testimony.* Information you give may be used against you in any federal, state, local or foreign administrative, civil or criminal proceeding brought by the Commission or any other agency.

You may refuse, in accordance with the rights guaranteed to you by the Fifth Amendment to the Constitution of the United States, to give any information that may tend to incriminate you.

If your testimony is not pursuant to subpoena, your appearance to testify is voluntary, you need not answer any question, and you may leave whenever you wish. Your cooperation is, however, appreciated.

6. *Formal Order Availability.* If the Commission has issued a formal order of investigation, it will be shown to you during your testimony, at your request. If you desire a copy of the formal order, please make your request in writing.

C. Submissions and Settlements

Rule 5(c) of the Commission's Rules on Informal and Other Procedures, 17 CFR 202.5(c), states:

Persons who become involved in . . . investigations may, on their own initiative, submit a written statement to the Commission setting forth their interests and position in regard to the subject matter of the investigation. Upon request, the staff, in its discretion, may advise such persons of the general nature of the investigation, including the indicated violations as they pertain to them, and the amount of time that may be available for preparing and submitting a statement prior to the presentation of a staff recommendation to the Commission for the commencement of an administrative or injunction proceeding. Submissions by interested persons should be forwarded to the appropriate Division Director or Regional Director with a copy to the staff members conducting the investigation and should be clearly referenced to the specific investigation to which they relate. In the event a recommendation for the commencement of an enforcement proceeding is presented by the staff, any submissions by interested persons will be forwarded to the Commission in conjunction with the staff memorandum.

The staff of the Commission routinely seeks to introduce submissions made pursuant to Rule 5(c) as evidence in Commission enforcement proceedings, when the staff deems appropriate.

Rule 5(f) of the Commission's Rules on Informal and Other Procedures, 17 CFR 202.5(f), states:

In the course of the Commission's investigations, civil lawsuits, and administrative proceedings, the staff, with appropriate authorization, may discuss with persons involved the disposition of such matters by consent, by settlement, or in some other manner. It is the policy of the Commission, however, that the disposition of any such matter may not, expressly or impliedly, extend to any criminal charges that have been, or may be, brought against any such person or any recommendation with respect thereto. Accordingly, any person involved in an enforcement matter before the Commission who consents, or agrees to consent, to any judgment or order does so solely for the purpose of resolving the claims against him in that investigative, civil, or administrative matter and not for the purpose of resolving any criminal charges that have been, or might be, brought against him. This policy reflects the fact that neither the Commission nor its staff has the authority or responsibility for instituting, conducting, settling, or otherwise disposing of criminal proceedings. That authority and responsibility are vested in the Attorney General and representatives of the Department of Justice.

D. Freedom of Information Act

The Freedom of Information Act, 5 U.S.C. 552 (the "FOIA"), generally provides for disclosure of information to the public. Rule 83 of the Commission's Rules on Information and Requests, 17 CFR 200.83, provides a procedure by which a person can make a written request that information submitted to the Commission not be disclosed under the FOIA. That rule states that no determination as to the validity of such a request will be made until a request for disclosure of the information under the FOIA is received. Accordingly, no response to a request that information not be disclosed under the FOIA is necessary or will be given until a request for disclosure under the FOIA is received. If you desire an acknowledgment of receipt of your written request that information not be disclosed under the FOIA, please provide a duplicate request, together with a stamped, self-addressed envelope.

E. Authority for Solicitation of Information

Persons Directed to Supply Information Pursuant to Subpoena. The authority for requiring production of information is set forth in the subpoena. Disclosure of the information to the Commission is mandatory, subject to the valid assertion of any legal right or privilege you might have.

Persons Requested to Supply Information Voluntarily. One or more of the following provisions authorizes the Commission to solicit the information requested: Sections 19 and/or 20 of the Securities Act of 1933; Section 21 of the Securities Exchange Act of 1934; Section 321 of the Trust Indenture Act of 1939; Section 42 of the Investment Company Act of 1940; Section 209 of the Investment Advisers Act of 1940; and 17 CFR 202.5. Disclosure of the requested information to the Commission is voluntary on your part.

F. Effect of Not Supplying Information

Persons Directed to Supply Information Pursuant to Subpoena. If you fail to comply with the subpoena, the Commission may seek a court order requiring you to do so. If such an order is obtained and you thereafter fail to supply the information, you may be subject to civil and/or criminal sanctions for contempt of court. In addition, Section 21(c) of the Securities Exchange Act of 1934, Section 42(c) of the Investment Company Act of 1940, and Section 209(c) of the Investment Advisers Act of 1940 provide that fines and terms of imprisonment may be imposed upon any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry, or to produce books, papers, correspondence, memoranda, and other records in compliance with the subpoena.

Persons Requested to Supply Information Voluntarily. There are no direct sanctions and thus no direct effects for failing to provide all or any part of the requested information.

G. Principal Uses of Information

The Commission's principal purpose in soliciting the information is to gather facts in order to determine whether any person has violated, is violating, or is about to violate any provision of the federal securities laws or rules for which the Commission has enforcement authority, such as rules of securities exchanges and the rules of the Municipal Securities Rulemaking Board. Facts developed may, however, constitute violations of other laws or rules. Information provided may be used in Commission and other agency enforcement proceedings. Unless the Commission or its staff explicitly agrees to the contrary in writing, you should not assume that the Commission or its staff acquiesces in, accedes to, or concurs or agrees with, any position, condition, request, reservation of right, understanding, or any other statement that purports, or may be deemed, to be or to reflect a limitation upon the Commission's receipt, use, disposition, transfer, or retention, in accordance with applicable law, of information provided.

H. Routine Uses of Information

The Commission often makes its files available to other governmental agencies, particularly United States Attorneys and state prosecutors. There is a likelihood that information supplied by you will be made available to such agencies where appropriate. Whether or not the Commission makes its files available to other governmental agencies is, in general, a confidential matter between the Commission and such other governmental agencies.

Set forth below is a list of the routine uses which may be made of the information furnished.

1. To appropriate agencies, entities, and persons when (a) it is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the SEC has determined that, as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the SEC or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the SEC's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.
2. To other federal, state, local, or foreign law enforcement agencies; securities self-regulatory organizations; and foreign financial regulatory authorities to assist in or coordinate regulatory or law enforcement activities with the SEC.
3. To national securities exchanges and national securities associations that are registered with the SEC, the Municipal Securities Rulemaking Board; the Securities Investor Protection Corporation; the Public Company Accounting Oversight Board; the federal banking authorities, including, but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation; state securities regulatory agencies or organizations; or regulatory authorities of a foreign government in connection with their regulatory or enforcement responsibilities.
4. By SEC personnel for purposes of investigating possible violations of, or to conduct investigations authorized by, the federal securities laws.
5. In any proceeding where the federal securities laws are in issue or in which the Commission, or past or present members of its staff, is a party or otherwise involved in an official capacity.

6. In connection with proceedings by the Commission pursuant to Rule 102(e) of its Rules of Practice, 17 CFR 201.102(e).
7. To a bar association, state accountancy board, or other federal, state, local, or foreign licensing or oversight authority; or professional association or self-regulatory authority to the extent that it performs similar functions (including the Public Company Accounting Oversight Board) for investigations or possible disciplinary action.
8. To a federal, state, local, tribal, foreign, or international agency, if necessary to obtain information relevant to the SEC's decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit.
9. To a federal, state, local, tribal, foreign, or international agency in response to its request for information concerning the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
10. To produce summary descriptive statistics and analytical studies, as a data source for management information, in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be used to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act.
11. To any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the federal securities laws (as defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)) or pursuant to the Commission's Rules of Practice, 17 CFR 201.100 – 900 or the Commission's Rules of Fair Fund and Disgorgement Plans, 17 CFR 201.1100-1106, or otherwise, where such trustee, receiver, master, special counsel, or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the federal securities laws or the Commission's Rules of Practice or the Rules of Fair Fund and Disgorgement Plans.
12. To any persons during the course of any inquiry, examination, or investigation conducted by the SEC's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.
13. To interns, grantees, experts, contractors, and others who have been engaged by the Commission to assist in the performance of a service related to this system of records and who need access to the records for the purpose of assisting the Commission in the efficient administration of its programs, including by performing clerical, stenographic, or data analysis functions, or by reproduction of records by electronic or other means. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a.
14. In reports published by the Commission pursuant to authority granted in the federal securities laws (as such term is defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)), which authority shall include, but not be limited to, section 21(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(a)).
15. To members of advisory committees that are created by the Commission or by Congress to render advice and recommendations to the Commission or to Congress, to be used solely in connection with their official designated functions.
16. To any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 200.735-1 to 200.735-18, and who assists in the investigation by the Commission of possible violations of the federal securities laws (as such term is defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the federal securities laws.
17. To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.
18. To members of Congress, the press, and the public in response to inquiries relating to particular Registrants and their activities, and other matters under the Commission's jurisdiction.
19. To prepare and publish information relating to violations of the federal securities laws as provided in 15 U.S.C. 78c(a)(47)), as amended.
20. To respond to subpoenas in any litigation or other proceeding.
21. To a trustee in bankruptcy.

22. To any governmental agency, governmental or private collection agent, consumer reporting agency or commercial reporting agency, governmental or private employer of a debtor, or any other person, for collection, including collection by administrative offset, federal salary offset, tax refund offset, or administrative wage garnishment, of amounts owed as a result of Commission civil or administrative proceedings.

* * * * *

Small Business Owners: The SEC always welcomes comments on how it can better assist small businesses. If you would like more information, or have questions or comments about federal securities regulations as they affect small businesses, please contact the Office of Small Business Policy, in the SEC's Division of Corporation Finance, at 202-551-3460. If you would prefer to comment to someone outside of the SEC, you can contact the Small Business Regulatory Enforcement Ombudsman at <http://www.sba.gov/ombudsman> or toll free at 888-REG-FAIR. The Ombudsman's office receives comments from small businesses and annually evaluates federal agency enforcement activities for their responsiveness to the special needs of small business.

BACKGROUND QUESTIONNAIRE

Please respond to the following questions in the space provided. If you need additional space for any response, you may attach additional pieces of paper.

Today's date: _____

1. What is your full name?

2. Have you ever been known by any other name? Yes __ No __

If yes, list each such name and the period(s) in which you were known by that name.

3. Date and Place of Birth?

4. Country of Citizenship?

5. Marital Status? Married __ Divorced __ Single __

If you have ever been married, state for each marriage: (i) the date(s) of the marriage; (ii) the name of your spouse; (iii) your spouse's birth name, if different; (iv) your spouse's age; and (v) your spouse's occupation.

6. List the names, ages and occupations of your children, if any.

7. List all residences you occupied at any time during the last [three] years, including vacation homes, beginning with your current residence. For each residence, state the address, dates of residence, and all telephone numbers (including facsimile numbers) listed at that address.

Background Questionnaire

Page 2

8. List all telephone numbers and telecommunication services that were in your name or that you regularly used at any time during the last [three] years. Include all residential, business, cellular, credit card, and VOIP telephone numbers, including those listed in your response to question 7, and services such as GoogleVoice, Skype, video conference services. For each telephone number, state the name(s) of the corresponding carrier(s) (e.g., AT&T, Verizon, Vonage, Skype, etc.).

9. List the universal resource locator (URL) for all websites or blogs that you established or for which you had the authority to control content, at any time during the last [three] years. For each website, state the name(s) of the domain name registrar (e.g. GoDaddy) through which the URL was obtained, the name(s) of all individuals or entities who provided web site hosting or design services, whether the website contained primarily business or personal information, and the time period in which it was active.

10. List all electronic mail addresses and social networking accounts (e.g. Facebook, LinkedIn, Twitter, Instagram, Flickr, and Google+) that were in your name or that you regularly used at any time during the last [three] years. Include all personal, business and shared electronic mail addresses and social networking accounts. For each electronic mail address and social networking account, state the name(s) of the corresponding internet service provider(s) (e.g., Google, Yahoo, AOL, or your employer), whether the address was used primarily for business or personal correspondence, and the time period in which it was active.

11. List all usernames for instant messaging and similar electronic communication services (including, but not limited to, Bloomberg, Skype, whatsapp), other than those listed in your response to questions 8 through 10, that were in your name or that you regularly used at any time during the last [three] years. Include all personal, business and shared addresses. For each username, state the name(s) of the communication service provider (e.g., Google, AOL, etc.), whether the address was used primarily for business or

Background Questionnaire
Page 3

personal correspondence, the time period in which it was active, and the name of the software application(s) (e.g., GTalk, ICQ, MSN Messenger) you used to access it.

12. List all internet message boards or discussion forums (including, but not limited to, Money Maker Group, PNQI Message Board, Investors Hub Daily) of which you were a member or on which you posted any messages at any time during the last [three] years. For each message board or discussion forum, state the service provider and your member name or identification information.

PUBLICLY-HELD COMPANIES

13. Are you now, or have you ever been, an officer or director of any publicly-held company? Yes __ No __

If yes, identify each such company, its CUSIP, and any exchange on which it is or was listed, and state your positions (including membership on any Board or management committees) and the dates you held each position.

14. Are you now, or have you ever been, a beneficial owner, directly or indirectly, of five per cent or more of any class of equity securities of any publicly held company? Yes __ No __

If yes, identify each such company, its CUSIP, and any exchange on which it is or was listed, and state the amount, percentage, and dates of your ownership.

Background Questionnaire
Page 4

PRIVATELY-HELD COMPANIES

15. Are you now, or have you ever been, a beneficial owner, directly or indirectly, of any privately-held company (*i.e.*, corporation, partnership, limited liability company or other corporate form)? Yes__ No__

If yes, identify each such company, including address and other contact information, and state your positions and the dates you held each position.

16. Are you now, or have you ever been, a manager or a member of any privately-held company (*i.e.*, corporation, partnership, limited liability company or other corporate form)? Yes__ No__

If yes, identify each such company, including address and other contact information, and state your positions and the dates you held each position.

SECURITIES ACCOUNTS

17. List all securities or brokerage accounts that you have held in your name, individually or jointly, at any time during the last [three] years. Include all foreign accounts. For each such account, identify: (i) the brokerage firm; (ii) the location of the branch where your account is or was held; (iii) your broker; (iv) the type of account (*i.e.*, cash, margin or IRA); (v) the account number; and (vi) whether any person has ever held discretionary authority or power of attorney over the account; if so, name such person(s).

Background Questionnaire
Page 5

18. List all securities or brokerage accounts (including foreign accounts), other than those listed in your answer to question 17, in which you had any direct or indirect beneficial interest at any time during the last [three] years. For each such account, provide the information requested by question 17.

19. List all securities or brokerage accounts (including foreign accounts), other than those listed in your answer to question 17 or 18, over which you had any control at any time during the last [three] years. For each such account, provide the information requested by question 17.

BANK ACCOUNTS

20. List all accounts you have held in your name at any financial institution (*i.e.*, bank, thrift, or credit union) at any time during the last [three] years. Include all foreign accounts. For each such account, identify: (i) the financial institution; (ii) the address of the branch at which your account is or was held; (iii) the type of account (*i.e.*, checking, savings, money market or IRA); (iv) the account number; and (v) whether any person has ever had discretionary authority or power of attorney over the account; if so, name such person(s).

21. List all accounts at financial institutions (including foreign accounts), other than those listed in your answer to question 20, in which you had any direct or indirect beneficial interest at any time during the last [three] years. For each such account, provide the information requested by question 20.

Background Questionnaire
Page 6

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22. List all accounts at financial institutions (including foreign accounts), other than those listed in your answer to question 20 or 21, over which you had any control at any time during the last [three] years. For each such account, provide the information requested by question 20.

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-
-
23. List any other accounts (including foreign accounts), other than those listed in your answers to questions 20 through 22, that were held in your name, in which you had any direct or indirect beneficial interest, or over which you had any control, that you have used to transfer funds in the last [three] years, including, but not limited to, PayPal accounts. For each such account, provide the information requested by question 20.
-
-
-

PRIOR PROCEEDINGS

24. Have you ever testified in any proceeding conducted by the staff of the Securities and Exchange Commission, a U.S. or foreign federal or state agency, a U.S. or foreign federal or state court, a stock exchange, the Financial Industry Regulatory Authority ("FINRA") or any other self-regulatory organization ("SRO"), or in any arbitration proceeding related to securities transactions? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the organization or agency; and (iii) the date(s) on which you testified.

Background Questionnaire

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25. Have you ever been deposed in connection with any court proceeding? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding, and (ii) the date(s) on which you were deposed.

26. Have you ever been named as a defendant or respondent in any action or proceeding brought by the SEC, any other U.S. or foreign federal agency, a state securities agency, FINRA, an SRO, or any exchange? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the agency or tribunal; (iii) the substance of the allegations; (iv) the outcome of the proceeding; and (v) the date of the outcome.

27. Have you ever been a defendant in any action (other than those listed in response to question 26) alleging violations of the federal securities laws? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the court or tribunal; (iii) the outcome of the proceeding; and (iv) the date of the outcome.

28. Have you ever been a defendant in any criminal proceeding other than one involving a minor traffic offense? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the court or tribunal; (iii) the outcome of the proceeding; and (iv) the date of the outcome.

Background Questionnaire
Page 8

EDUCATIONAL HISTORY

29. Provide the requested information about each educational institution that you have attended, beginning with the most recent and working backward to the date that you completed high school.

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

30. Other than courses taken in connection with institutions listed in response to question 29, list any securities, accounting or business related courses taken since high school. For each such course, identify the date that the course was completed and the name of the institution or organization that offered the course.

Background Questionnaire
Page 9

PROFESSIONAL LICENSES/CLUBS

31. Do you hold, or have you ever held, any professional license? Yes__ No __

If yes, for each such license, identify: (i) the license number or attorney bar number; (ii) the licensing organization; (iii) the date the license was awarded; (iv) the date such license terminated, if applicable; (v) the date(s) of any disciplinary proceeding(s) against you; and (vi) the outcome of any such disciplinary proceeding (*e.g.*, reprimand, suspension, revocation).

32. Are you, or have you ever been, a member of any professional or business club or organization? Yes __ No __

If yes, list for each: (i) the name of the club or organization; (ii) its address; (iii) the date(s) of your membership; and (iv) service in any governance roles (*e.g.*, board member, committee member, etc.) including title and dates of service.

33. Are you, or have you been in the last [three] years, a member of any social clubs, charities or nonprofit organizations? Yes ____ No ____

If yes, list for each: (i) the name of the social club, charity or nonprofit organization; (ii) its address; (iii) the date(s) of your membership; and (iv) service in any governance roles (*e.g.*, board member, committee member, etc.) including title and dates of service..

EMPLOYMENT HISTORY

34. Are you, or have you ever been, an employee of a broker, dealer, investment adviser, investment company, municipal securities dealer, municipal advisor, transfer agent, or

Background Questionnaire
Page 10

nationally recognized statistical rating organization? Yes ____ No ____

If yes, list for each: (i) the jurisdiction of the entity; (ii) your CRD number; (iii) the entity's CRD number; (iv) the entity's SEC File number; (v) the entity's CUSIP number; and (vi) any foreign registration information similar to the foregoing.

35. State your employment activities, beginning with the present and working backward to the date that you completed high school and attach a recent copy of your resume or curriculum vitae.

Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor

Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor

Background Questionnaire

Page 11

Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor

Background Questionnaire

Page 12

Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor

CONTINUE ON ADDITIONAL SHEETS IF NECESSARY

[FOR DOMESTIC U.S. RECORDS]

**DECLARATION OF *[Insert Name]* CERTIFYING RECORDS
OF REGULARLY CONDUCTED BUSINESS ACTIVITY**

I, the undersigned, *[insert name]*, pursuant to 28 U.S.C. § 1746, declare that:

1. I am employed by *[insert name of company]* as *[insert position]* and by reason of my position am authorized and qualified to make this declaration. *[if possible supply additional information as to how person is qualified to make declaration, e.g., I am custodian of records, I am familiar with the company's recordkeeping practices or systems, etc.]*
2. I further certify that the documents *[attached hereto or submitted herewith]* and stamped *[insert bates range]* are true copies of records that were:
 - (a) made at or near the time of the occurrence of the matters set forth therein, by, or from information transmitted by, a person with knowledge of those matters;
 - (b) kept in the course of regularly conducted business activity; and
 - (c) made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct. Executed on *[date]*.

[Name]



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Fort Worth Regional Office
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102

DIVISION OF ENFORCEMENT

Jason P. Reinsch
Enforcement Attorney
(817) 900-2601

March 20, 2017

Via UPS

Arthur F. Wammel
c/o Toby M. Galloway
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102

Re: In the Matter of Bryant United Capital Funding, Inc. (FW-04150)

Dear Mr. Galloway:

Pursuant to Rule 8 of the United States Securities and Exchange Commission's Rules Relating to Investigations, 17 C.F.R. § 203.8, and your agreement to accept service, I have enclosed a subpoena for documents and testimony issued to your client, Arthur F. Wammel, in connection with the above-referenced formal investigation. The subpoena requires Mr. Wammel to produce documents by March 31, 2017 to the SEC's Fort Worth Regional Office.

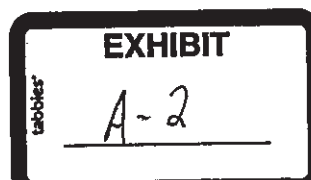
Please send the materials to:

ENF-CPU
U.S. Securities and Exchange Commission
100 F St., N.E., Mailstop 5973
Washington, DC 20549-5973

For smaller electronic productions under 10MB in size, the materials may be emailed to the following email address: ENF-CPU@sec.gov.

The subpoena also requires Mr. Wammel to appear for testimony on April 27, 2017 at 9:30 a.m. at the above address.

Please carefully read the subpoena attachment, which contains, among other things, important instructions related to the manner of producing documents. In particular, if your client prefers to send us copies of original documents, **the staff requests that you scan and produce hard copy documents, as well as electronic documents, in an electronic format consistent**



Arthur F. Wammel

c/o Toby Galloway, Esq.

March 20, 2017

Page 2

with the SEC Data Delivery Standards attached hereto. All electronic documents responsive to the document subpoena, including all metadata, should also be produced in their native software format. If you have any questions concerning the production of documents in an electronic format, please contact me as soon as possible and in any event before producing documents.

In your cover letter(s) accompanying the production of responsive documents, please enclose a list briefly describing each item you send. The list should state to which paragraph(s) in the subpoena attachment each item responds. Please also state in the cover letter(s) whether you believe your client has met his obligations under the subpoena by searching carefully and thoroughly for everything called for by the subpoena, and sending it all to us. A copy of the subpoena should be included with the documents that are produced.

Passwords for documents, files, compressed archives, and encrypted media should be provided separately either via email addressed to ENF-CPU@sec.gov, or in a separate cover letter mailed separately from the data.

Please also provide a narrative description describing what was done to identify and collect documents responsive to the subpoena. At a minimum, the narrative should describe:

- who searched for documents;
- who reviewed documents found to determine whether they were responsive;
- which custodians were searched;
- what sources were searched (e.g., computer files, CDs, DVDs, thumb drives, flash drives, online storage media, hard copy files, diaries, datebooks, planners, filing cabinets, storage facilities, home offices, work offices, voice mails, home email, webmail, work email, backup tapes or other media);
- what search terms, if any, were employed to identify responsive documents;
- what firms and/or persons, if any, assisted in analyzing the data collected;
- what third parties, if any, were contacted to obtain responsive documents (e.g., phone companies for phone records, brokerage firms for brokerage records); and
- where the original electronic and hardcopy documents are maintained and by whom.

A background questionnaire is also enclosed. During your client's testimony, the staff intends to ask background questions concerning, among other things, your client's residences, telephone numbers, education and employment. To expedite that part of the testimony, we request that your client complete the enclosed questionnaire on a voluntary basis and provide it to the staff prior to your client's testimony.

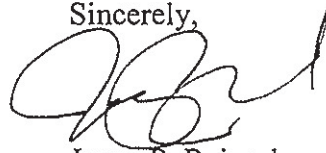
Please note that, in any matter in which enforcement action is ultimately deemed to be warranted, the Division of Enforcement will not recommend any settlement to the Commission unless the party wishing to settle certifies, under penalty of perjury, that all documents responsive to Commission subpoenas and formal and informal document requests in this matter have been produced.

Arthur F. Wammel
c/o Toby Galloway, Esq.
March 20, 2017
Page 3

This investigation is a non-public, fact-finding inquiry. We are trying to determine whether there have been any violations of the federal securities laws. The investigation and the subpoena do not mean that we have concluded that your client or anyone else has violated the law. Also, the investigation does not mean that we have a negative opinion of any person, entity or security. Enclosed are copies of the Commission's Form 1662 entitled "Supplemental Information for Persons Requested to Supply Information Voluntarily or Directed to Supply Information Pursuant to a Commission Subpoena." Form 1662 explains how we may use the information your client provides to the Commission and has other important information. Please provide a copy of this form to your client.

If you have any questions or would like to discuss this matter, you may call me at 817-900-2601.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Reinsch", with a stylized flourish at the end.

Jason P. Reinsch
Enforcement Attorney
Division of Enforcement

Enclosures: Subpoena, Attachment, and Exhibit A thereto
SEC Data Delivery Standards
SEC Form 1662
Background Questionnaire



SUBPOENA

UNITED STATES OF AMERICA SECURITIES AND EXCHANGE COMMISSION

In the Matter of Bryant United Capital Funding (FW-04150)

To: Arthur F. Wammel
c/o Toby M. Galloway
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102

☒ **YOU MUST PRODUCE** everything specified in the Attachment to this subpoena to officers of the Securities and Exchange Commission, at the place, date and time specified below:

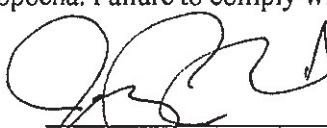
ENF-CPU, U.S. Securities and Exchange Commission, 100 F St., N.E., Mailstop 5973,
Washington, DC 20549-5973, no later than March 31, 2017 at 9:30 a.m.

☒ **YOU MUST TESTIFY** before officers of the Securities and Exchange Commission, at the place, date and time specified below:

Securities and Exchange Commission, Fort Worth Regional Office, 801
Cherry Street, Suite 1900, Fort Worth, Texas on April 27, 2017 at 9:30
a.m.

FEDERAL LAW REQUIRES YOU TO COMPLY WITH THIS SUBPOENA.

If you do not comply with this subpoena, the SEC may bring an action in Federal Court to enforce this subpoena. Failure to comply with a court order enforcing this subpoena may result in the court imposing a fine, imprisonment, or both.

By: 
Jason P. Reinsch, Enforcement Attorney
U.S. Securities and Exchange Commission
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102

Date: March 29, 2017

I am an officer of the U.S. Securities and Exchange Commission authorized to issue subpoenas in this matter. The Securities and Exchange Commission has issued a formal order authorizing this investigation under: Section 20(a) of the Securities Act of 1933, Section 21(a) of the Securities Exchange Act of 1934.

NOTICE TO WITNESS: If you claim a witness fee or mileage, submit this subpoena with the claim voucher.

SUBPOENA ATTACHMENT FOR ARTHUR F. WAMMEL

March 20, 2017

In the Matter of Bryant United Capital Funding, Inc. (FW-04150)

A. Definitions

As used in this subpoena, the words and phrases listed below shall have the following meanings:

1. “Wammel Group” means the entity doing business under the name “Wammel Group LLC” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing including but not limited to WSG Equity Partners LLC. “Wammel Group” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Wammel Group.
2. “Global Motorcars” means the entity doing business under the name “Global Motorcars of Houston, LLC” f/k/a Houston Luxury Car Rental including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. “Global Motorcars” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Global Motorcars.
3. “Summus” means the entity doing business under the name “Summus Investment Holdings, LLC” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents, general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. “Summus” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Summus.
4. “Black Gold” means the entity doing business under the name “Black Gold Investments Holdings Inc.” including parents, subsidiaries, affiliates, predecessors, successors, officers, directors, members, employees, agents (including but not limited to Blake Ducharme), general partners, limited partners, partnerships and aliases, code names, or trade or business names used by any of the foregoing. “Black Gold” also includes investment vehicles, funds, or any other investment entities managed, controlled, or created by Black Gold.
5. “Person” means a natural person, firm, association, organization, partnership, business, trust, corporation, bank or any other private or

public entity.

6. A “Representative” of a Person means any present or former family members, officers, executives, partners, joint-venturers, directors, trustees, employees, consultants, accountants, attorneys, agents, or any other representative acting or purporting to act on behalf of the Person.
7. “Wammel”, “you” and “your” means (i) Arthur Franz Wammel, SSN 455-69-8376, and/or (ii) any present or former representative of Wammel.
8. “Document” shall include, but is not limited to, any written, printed, or typed matter including, but not limited to all drafts and copies bearing notations or marks not found in the original, letters and correspondence, interoffice communications, slips, tickets, records, worksheets, financial records, accounting documents, bookkeeping documents, memoranda, reports, manuals, telephone logs, telegrams, facsimiles, messages of any type, telephone messages, voice mails, tape recordings, notices, instructions, minutes, summaries, notes of meetings, file folder markings, and any other organizational indicia, purchase orders, information recorded by photographic process, including microfilm and microfiche, computer printouts, spreadsheets, and other electronically stored information, including but not limited to writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations that are stored in any medium from which information can be retrieved, obtained, manipulated, or translated.
9. “Communication” means any correspondence, contact, discussion, e-mail, instant message, or any other kind of oral or written exchange or transmission of information (in the form of facts, ideas, inquiries, or otherwise) and any response thereto between two or more Persons or entities, including, without limitation, all telephone conversations, face-to-face meetings or conversations, internal or external discussions, or exchanges of a Document or Documents.
10. “Concerning” means directly or indirectly, in whole or in part, describing, constituting, evidencing, recording, evaluating, substantiating, concerning, referring to, alluding to, in connection with, commenting on, relating to, regarding, discussing, showing, describing, analyzing or reflecting.
11. An “Agreement” means any actual or contemplated (i) written or oral Agreement; (ii) term or provision of such Agreement; or (iii) amendment of any nature or termination of such Agreement. A request for any Agreement among or between specified parties includes a request for all Documents Concerning (i) any actual or contemplated Agreement among or between such parties, whether or not such Agreement included any other Person; (ii) the drafting or negotiation of any such Agreement; (iii)

any actual or contemplated demand, request or application for any such Agreement, and any response thereto; and (iv) any actual or contemplated objection or refusal to enter into any such Agreement, and any response thereto.

12. The terms “Reviewed” means examined, assessed, considered, analyzed or evaluated.
13. The term “you” and “your” means the Person or entity to whom this subpoena was issued.
14. To the extent necessary to bring within the scope of this subpoena any information or Documents that might otherwise be construed to be outside its scope:
 - a. the word “or” means “and/or”;
 - b. the word “and” means “and/or”;
 - c. the functional words “each,” “every” “any” and “all” shall each be deemed to include each of the other functional words;
 - d. the masculine gender includes the female gender and the female gender includes the masculine gender; and
 - e. the singular includes the plural and the plural includes the singular.

B. Instructions

1. Unless otherwise specified, the subpoena calls for production of the original Documents and all copies and drafts of same. Documents responsive to this subpoena may be in electronic or paper form. Electronic Documents such as email should be produced in accordance with the attached Document entitled SEC Data Delivery Standards. All electronic Documents responsive to the Document subpoena, including all metadata, should also be produced in their native software format.
2. For Documents in paper format, you may send the originals, or, if you prefer, you may send copies of the originals. The Commission cannot reimburse you for the copying costs. If you are sending copies, the staff requests that you scan (rather than photocopy) hard copy Documents and produce them in an electronic format consistent with the SEC Data Delivery Standards. Alternatively, you may send us photocopies of the Documents in paper format. If you choose to send copies, you must secure and retain the originals and store them in a safe place. The staff may later request or require that you produce the originals.
3. Whether you scan or photocopy Documents, the copies must be identical to the originals, including even faint marks or print. Also, please note that

if copies of a Document differ in any way, they are considered separate Documents and you must send each one. For example, if you have two copies of the same letter, but only one of them has handwritten notes on it, you must send both the clean copy and the one with notes.

4. In producing a photocopy of an original Document that contains post-it(s), notation flag(s), or other removable markings or attachments which may conceal all or a portion of the markings contained in the original Document, photocopies of the original Document both with and without the relevant post-it(s), notation flag(s), or removable markings or attachments should be produced.
5. Documents should be produced as they are kept in the ordinary course of business or be organized and labeled to correspond with the categories in this request. In that regard, Documents should be produced in a unitized manner, *i.e.*, delineated with staples or paper clips to identify the Document boundaries.
6. Documents should be labeled with sequential numbering (bates-stamped).
7. You must produce all Documents created during, or Concerning, the period January 1, 2010 to the present, unless otherwise specified.
8. The scope of any given request should not be limited or narrowed based on the fact that it calls for Documents that are responsive to another request.
9. You are not required to produce exact duplicates of any Documents that have been previously produced to the Securities and Exchange Commission staff **in connection with this matter**. If you are not producing Documents based upon a prior production, please identify the responsive Documents that were previously produced.
10. For any Documents that qualify as records of regularly conducted activities under Federal Rule of Evidence 902(11).
11. This subpoena covers all Documents in or subject to your possession, custody or control, including all Documents that are not in your immediate possession but that you have the effective ability to obtain, that are responsive, in whole or in part, to any of the individual requests set forth below. If, for any reason – including a claim of attorney-client privilege – you do not produce something called for by the request, you should submit a list of what you are not producing. The list should describe each item separately, noting:
 - a. its author(s);

- b. its date;
 - c. its subject matter;
 - d. the name of the Person who has the item now, or the last Person known to have it;
 - e. the names of everyone who ever had the item or a copy of it, and the names of everyone who was told the item's contents;
 - f. the basis upon which you are not producing the responsive Document;
 - g. the specific request in the subpoena to which the Document relates;
 - h. the attorney(s) and the client(s) involved; and
 - i. in the case of the work product doctrine, the litigation for which the Document was prepared in anticipation.
12. If Documents responsive to this subpoena no longer exist because they have been lost, discarded, or otherwise destroyed, you should identify such Documents and give the date on which they were lost, discarded or destroyed.

C. Documents to be Produced

- 1. All tax returns, tax filings, or documents provided to the IRS, including all supporting documentation for you from tax years 2010 to present;
- 2. All tax returns, tax filings or documents provided to the IRS, including all supporting documentation for Wammel Group from tax years 2010 to present;
- 3. All tax forms or tax schedules provided to any investors, member, or limited partners of Wammel Group from tax years 2010 to present;
- 4. Documents sufficient to identify all accountants or other persons you or Wammel Group used to prepare any tax returns, tax filings, documents provided to the IRS, and tax forms or tax schedules provided to any investors, member, or limited partners of Wammel Group from tax years 2010 to present;
- 5. All Documents Concerning Communications between you or Wammel Group and Global Motorcars;
- 6. All Documents Concerning Communications between you or Wammel Group and investors or potential investors in Global Motorcars;
- 7. All Documents Concerning agreements or contracts between you or Wammel Group and Global Motorcars;
- 8. Documents sufficient to identify the nature of your and/or Wammel Group's relationship with Global Motorcars and all salary or other compensation you and/or Wammel Group have received from Global Motorcars from January 1, 2010 through present;

9. All Documents used or referred to by you or Wammel Group to calculate or determine any payments made to Global Motorcars;
10. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and between you or Wammel Group on the one hand and Global Motorcars on the other;
11. All Documents Concerning Communications between you or Wammel Group and Summus;
12. All Documents Concerning communications between you or Wammel Group and investors or potential investors in Summus;
13. All Documents Concerning agreements or contracts between you or Wammel Group and Summus;
14. Documents sufficient to identify the nature of your or Wammel Group relationship with Summus and all salary or other compensation you or Wammel Group have received from Summus from January 1, 2010 through present;
15. All Documents used or referred to by you or Wammel Group to calculate or determine any payments made to Summus;
16. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and between you or Wammel Group on the one hand and Summus on the other;
17. All Documents Concerning Communications between you or Wammel Group and Black Gold from January 1, 2008 through present;
18. All Documents Concerning Communications between you or Wammel Group and investors or potential investors in Black Gold from January 1, 2008 through present;
19. All Documents Concerning agreements or contracts between you or Wammel Group and Black Gold from January 1, 2008 through present;
20. Documents sufficient to identify the nature of your and/or Wammel Group's relationship with Black Gold and all salary or other compensation you and/or Wammel Group have received from Black Gold from January 1, 2008 through present;
21. All Documents used or referred to by you or Wammel Group to calculate or determine any payments made to Black Gold;
22. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and

between you or Wammel Group on the one hand and Black Gold on the other;

23. All Documents used or referred to by you or Wammel Group to calculate or determine the following values as set forth in the account statements for each investor, member, or limited partner (present or former) of Wammel Group LLC (see, e.g., Exhibit A attached hereto):
 - a. Capital Balance;
 - b. Available Disbursement;
 - c. Withdrawal Requested;
 - d. Deferred Disbursement;
 - e. Scheduled Disbursement;
 - f. Monthly Reinvested;
 - g. Payment Date;
 - h. Calculated Account Balance;
 - i. Beneficiary of Account;
 - j. Monthly Rate of Return;
 - k. Monthly Earnings;
 - l. Additional Investment Deposit;
 - m. Disbursed Earnings (YTD);
 - n. Reinvested Earnings;
 - o. Accumulated Account Balance;
 - p. The graph listing "Monthly Earnings", "Paid Monthly Earnings", and "Reinvested Monthly Earnings"; or
 - q. Any other data or values included on any account statements.
24. All Documents used or referred to by you or Wammel Group to calculate or determine any payments made to Bryant United; and
25. All Documents Concerning the terms, dates, principal balance, interest rate, escrow balance, or amount of monthly payments of any loans by and

between you or Wammel Group on the one hand and Bryant United or Thurman P. Bryant on the other.

**STATEMENT**

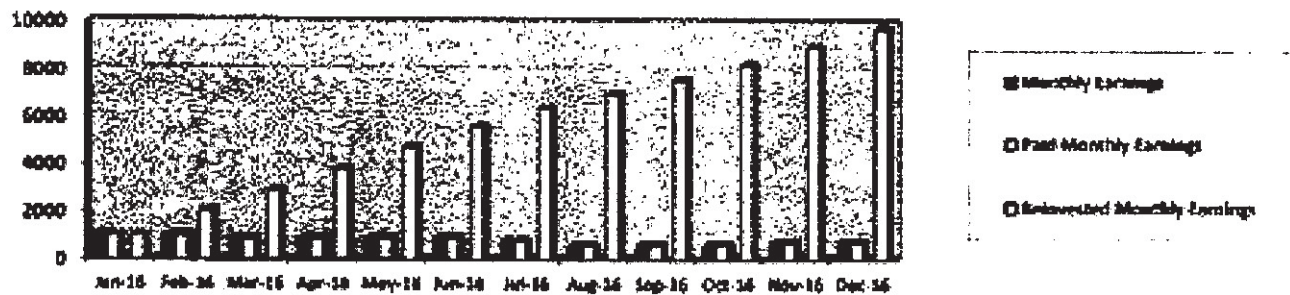
MEMBER - CANTALOPE
 STATEMENT DATE: DECEMBER 22, 2016
 STATEMENT TERM: NOV 21 - DEC 18, 2016

Wammel Group LLC
 3 Mariners Lane
 Kemah, TX 77565
 Phone 713.493.0555
 Fax 281.605.1881
 info@wammelgrp LLC.com

TO Brent Cantalope

Capital Balance	Available Disbursement	Withdrawal Requested	Deferred Disbursement	Scheduled Disbursement	Monthly Reinvested	Payment Date
\$50,000.00	\$760.00	\$0.00	\$0.00	\$760.00	\$0.00	12/23/2016

CALCULATED ACCOUNT BALANCE	BENEFICIARY OF ACCOUNT	MONTHLY RATE OF RETURN	MONTHLY EARNINGS
\$50,000.00 USD	Brent Cantalope	1.52%	\$760.00



ADDITIONAL INVESTMENT DEPOSIT	DISBURSED EARNINGS (YTD)	REINVESTED EARNINGS	ACCUMULATED ACCOUNT BALANCE
\$0.00	\$9,765.00	\$0.00	\$50,000.00

Messages/Notes:

Thank you!!

THANK YOU

Exhibit
A



U.S. Securities and Exchange Commission

Data Delivery Standards

This document describes the technical requirements for paper and electronic document productions to the U.S. Securities and Exchange Commission (SEC). ****Any questions or proposed file formats other than those described below must be discussed with the legal and technical staff of the SEC Division of Enforcement prior to submission.****

General Instructions.....	1
Delivery Formats.....	2
I. Concordance® Imaged Productions.....	2
1. Images	2
2. Concordance Image® or Opticon Cross-Reference File.....	2
3. Concordance® Data File.....	3
4. Text	3
5. Linked Native Files	3
II. Native File Productions without Load Files.....	3
III. Adobe PDF File Productions.....	3
IV. Audio Files	4
V. Video Files.....	4
VI. Electronic Trade and Bank Records	4
VII. Electronic Phone Records	4
VIII. Audit Workpapers	4

General Instructions

Electronic files must be produced in their native format, i.e. the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet. (Note: An Adobe PDF file is not considered a native file unless the document was initially created as a PDF.)

In the event produced files require the use of proprietary software not commonly found in the workplace, the SEC will explore other format options with the producing party.

The proposed use of file de-duplication methodologies or *computer-assisted review* or *technology-assisted review* (TAR) during the processing of documents must be discussed with and approved by the legal and technical staff of the Division of Enforcement (ENF). If your production will be de-duplicated it is vital that you 1) preserve any unique metadata associated with the duplicate files, for example, custodian name, and, 2) make that unique metadata part of your production to the SEC.

General requirements for ALL document productions are:

1. A cover letter should be included with each production and include the following:
 - a. A list of each piece of media included in the production with its unique production volume number
 - b. A list of custodians, identifying the Bates range for each custodian.
 - c. The time zone in which the emails were standardized during conversion.
2. Data can be produced on CD, DVD, thumb drive, etc., using the media requiring the least number of deliverables and labeled with the following:
 - a. Case number
 - b. Production date
 - c. Producing party
 - d. Bates range
3. All submissions must be organized by **custodian** unless otherwise instructed.
4. All document family groups, i.e. email attachments, embedded files, etc., should be produced together and children files should follow parent files sequentially in the Bates numbering.
5. All load-ready collections should include only one data load file and one image pointer file.
6. All load-ready text must be produced as separate text files.
7. All load-ready collections should account for custodians in the custodian field.
8. Audio files should be separated from data files if both are included in the production.
9. Only alphanumeric characters and the underscore character are permitted in file names and folder names. Special characters are not permitted.
10. All electronic productions submitted on media must be produced using industry standard self-extracting encryption software.
11. Electronic productions may be submitted via Secure File Transfer. The SEC cannot accept productions made using file sharing sites.
12. Productions containing BSA or SARs material must be delivered on encrypted physical media. The SEC cannot accept electronic transmission of BSA or SARs material. Any BSA or SARs material produced should be segregated and appropriately marked as BSA or SARs material, or should be produced separately from other case related material.
13. Passwords for electronic documents, files, compressed archives and encrypted media must be provided separately either via email or in a separate cover letter from the media.
14. All electronic productions should be produced free of computer viruses.
15. Additional technical descriptions can be found in the addendum to this document.

Please note that productions sent to the SEC via United States Postal Service are subject to Mail Irradiation, and as a result electronic productions may be damaged.

Delivery Formats

I. **Concordance® Imaged Productions**

The SEC prefers that all documents and data be produced in a structured format prepared for Concordance. All scanned paper and electronic file collections should be converted to TIFF files, Bates numbered, and include fully searchable text files.

1. **Images**
 - a. Black and white images must be 300 DPI Group IV single-page TIFF files.
 - b. Color images must be produced in JPEG format.
 - c. File names cannot contain embedded spaces or special characters (including the comma).
 - d. Folder names cannot contain embedded spaces or special characters (including the comma).
 - e. All TIFF image files must have a unique file name, i.e. Bates number.
 - f. Images must be endorsed with sequential Bates numbers in the lower right corner of each image.
 - g. The number of TIFF files per folder should not exceed 500 files.
 - h. Excel spreadsheets should have a placeholder image named by the Bates number of the file.
 - i. AUTOCAD/photograph files should be produced as a single page JPEG file.

2. Concordance Image® OR Opticon Cross-Reference File

The image cross-reference file (.LOG or .OPT) links the images to the database records. It should be a comma-delimited file consisting of seven fields per line with a line in the cross-reference file for every image in the database with the following format:

ImageID, VolumeLabel, ImageFilePath, DocumentBreak, FolderBreak, BoxBreak, PageCount

3. Concordance® Data File

The data file (.DAT) contains all of the fielded information that will be loaded into the *Concordance®* database.

- a. The first line of the .DAT file must be a header row identifying the field names.
- b. The .DAT file must use the following *Concordance®* default delimiters:
 - Comma ¶ ASCII character (020)
 - Quote ¢ ASCII character (254)
- c. Date fields should be provided in the format: mm/dd/yyyy
- d. Date and time fields must be two separate fields.
- e. If the production includes imaged emails and attachments, the attachment fields must be included to preserve the parent/child relationship between an email and its attachments.
- f. An OCRPATH field must be included to provide the file path and name of the extracted text file on the produced storage media. The text file must be named after the FIRSTBATES. Do not include the text in the .DAT file.
- g. For productions with native files, a LINK field must be included to provide the file path and name of the native file on the produced storage media. The native file must be named after the FIRSTBATES.
- h. BEGATTACH and ENDATTACH fields must be two separate fields.
- i. A complete list of metadata fields is available in **Addendum A** to this document.

4. Text

Text must be produced as separate text files, not as fields within the .DAT file. The full path to the text file (OCRPATH) should be included in the .DAT file. We require document level ANSI text files, named per the FIRSTBATES/Image Key. Please note in the cover letter if any non-ANSI text files are included in the production. Extracted text files must be in a separate folder, and the number of text files per folder should not exceed 1,000 files. There should be no special characters (including commas in the folder names). For redacted documents, provide the full text for the redacted version.

5. Linked Native Files

Copies of original email and native file documents/attachments must be included for all electronic productions.

- a. Native file documents must be named per the FIRSTBATES number.
- b. The full path of the native file must be provided in the .DAT file for the LINK field.
- c. The number of native files per folder should not exceed 1,000 files.

II. Native File Production without Load Files

With prior approval, native files may be produced without load files. The native files must be produced as they are maintained in the normal course of business and organized by custodian-named file folders. When approved, Outlook (.PST) and Lotus Notes (.NSF) email files may be produced in native file format. A separate folder should be provided for each custodian.

III. Adobe PDF File Production

With prior approval, Adobe PDF files may be produced in native file format.

1. PDF files should be produced in separate folders named by the custodian. The folders should not contain any special characters (including commas).
2. All PDFs must be unitized at the document level, i.e., each PDF must represent a discrete document.
3. All PDF files must contain embedded text that includes all discernible words within the document, not selected text or image only. This requires all layers of the PDF to be flattened first.
4. If PDF files are Bates endorsed, the PDF files must be named by the Bates range.

IV. Audio Files

Audio files from telephone recording systems must be produced in a format that is playable using Microsoft Windows Media Player™. Additionally, the call information (metadata) related to each audio recording MUST be provided. The metadata file must be produced in a delimited text format. Field names must be included in the first row of the text file.

The metadata must include, at a minimum, the following fields:

- 1) Caller Name: Caller's name or account/identification number
- 2) Originating Number: Caller's phone number
- 3) Called Party Name: Called party's name
- 4) Terminating Number: Called party's phone number
- 5) Date: Date of call
- 6) Time: Time of call
- 7) Filename: Filename of audio file

V. Video Files

Video files must be produced in a format that is playable using Microsoft Windows Media Player™.

VI. Electronic Trade and Bank Records

When producing electronic trade and bank records, provide the files in one of the following formats:

1. MS Excel spreadsheet with header information detailing the field structure. If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details.
2. Delimited text file with header information detailing the field structure. The preferred delimiter is a vertical bar "|". If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details.

VII. Electronic Phone Records

When producing electronic phone records, provide the files in the following format:

1. MS Excel spreadsheet with header information detailing the field structure. If any special codes exist in the dataset, a separate document must be provided that details all such codes. If details of the field structure do not fit in the header, a separate document must be provided that includes such details. Data must be formatted in its native format (i.e. dates in a date format, numbers in an appropriate numerical format, and numbers with leading zeroes as text).
 - a. The metadata that must be included is outlined in **Addendum B** of this document. Each field of data must be loaded into a separate column. For example, Date and Start_Time must be produced in separate columns and not combined into a single column containing both pieces of information. Any fields of data that are provided in addition to those listed in **Addendum B** must also be loaded into separate columns.

VIII. Audit Workpapers

The SEC prefers for workpapers to be produced in two formats: (1) With Bates numbers in accordance with the SEC Data Delivery Standards; and (2) in native format or if proprietary software was used, on a standalone laptop with the appropriate software loaded so that the workpapers may be reviewed as they would have been maintained in the ordinary course of business. When possible, the laptop should be configured to enable a Virtual Machine (VM) environment.

ADDENDUM A

The metadata of electronic document collections should be extracted and provided in a .DAT file using the field definition and formatting described below:

Field Name	Sample Data	Description
FIRSTBATES	EDC0000001	First Bates number of native file document/email
LASTBATES	EDC0000001	Last Bates number of native file document/email **The LASTBATES field should be populated for single page documents/emails.
ATTACHRANGE	EDC0000001 - EDC0000015	Bates number of the first page of the parent document to the Bates number of the last page of the last attachment "child" document
BEGATTACH	EDC0000001	First Bates number of attachment range
ENDATTACH	EDC0000015	Last Bates number of attachment range
PARENT_BATES	EDC0000001	First Bates number of parent document/Email **This PARENT_BATES field should be populated in each record representing an attachment "child" document
CHILD_BATES	EDC0000002; EDC0000014	First Bates number of "child" attachment(s); can be more than one Bates number listed depending on the number of attachments **The CHILD_BATES field should be populated in each record representing a "parent" document
CUSTODIAN	Smith, John	Email: Mailbox where the email resided Native: Name of the individual or department from whose files the document originated
FROM	John Smith	Email: Sender Native: Author(s) of document **semi-colon should be used to separate multiple entries
TO	Coffman, Janice; LeeW [mailto:LeeW@MSN.com]	Recipient(s) **semi-colon should be used to separate multiple entries
CC	Frank Thompson [mailto:frank_Thompson@cdt.com]	Carbon copy recipient(s) **semi-colon should be used to separate multiple entries
BCC	John Cain	Blind carbon copy recipient(s) **semi-colon should be used to separate multiple entries
SUBJECT	Board Meeting Minutes	Email: Subject line of the email Native: Title of document (if available)
FILE_NAME	BoardMeetingMinutes.docx	Native: Name of the original native file, including extension
DATE_SENT	10/12/2010	Email: Date the email was sent Native: (empty)
TIME_SENT/TIME_ZONE	07:05 PM GMT	Email: Time the email was sent/ Time zone in which the emails were standardized during conversion. Native: (empty) **This data must be a separate field and cannot be combined with the DATE_SENT field
TIME_ZONE	GMT	The time zone in which the emails were standardized during conversion. Email: Time zone Native: (empty)

U.S. Securities and Exchange Commission
Data Delivery Standards

LINK	D:\001\EDC0000001.msg	Hyperlink to the email or native file document **The linked file must be named per the FIRSTBATES number
MIME_TYPE	MSG	The content type of an Email or native file document as identified/extracted from the header
FILE_EXTEN	MSG	The file type extension representing the Email or native file document; will vary depending on the email format
AUTHOR	John Smith	Email: (empty) Native: Author of the document
DATE_CREATED	10/10/2010	Email: (empty) Native: Date the document was created
TIME_CREATED	10:25 AM	Email: (empty) Native: Time the document was created **This data must be a separate field and cannot be combined with the DATE_CREATED field
DATE_MOD	10/12/2010	Email: (empty) Native: Date the document was last modified
TIME_MOD	07:00 PM	Email: (empty) Native: Time the document was last modified **This data must be a separate field and cannot be combined with the DATE_MOD field
DATE_ACCESSD	10/12/2010	Email: (empty) Native: Date the document was last accessed
TIME_ACCESSD	07:00 PM	Email: (empty) Native: Time the document was last accessed **This data must be a separate field and cannot be combined with the DATE_ACCESSD field
PRINTED_DATE	10/12/2010	Email: (empty) Native: Date the document was last printed
FILE_SIZE	5,952	Size of native file document/email in KB
PGCOUNT	1	Number of pages in native file document/email
PATH	J:\Shared\SmithJ\October Agenda.doc	Email: (empty) Native: Path where native file document was stored including original file name.
INTFILEPATH	Personal Folders\Deleted Items\Board Meeting Minutes.msg	Email: original location of email including original file name. Native: (empty)
INTMSGID	<000805c2c71b\$75977050\$cb8306d1@MSN>	Email: Unique Message ID Native: (empty)
MD5HASH	d131dd02c5e6eec4693d9a0698aff95c2fcab58712467eab4004583eb8fb7f89	MD5 Hash value of the document.
OCRPATH	TEXT/001/EDC0000001.txt	Path to extracted text of the native file

Sample Image Cross-Reference File:

```

IMG0000001,,E:\001\IMG0000001.TIF,Y,,,
IMG0000002,,E:\001\IMG0000002.TIF,,,,
IMG0000003,,E:\001\IMG0000003.TIF,,,,
IMG0000004,,E:\001\IMG0000004.TIF,Y,,,
IMG0000005,,E:\001\IMG0000005.TIF,Y,,,
IMG0000006,,E:\001\IMG0000006.TIF,,,,

```

ADDENDUM B

For Electronic Phone Records, include the following fields in separate columns:

For Calls:

- 1) Account Number
- 2) Connection Date – Date the call was received or made
- 3) Connection Time – Time call was received or made
- 4) Seizure Time – Time it took for the call to be placed in seconds
- 5) Originating Number – Phone that placed the call
- 6) Terminating Number – Phone that received the call
- 7) Elapsed Time – The length of time the call lasted, preferably in seconds
- 8) End Time – The time the call ended
- 9) Number Dialed – Actual number dialed
- 10) IMEI Originating – Unique id to phone used to make call
- 11) IMEI Terminating– Unique id to phone used to receive call
- 12) IMSI Originating – Unique id to phone used to make call
- 13) IMSI Terminating- Unique id to phone used to receive call
- 14) Call Codes – Identify call direction or other routing information
- 15) Time Zone – Time Zone in which the call was received or placed, if applicable

For Text messages:

- 1) Account Number
- 2) Connection Date -- Date the text was received or made
- 3) Connection Time – Time text was received or made
- 4) Originating Number – Who placed the text
- 5) Terminating Number – Who received the text
- 6) IMEI Originating -- Unique id to phone used to make text
- 7) IMEI Terminating-- Unique id to phone used to receive text
- 8) IMSI Originating - Unique id to phone used to make text
- 9) IMSI Terminating- Unique id to phone used to receive text
- 10) Text Code -- Identify text direction, or other text routing information
- 11) Text Type Code – Type of text message (sent SMS, MMS, or other)
- 12) Time Zone – Time Zone in which the call was received or placed, if applicable

For Mobile Data Usage:

- 1) Account Number
- 2) Connection Date – Date the data was received or made
- 3) Connection Time – Time data was received or made
- 4) Originating number – Number that used data
- 5) IMEI Originating – Unique id of phone that used data
- 6) IMSI Originating - Unique id of phone that used data
- 7) Data or Data codes – Identify data direction, or other data routing information
- 8) Time Zone -- Time Zone in which the call was received or placed, if applicable

SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

**Supplemental Information for Persons Requested to Supply
Information Voluntarily or Directed to Supply Information
Pursuant to a Commission Subpoena**

A. False Statements and Documents

Section 1001 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

[W]hoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully--

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

Section 1519 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States . . . , or in relation to or contemplation of any such matter.

B. Testimony

If your testimony is taken, you should be aware of the following:

1. *Record.* Your testimony will be transcribed by a reporter. If you desire to go off the record, please indicate this to the Commission employee taking your testimony, who will determine whether to grant your request. The reporter will not go off the record at your, or your counsel's, direction.
2. *Counsel.* You have the right to be accompanied, represented and advised by counsel of your choice. Your counsel may advise you before, during and after your testimony; question you briefly at the conclusion of your testimony to clarify any of the answers you give during testimony; and make summary notes during your testimony solely for your use. If you are accompanied by counsel, you may consult privately.

If you are not accompanied by counsel, please advise the Commission employee taking your testimony if, during the testimony, you desire to be accompanied, represented and advised by counsel. Your testimony will be adjourned once to afford you the opportunity to arrange to be so accompanied, represented or advised.

You may be represented by counsel who also represents other persons involved in the Commission's investigation. This multiple representation, however, presents a potential conflict of interest if one client's interests are or may be adverse to another's. If you are represented by counsel who also represents other persons involved in the investigation, the Commission will assume that you and counsel have discussed and resolved all issues concerning possible conflicts of interest. The choice of counsel, and the responsibility for that choice, is yours.

3. *Transcript Availability.* Rule 6 of the Commission's Rules Relating to Investigations, 17 CFR 203.6, states:

A person who has submitted documentary evidence or testimony in a formal investigative proceeding shall be entitled, upon written request, to procure a copy of his documentary evidence or a transcript of his testimony on payment of the appropriate fees: *Provided, however,* That in a nonpublic formal investigative proceeding the Commission may for good cause deny such request. In any event, any witness, upon proper identification, shall have the right to inspect the official transcript of the witness' own testimony.

If you wish to purchase a copy of the transcript of your testimony, the reporter will provide you with a copy of the appropriate form. Persons requested to supply information voluntarily will be allowed the rights provided by this rule.

4. *Perjury.* Section 1621 of Title 18 of the United States Code provides that fines and terms of imprisonment may be imposed upon:

Whoever--

- (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify

truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true.

5. *Fifth Amendment and Voluntary Testimony.* Information you give may be used against you in any federal, state, local or foreign administrative, civil or criminal proceeding brought by the Commission or any other agency.

You may refuse, in accordance with the rights guaranteed to you by the Fifth Amendment to the Constitution of the United States, to give any information that may tend to incriminate you.

If your testimony is not pursuant to subpoena, your appearance to testify is voluntary, you need not answer any question, and you may leave whenever you wish. Your cooperation is, however, appreciated.

6. *Formal Order Availability.* If the Commission has issued a formal order of investigation, it will be shown to you during your testimony, at your request. If you desire a copy of the formal order, please make your request in writing.

C. Submissions and Settlements

Rule 5(c) of the Commission's Rules on Informal and Other Procedures, 17 CFR 202.5(c), states:

Persons who become involved in . . . investigations may, on their own initiative, submit a written statement to the Commission setting forth their interests and position in regard to the subject matter of the investigation. Upon request, the staff, in its discretion, may advise such persons of the general nature of the investigation, including the indicated violations as they pertain to them, and the amount of time that may be available for preparing and submitting a statement prior to the presentation of a staff recommendation to the Commission for the commencement of an administrative or injunction proceeding. Submissions by interested persons should be forwarded to the appropriate Division Director or Regional Director with a copy to the staff members conducting the investigation and should be clearly referenced to the specific investigation to which they relate. In the event a recommendation for the commencement of an enforcement proceeding is presented by the staff, any submissions by interested persons will be forwarded to the Commission in conjunction with the staff memorandum.

The staff of the Commission routinely seeks to introduce submissions made pursuant to Rule 5(c) as evidence in Commission enforcement proceedings, when the staff deems appropriate.

Rule 5(f) of the Commission's Rules on Informal and Other Procedures, 17 CFR 202.5(f), states:

In the course of the Commission's investigations, civil lawsuits, and administrative proceedings, the staff, with appropriate authorization, may discuss with persons involved the disposition of such matters by consent, by settlement, or in some other manner. It is the policy of the Commission, however, that the disposition of any such matter may not, expressly or impliedly, extend to any criminal charges that have been, or may be, brought against any such person or any recommendation with respect thereto. Accordingly, any person involved in an enforcement matter before the Commission who consents, or agrees to consent, to any judgment or order does so solely for the purpose of resolving the claims against him in that investigative, civil, or administrative matter and not for the purpose of resolving any criminal charges that have been, or might be, brought against him. This policy reflects the fact that neither the Commission nor its staff has the authority or responsibility for instituting, conducting, settling, or otherwise disposing of criminal proceedings. That authority and responsibility are vested in the Attorney General and representatives of the Department of Justice.

D. Freedom of Information Act

The Freedom of Information Act, 5 U.S.C. 552 (the "FOIA"), generally provides for disclosure of information to the public. Rule 83 of the Commission's Rules on Information and Requests, 17 CFR 200.83, provides a procedure by which a person can make a written request that information submitted to the Commission not be disclosed under the FOIA. That rule states that no determination as to the validity of such a request will be made until a request for disclosure of the information under the FOIA is received. Accordingly, no response to a request that information not be disclosed under the FOIA is necessary or will be given until a request for disclosure under the FOIA is received. If you desire an acknowledgment of receipt of your written request that information not be disclosed under the FOIA, please provide a duplicate request, together with a stamped, self-addressed envelope.

E. Authority for Solicitation of Information

Persons Directed to Supply Information Pursuant to Subpoena. The authority for requiring production of information is set forth in the subpoena. Disclosure of the information to the Commission is mandatory, subject to the valid assertion of any legal right or privilege you might have.

Persons Requested to Supply Information Voluntarily. One or more of the following provisions authorizes the Commission to solicit the information requested: Sections 19 and/or 20 of the Securities Act of 1933; Section 21 of the Securities Exchange Act of 1934; Section 321 of the Trust Indenture Act of 1939; Section 42 of the Investment Company Act of 1940; Section 209 of the Investment Advisers Act of 1940; and 17 CFR 202.5. Disclosure of the requested information to the Commission is voluntary on your part.

F. Effect of Not Supplying Information

Persons Directed to Supply Information Pursuant to Subpoena. If you fail to comply with the subpoena, the Commission may seek a court order requiring you to do so. If such an order is obtained and you thereafter fail to supply the information, you may be subject to civil and/or criminal sanctions for contempt of court. In addition, Section 21(c) of the Securities Exchange Act of 1934, Section 42(c) of the Investment Company Act of 1940, and Section 209(c) of the Investment Advisers Act of 1940 provide that fines and terms of imprisonment may be imposed upon any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry, or to produce books, papers, correspondence, memoranda, and other records in compliance with the subpoena.

Persons Requested to Supply Information Voluntarily. There are no direct sanctions and thus no direct effects for failing to provide all or any part of the requested information.

G. Principal Uses of Information

The Commission's principal purpose in soliciting the information is to gather facts in order to determine whether any person has violated, is violating, or is about to violate any provision of the federal securities laws or rules for which the Commission has enforcement authority, such as rules of securities exchanges and the rules of the Municipal Securities Rulemaking Board. Facts developed may, however, constitute violations of other laws or rules. Information provided may be used in Commission and other agency enforcement proceedings. Unless the Commission or its staff explicitly agrees to the contrary in writing, you should not assume that the Commission or its staff acquiesces in, accedes to, or concurs or agrees with, any position, condition, request, reservation of right, understanding, or any other statement that purports, or may be deemed, to be or to reflect a limitation upon the Commission's receipt, use, disposition, transfer, or retention, in accordance with applicable law, of information provided.

H. Routine Uses of Information

The Commission often makes its files available to other governmental agencies, particularly United States Attorneys and state prosecutors. There is a likelihood that information supplied by you will be made available to such agencies where appropriate. Whether or not the Commission makes its files available to other governmental agencies is, in general, a confidential matter between the Commission and such other governmental agencies.

Set forth below is a list of the routine uses which may be made of the information furnished.

1. To appropriate agencies, entities, and persons when (a) it is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the SEC has determined that, as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the SEC or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the SEC's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.
2. To other federal, state, local, or foreign law enforcement agencies; securities self-regulatory organizations; and foreign financial regulatory authorities to assist in or coordinate regulatory or law enforcement activities with the SEC.
3. To national securities exchanges and national securities associations that are registered with the SEC, the Municipal Securities Rulemaking Board; the Securities Investor Protection Corporation; the Public Company Accounting Oversight Board; the federal banking authorities, including, but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation; state securities regulatory agencies or organizations; or regulatory authorities of a foreign government in connection with their regulatory or enforcement responsibilities.
4. By SEC personnel for purposes of investigating possible violations of, or to conduct investigations authorized by, the federal securities laws.
5. In any proceeding where the federal securities laws are in issue or in which the Commission, or past or present members of its staff, is a party or otherwise involved in an official capacity.

6. In connection with proceedings by the Commission pursuant to Rule 102(e) of its Rules of Practice, 17 CFR 201.102(e).
7. To a bar association, state accountancy board, or other federal, state, local, or foreign licensing or oversight authority; or professional association or self-regulatory authority to the extent that it performs similar functions (including the Public Company Accounting Oversight Board) for investigations or possible disciplinary action.
8. To a federal, state, local, tribal, foreign, or international agency, if necessary to obtain information relevant to the SEC's decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit.
9. To a federal, state, local, tribal, foreign, or international agency in response to its request for information concerning the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
10. To produce summary descriptive statistics and analytical studies, as a data source for management information, in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be used to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act.
11. To any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the federal securities laws (as defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)) or pursuant to the Commission's Rules of Practice, 17 CFR 201.100 – 900 or the Commission's Rules of Fair Fund and Disgorgement Plans, 17 CFR 201.1100-1106, or otherwise, where such trustee, receiver, master, special counsel, or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the federal securities laws or the Commission's Rules of Practice or the Rules of Fair Fund and Disgorgement Plans.
12. To any persons during the course of any inquiry, examination, or investigation conducted by the SEC's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.
13. To interns, grantees, experts, contractors, and others who have been engaged by the Commission to assist in the performance of a service related to this system of records and who need access to the records for the purpose of assisting the Commission in the efficient administration of its programs, including by performing clerical, stenographic, or data analysis functions, or by reproduction of records by electronic or other means. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a.
14. In reports published by the Commission pursuant to authority granted in the federal securities laws (as such term is defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)), which authority shall include, but not be limited to, section 21(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(a)).
15. To members of advisory committees that are created by the Commission or by Congress to render advice and recommendations to the Commission or to Congress, to be used solely in connection with their official designated functions.
16. To any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 200.735-1 to 200.735-18, and who assists in the investigation by the Commission of possible violations of the federal securities laws (as such term is defined in section 3(a)(47) of the Securities Exchange Act of 1934, 15 U.S.C. 78c(a)(47)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the federal securities laws.
17. To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.
18. To members of Congress, the press, and the public in response to inquiries relating to particular Registrants and their activities, and other matters under the Commission's jurisdiction.
19. To prepare and publish information relating to violations of the federal securities laws as provided in 15 U.S.C. 78c(a)(47)), as amended.
20. To respond to subpoenas in any litigation or other proceeding.
21. To a trustee in bankruptcy.

22. To any governmental agency, governmental or private collection agent, consumer reporting agency or commercial reporting agency, governmental or private employer of a debtor, or any other person, for collection, including collection by administrative offset, federal salary offset, tax refund offset, or administrative wage garnishment, of amounts owed as a result of Commission civil or administrative proceedings.

* * * * *

Small Business Owners: The SEC always welcomes comments on how it can better assist small businesses. If you would like more information, or have questions or comments about federal securities regulations as they affect small businesses, please contact the Office of Small Business Policy, in the SEC's Division of Corporation Finance, at 202-551-3460. If you would prefer to comment to someone outside of the SEC, you can contact the Small Business Regulatory Enforcement Ombudsman at <http://www.sba.gov/ombudsman> or toll free at 888-REG-FAIR. The Ombudsman's office receives comments from small businesses and annually evaluates federal agency enforcement activities for their responsiveness to the special needs of small business.

BACKGROUND QUESTIONNAIRE

Please respond to the following questions in the space provided. If you need additional space for any response, you may attach additional pieces of paper.

Today's date: _____

1. What is your full name?

2. Have you ever been known by any other name? Yes __ No __

If yes, list each such name and the period(s) in which you were known by that name.

3. Date and Place of Birth?

4. Country of Citizenship?

5. Marital Status? Married __ Divorced __ Single __

If you have ever been married, state for each marriage: (i) the date(s) of the marriage; (ii) the name of your spouse; (iii) your spouse's birth name, if different; (iv) your spouse's age; and (v) your spouse's occupation.

6. List the names, ages and occupations of your children, if any.

7. List all residences you occupied at any time during the last [three] years, including vacation homes, beginning with your current residence. For each residence, state the address, dates of residence, and all telephone numbers (including facsimile numbers) listed at that address.

Background Questionnaire

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8. List all telephone numbers and telecommunication services that were in your name or that you regularly used at any time during the last [three] years. Include all residential, business, cellular, credit card, and VOIP telephone numbers, including those listed in your response to question 7, and services such as GoogleVoice, Skype, video conference services. For each telephone number, state the name(s) of the corresponding carrier(s) (*e.g.*, AT&T, Verizon, Vonage, Skype, etc.).

9. List the universal resource locator (URL) for all websites or blogs that you established or for which you had the authority to control content, at any time during the last [three] years. For each website, state the name(s) of the domain name registrar (*e.g.* GoDaddy) through which the URL was obtained, the name(s) of all individuals or entities who provided web site hosting or design services, whether the website contained primarily business or personal information, and the time period in which it was active.

10. List all electronic mail addresses and social networking accounts (*e.g.* Facebook, LinkedIn, Twitter, Instagram, Flickr, and Google+) that were in your name or that you regularly used at any time during the last [three] years. Include all personal, business and shared electronic mail addresses and social networking accounts. For each electronic mail address and social networking account, state the name(s) of the corresponding internet service provider(s) (*e.g.*, Google, Yahoo, AOL, or your employer), whether the address was used primarily for business or personal correspondence, and the time period in which it was active.

11. List all usernames for instant messaging and similar electronic communication services (including, but not limited to, Bloomberg, Skype, whatsapp), other than those listed in your response to questions 8 through 10, that were in your name or that you regularly used at any time during the last [three] years. Include all personal, business and shared addresses. For each username, state the name(s) of the communication service provider (*e.g.*, Google, AOL, etc.), whether the address was used primarily for business or

Background Questionnaire

Page 3

personal correspondence, the time period in which it was active, and the name of the software application(s) (e.g., GTalk, ICQ, MSN Messenger) you used to access it.

12. List all internet message boards or discussion forums (including, but not limited to, Money Maker Group, PNQI Message Board, Investors Hub Daily) of which you were a member or on which you posted any messages at any time during the last [three] years. For each message board or discussion forum, state the service provider and your member name or identification information.

PUBLICLY-HELD COMPANIES

13. Are you now, or have you ever been, an officer or director of any publicly-held company? Yes ☐ No ☐

If yes, identify each such company, its CUSIP, and any exchange on which it is or was listed, and state your positions (including membership on any Board or management committees) and the dates you held each position.

14. Are you now, or have you ever been, a beneficial owner, directly or indirectly, of five per cent or more of any class of equity securities of any publicly held company? Yes ☐ No ☐

If yes, identify each such company, its CUSIP, and any exchange on which it is or was listed, and state the amount, percentage, and dates of your ownership.

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Page 4

PRIVATELY-HELD COMPANIES

15. Are you now, or have you ever been, a beneficial owner, directly or indirectly, of any privately-held company (*i.e.*, corporation, partnership, limited liability company or other corporate form)? Yes__ No__

If yes, identify each such company, including address and other contact information, and state your positions and the dates you held each position.

16. Are you now, or have you ever been, a manager or a member of any privately-held company (*i.e.*, corporation, partnership, limited liability company or other corporate form)? Yes__ No__

If yes, identify each such company, including address and other contact information, and state your positions and the dates you held each position.

SECURITIES ACCOUNTS

17. List all securities or brokerage accounts that you have held in your name, individually or jointly, at any time during the last [three] years. Include all foreign accounts. For each such account, identify: (i) the brokerage firm; (ii) the location of the branch where your account is or was held; (iii) your broker; (iv) the type of account (*i.e.*, cash, margin or IRA); (v) the account number; and (vi) whether any person has ever held discretionary authority or power of attorney over the account; if so, name such person(s).

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18. List all securities or brokerage accounts (including foreign accounts), other than those listed in your answer to question 17, in which you had any direct or indirect beneficial interest at any time during the last [three] years. For each such account, provide the information requested by question 17.

19. List all securities or brokerage accounts (including foreign accounts), other than those listed in your answer to question 17 or 18, over which you had any control at any time during the last [three] years. For each such account, provide the information requested by question 17.

BANK ACCOUNTS

20. List all accounts you have held in your name at any financial institution (*i.e.*, bank, thrift, or credit union) at any time during the last [three] years. Include all foreign accounts. For each such account, identify: (i) the financial institution; (ii) the address of the branch at which your account is or was held; (iii) the type of account (*i.e.*, checking, savings, money market or IRA); (iv) the account number; and (v) whether any person has ever had discretionary authority or power of attorney over the account; if so, name such person(s).

21. List all accounts at financial institutions (including foreign accounts), other than those listed in your answer to question 20, in which you had any direct or indirect beneficial interest at any time during the last [three] years. For each such account, provide the information requested by question 20.

Background Questionnaire
Page 6

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22. List all accounts at financial institutions (including foreign accounts), other than those listed in your answer to question 20 or 21, over which you had any control at any time during the last [three] years. For each such account, provide the information requested by question 20.

-
-
-
-
23. List any other accounts (including foreign accounts), other than those listed in your answers to questions 20 through 22, that were held in your name, in which you had any direct or indirect beneficial interest, or over which you had any control, that you have used to transfer funds in the last [three] years, including, but not limited to, PayPal accounts. For each such account, provide the information requested by question 20.
-
-
-

PRIOR PROCEEDINGS

24. Have you ever testified in any proceeding conducted by the staff of the Securities and Exchange Commission, a U.S. or foreign federal or state agency, a U.S. or foreign federal or state court, a stock exchange, the Financial Industry Regulatory Authority ("FINRA") or any other self-regulatory organization ("SRO"), or in any arbitration proceeding related to securities transactions? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the organization or agency; and (iii) the date(s) on which you testified.

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25. Have you ever been deposed in connection with any court proceeding? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding, and (ii) the date(s) on which you were deposed.

26. Have you ever been named as a defendant or respondent in any action or proceeding brought by the SEC, any other U.S. or foreign federal agency, a state securities agency, FINRA, an SRO, or any exchange? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the agency or tribunal; (iii) the substance of the allegations; (iv) the outcome of the proceeding; and (v) the date of the outcome.

27. Have you ever been a defendant in any action (other than those listed in response to question 26) alleging violations of the federal securities laws? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the court or tribunal; (iii) the outcome of the proceeding; and (iv) the date of the outcome.

28. Have you ever been a defendant in any criminal proceeding other than one involving a minor traffic offense? Yes ☐ No ☐

If yes, for each such proceeding, identify: (i) the title of the proceeding; (ii) the court or tribunal; (iii) the outcome of the proceeding; and (iv) the date of the outcome.

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EDUCATIONAL HISTORY

29. Provide the requested information about each educational institution that you have attended, beginning with the most recent and working backward to the date that you completed high school.

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

Name of School			
City	State	Country	Zip Code
Dates of Attendance: Month/Year to Month/Year		Degree/Major	Month/Year of Degree

30. Other than courses taken in connection with institutions listed in response to question 29, list any securities, accounting or business related courses taken since high school. For each such course, identify the date that the course was completed and the name of the institution or organization that offered the course.

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PROFESSIONAL LICENSES/CLUBS

31. Do you hold, or have you ever held, any professional license? Yes__ No __

If yes, for each such license, identify: (i) the license number or attorney bar number; (ii) the licensing organization; (iii) the date the license was awarded; (iv) the date such license terminated, if applicable; (v) the date(s) of any disciplinary proceeding(s) against you; and (vi) the outcome of any such disciplinary proceeding (*e.g.*, reprimand, suspension, revocation).

32. Are you, or have you ever been, a member of any professional or business club or organization? Yes __ No __

If yes, list for each: (i) the name of the club or organization; (ii) its address; (iii) the date(s) of your membership; and (iv) service in any governance roles (*e.g.*, board member, committee member, etc.) including title and dates of service.

33. Are you, or have you been in the last [three] years, a member of any social clubs, charities or nonprofit organizations? Yes __ No __

If yes, list for each: (i) the name of the social club, charity or nonprofit organization; (ii) its address; (iii) the date(s) of your membership; and (iv) service in any governance roles (*e.g.*, board member, committee member, etc.) including title and dates of service..

EMPLOYMENT HISTORY

34. Are you, or have you ever been, an employee of a broker, dealer, investment adviser, investment company, municipal securities dealer, municipal advisor, transfer agent, or

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nationally recognized statistical rating organization? Yes ____ No ____

If yes, list for each: (i) the jurisdiction of the entity; (ii) your CRD number; (iii) the entity's CRD number; (iv) the entity's SEC File number; (v) the entity's CUSIP number; and (vi) any foreign registration information similar to the foregoing.

35. State your employment activities, beginning with the present and working backward to the date that you completed high school and attach a recent copy of your resume or curriculum vitae.

Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor

Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor
Title	Dates of Employment		Supervisor

Background Questionnaire

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Employer's Name/Self-Employment			
Employer's Street Address			Telephone Number
City	State	Country	Zip Code
Title	Dates of Employment	Supervisor	
Title	Dates of Employment	Supervisor	
Title	Dates of Employment	Supervisor	
Title	Dates of Employment	Supervisor	

CONTINUE ON ADDITIONAL SHEETS IF NECESSARY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

v.

**THURMAN P. BRYANT, III and
BRYANT UNITED CAPITAL FUNDING, INC.**

Defendants,

**ARTHUR F. WAMMEL,
WAMMEL GROUP, LLC
THURMAN P. BRYANT, JR.,
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

Relief Defendants.

Civil Action No.:

4:17-CV-00336-ALM

RELIEF DEFENDANTS' OFFER OF JUDGMENT

TO THE HONORABLE AMOS L. MAZZANT, III, UNITED STATES DISTRICT JUDGE:

Relief Defendants, Arthur F. Wammel and Wammel Group, LLC, make the following offer of judgment to Plaintiff Securities and Exchange Commission, as authorized by Federal Rule of Civil Procedure 68.

INTRODUCTION

1. Plaintiff/Offeree is the Securities and Exchange Commission.
2. Relief Defendants/Offerors are Arthur F. Wammel and Wammel Group, LLC.
3. Relief Defendants make this offer of judgment more than 14 days before this case is set for trial *See* FED. R. CIV. P. 68. In making this offer, Defendants are in no way admitting



wrongdoing or acknowledging liability. This offer is made solely in the interest of encouraging the amicable settlement of this dispute.

OFFER OF JUDGMENT

4. Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Relief Defendants hereby offer to allow judgment to be taken against them by Plaintiff in the lump-sum amount of \$400,000.00, which includes all costs and attorneys' fees. Plaintiff shall not recover any attorneys' fees or costs separate from this offer.

5. This offer is unconditional.

DEADLINE TO ACCEPT

6. This offer of judgment will remain open and irrevocable for 14 days after its service.

7. If Plaintiff has not responded within 14 days after service, the offer is deemed withdrawn.

DATED: May 26, 2017.

Respectfully submitted,

KELLY, HART & HALLMAN, LLP

/s/ Toby M. Galloway
TOBY M. GALLOWAY
State Bar No. 00790733
201 Main Street, Suite 2500
Fort Worth, TX 76102
Phone: (817) 332-2500
Fax: (817) 878-9280
Email: toby.galloway@kellyhart.com

ARDOINLAW, PLLC

/s/ James Ardoin
JAMES ARDOIN
State Bar No. 24045420
2118 Smith St., Suite 200
Houston, TX 77002
Phone: (713) 574-8900
Fax: (713) 574-1404
Email: jimmy@ardoinlawpllc.com

Attorneys for Defendants
ARTHUR F. WAMMEL and
WAMMEL GROUP, LLC

CERTIFICATE OF SERVICE

I certify that on May 26, 2017 this document was via email on the Plaintiff Securities and Exchange Commission as follows:

Jason P. Reinsch
Jessica B. Magee
United States Securities and Exchange Commission
Fort Worth Regional Office
Burnett Plaza, Suite 1900
801 Cherry Street, Unit #18
Fort Worth, TX 76102-6882

reinschj@sec.gov
mageej@sec.gov

/s/ James Ardoin
JAMES ARDOIN

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff,

v.

Civil Action No.: 4:17-cv-00336-ALM

**THURMAN P. BRYANT, III,
BRYANT UNITED CAPITAL FUNDING, INC.
ARTHUR F. WAMMEL, and
WAMMEL GROUP, LLC**

Defendants,

**THURMAN P. BRYANT, JR., and
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

Relief Defendants.

CONSENT OF DEFENDANT WAMMEL GROUP LLC

1. Defendant Wammel Group LLC ("Defendant") waives service of a summons and the amended complaint in this action, enters a general appearance, and admits the Court's jurisdiction over Defendant and over the subject matter of this action.

2. Without admitting or denying the allegations of the complaint (except as provided herein in paragraph 13 and except as to personal and subject matter jurisdiction, which Defendant admits), Defendant hereby consents to the entry of the agreed Judgment in the form attached hereto (the "Agreed Judgment") and incorporated by reference herein, which, among other things permanently restrains and enjoins Defendant from violation of Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] and Section 10(b) of the



Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5].

3. Defendant acknowledges that the civil penalty paid pursuant to the Agreed Judgment may be distributed pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. Regardless of whether any such Fair Fund distribution is made, the civil penalty shall be treated as a penalty paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the civil penalty, Defendant agrees that it shall not, after offset or reduction of any award of compensatory damages in any Related Investor Action based on Defendant's payment of disgorgement in this action, argue that it is entitled to, nor shall it further benefit by, offset or reduction of such compensatory damages award by the amount of any part of Defendant's payment of a civil penalty in this action ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty Offset, Defendant agrees that it shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission's counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this action. For purposes of this paragraph, a "Related Investor Action" means a private damages action brought against Defendant by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

4. Defendant agrees that it shall not seek or accept, directly or indirectly, reimbursement or indemnification from any source, including but not limited to payment made pursuant to any insurance policy, with regard to any civil penalty amounts that Defendant pays pursuant to the Agreed Judgment, regardless of whether such penalty amounts or any part thereof

are added to a distribution fund or otherwise used for the benefit of investors. Defendant further agrees that it shall not claim, assert, or apply for a tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts that Defendant pays pursuant to the Agreed Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors.

5. Defendant agrees that the Court shall order disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil penalty pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant further agrees that the amounts of the disgorgement and civil penalty shall be determined by the Court upon motion of the Commission, and that prejudgment interest shall be calculated from August 1, 2012, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). Defendant further agrees that in connection with the Commission's motion for disgorgement and/or civil penalties, and at any hearing held on such a motion: (a) Defendant will be precluded from arguing that it did not violate the federal securities laws as alleged in the Complaint; (b) Defendant may not challenge the validity of this Consent or the Agreed Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in the motion on the basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence, without regard to the standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with the Commission's motion for disgorgement and/or civil penalties, the parties may take discovery, including discovery from appropriate non-parties.

6. Defendant waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.

7. Defendant waives the right, if any, to a jury trial and to appeal from the entry of the Agreed Judgment.

8. Defendant enters into this Consent voluntarily and represents that no threats, offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce Defendant to enter into this Consent.

9. Defendant agrees that this Consent shall be incorporated into the Agreed Judgment with the same force and effect as if fully set forth therein.

10. Defendant will not oppose the enforcement of the Agreed Judgment on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waives any objection based thereon.

11. Defendant waives service of the Agreed Judgment and agrees that entry of the Agreed Judgment by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms and conditions. Defendant further agrees to provide counsel for the Commission, within thirty days after the Agreed Judgment is filed with the Clerk of the Court, with an affidavit or declaration stating that Defendant has received and read a copy of the Agreed Judgment.

12. Consistent with 17 C.F.R. 202.5(f), this Consent resolves only the claims asserted against Defendant in this civil proceeding. Defendant acknowledges that no promise or representation has been made by the Commission or any member, officer, employee, agent, or representative of the Commission with regard to any criminal liability that may have arisen or

may arise from the facts underlying this action or immunity from any such criminal liability. Defendant waives any claim of Double Jeopardy based upon the settlement of this proceeding, including the imposition of any remedy or civil penalty herein. Defendant further acknowledges that the Court's entry of a permanent injunction may have collateral consequences under federal or state law and the rules and regulations of self-regulatory organizations, licensing boards, and other regulatory organizations. Such collateral consequences include, but are not limited to, a statutory disqualification with respect to membership or participation in, or association with a member of, a self-regulatory organization. This statutory disqualification has consequences that are separate from any sanction imposed in an administrative proceeding. In addition, in any disciplinary proceeding before the Commission based on the entry of the injunction in this action, Defendant understands that it shall not be permitted to contest the factual allegations of the complaint in this action.

13. Defendant understands and agrees to comply with the terms of 17 C.F.R. § 202.5(e), which provides in part that it is the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings," and "a refusal to admit the allegations is equivalent to a denial, unless the defendant or respondent states that it neither admits nor denies the allegations." As part of Defendant's agreement to comply with the terms of Section 202.5(e), Defendant: (i) will not take any action or make or permit to be made any public statement denying, directly or indirectly, any allegation in the complaint or creating the impression that the complaint is without factual basis; (ii) will not make or permit to be made any public statement to the effect that Defendant does not admit the allegations of the complaint, or that this Consent contains no admission of the allegations, without also stating that Defendant does not deny the

allegations; and (iii) upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the complaint. If Defendant breaches this agreement, the Commission may petition the Court to vacate the Agreed Judgment and restore this action to its active docket. Nothing in this paragraph affects Defendant's: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which the Commission is not a party.

14. Defendant hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant to defend against this action. For these purposes, Defendant agrees that Defendant is not the prevailing party in this action since the parties have reached a good faith settlement.

15. In connection with this action and any related judicial or administrative proceeding or investigation commenced by the Commission or to which the Commission is a party, Defendant (i) agrees to appear and be interviewed by Commission staff at such times and places as the staff requests upon reasonable notice; (ii) will accept service by mail or facsimile transmission of notices or subpoenas issued by the Commission for documents or testimony at depositions, hearings, or trials, or in connection with any related investigation by Commission staff; (iii) appoints Defendant's undersigned attorney as agent to receive service of such notices and subpoenas; (iv) with respect to such notices and subpoenas, waives the territorial limits on service contained in Rule 45 of the Federal Rules of Civil Procedure and any applicable local rules, provided that the party requesting the testimony reimburses Defendant's travel, lodging, and

subsistence expenses at the then-prevailing U.S. Government per diem rates; and (v) consents to personal jurisdiction over Defendant in any United States District Court for purposes of enforcing any such subpoena.

16. Defendant agrees that the Commission may present the Agreed Judgment to the Court for signature and entry without further notice.

17. Defendant agrees that this Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of the Agreed Judgment.

Dated: 7/14/17

Wammel Group LLC

By: 

Arthur F. Wammel
Managing Member


On July 14, 2017, Arthur F. Wammel, a person known to me, personally appeared before me and acknowledged executing the foregoing Consent with full authority to do so on behalf of Wammel Group LLC as its Managing Member.



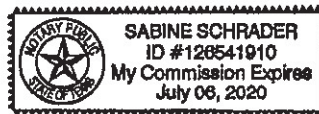
Notary Public

Commission expires: July 6, 2020

Approved as to form:



Toby M. Galloway
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, TX 76102
(817) 878-3501
toby.galloway@kellyhart.com
Attorney for Defendant



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

v. :

Civil Action No.: 4:17-cv-00336-ALM

**THURMAN P. BRYANT, III,
BRYANT UNITED CAPITAL FUNDING, INC.
ARTHUR F. WAMMEL, and
WAMMEL GROUP, LLC**

Defendants, :

**THURMAN P. BRYANT, JR., and
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

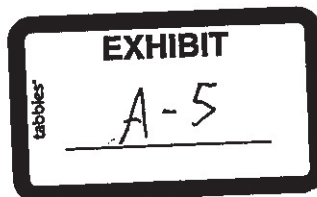
Relief Defendants. :

JUDGMENT AS TO DEFENDANT WAMMEL GROUP, LLC

The Securities and Exchange Commission having filed a Complaint and Defendant Wammel Group, LLC having entered a general appearance; consented to the Court's jurisdiction over Defendant and the subject matter of this action; consented to entry of this Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5



promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;

- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil penalty pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. The Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission. Prejudgment interest shall be calculated from August 1, 2012, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). In connection with the Commission's motion for disgorgement and/or civil penalties, and at any hearing held on such a motion: (a) Defendant will be precluded from arguing that it did not violate the federal securities laws as alleged in the Complaint; (b) Defendant may not challenge

the validity of the Consent or this Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in the motion on the basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence, without regard to the standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with the Commission's motion for disgorgement and/or civil penalties, the parties may take discovery, including discovery from appropriate non-parties.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.

Dated: _____, _____

UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

v. :

Civil Action No.: 4:17-cv-00336-ALM

**THURMAN P. BRYANT, III,
BRYANT UNITED CAPITAL FUNDING, INC.
ARTHUR F. WAMMEL, and
WAMMEL GROUP, LLC**

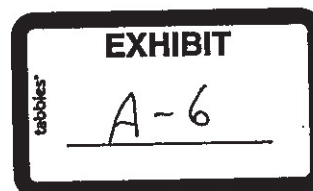
Defendants, :

**THURMAN P. BRYANT, JR., and
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

Relief Defendants. :

CONSENT OF DEFENDANT ARTHUR F. WAMMEL

1. Defendant Arthur F. Wammel ("Defendant") waives service of a summons and the amended complaint in this action, enters a general appearance, and admits the Court's jurisdiction over Defendant and over the subject matter of this action.
2. Without admitting or denying the allegations of the complaint (except as provided herein in paragraph 13 and except as to personal and subject matter jurisdiction, which Defendant admits), Defendant hereby consents to the entry of the agreed Judgment in the form attached hereto (the "Agreed Judgment") and incorporated by reference herein, which, among other things:



- (a) permanently restrains and enjoins Defendant from violation of Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5]; and
- (b) permanently restrains and enjoins Defendant from participating, directly or indirectly, including, but not limited to, through any entity owned or controlled by him, in the issuance, purchase, offer, or sale of any unregistered securities, provided however that such injunction shall not prevent him from purchasing or selling securities for his own personal account..

3. Defendant acknowledges that the civil penalty paid pursuant to the Agreed Judgment may be distributed pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. Regardless of whether any such Fair Fund distribution is made, the civil penalty shall be treated as a penalty paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the civil penalty, Defendant agrees that he shall not, after offset or reduction of any award of compensatory damages in any Related Investor Action based on Defendant's payment of disgorgement in this action, argue that he is entitled to, nor shall he further benefit by, offset or reduction of such compensatory damages award by the amount of any part of Defendant's payment of a civil penalty in this action ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty Offset, Defendant agrees that he shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission's counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this action. For purposes of this paragraph, a "Related Investor Action"

means a private damages action brought against Defendant by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

4. Defendant agrees that he shall not seek or accept, directly or indirectly, reimbursement or indemnification from any source, including but not limited to payment made pursuant to any insurance policy, with regard to any civil penalty amounts that Defendant pays pursuant to the Agreed Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors. Defendant further agrees that he shall not claim, assert, or apply for a tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts that Defendant pays pursuant to the Agreed Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors.

5. Defendant agrees that the Court shall order disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil penalty pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant further agrees that the amounts of the disgorgement and civil penalty shall be determined by the Court upon motion of the Commission, and that prejudgment interest shall be calculated from August 1, 2012, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). Defendant further agrees that in connection with the Commission's motion for disgorgement and/or civil penalties, and at any hearing held on such a motion: (a) Defendant will be precluded from arguing that he did not violate the federal securities laws as alleged in the Complaint; (b) Defendant may not challenge the validity of this Consent or the Agreed Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed

true by the Court; and (d) the Court may determine the issues raised in the motion on the basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence, without regard to the standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with the Commission's motion for disgorgement and/or civil penalties, the parties may take discovery, including discovery from appropriate non-parties.

6. Defendant waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.

7. Defendant waives the right, if any, to a jury trial and to appeal from the entry of the Agreed Judgment.

8. Defendant enters into this Consent voluntarily and represents that no threats, offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce Defendant to enter into this Consent.

9. Defendant agrees that this Consent shall be incorporated into the Agreed Judgment with the same force and effect as if fully set forth therein.

10. Defendant will not oppose the enforcement of the Agreed Judgment on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waives any objection based thereon.

11. Defendant waives service of the Agreed Judgment and agrees that entry of the Agreed Judgment by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms and conditions. Defendant further agrees to provide counsel for the Commission, within thirty days after the Agreed Judgment is filed with the Clerk of the Court,

with an affidavit or declaration stating that Defendant has received and read a copy of the Agreed Judgment.

12. Consistent with 17 C.F.R. 202.5(f), this Consent resolves only the claims asserted against Defendant in this civil proceeding. Defendant acknowledges that no promise or representation has been made by the Commission or any member, officer, employee, agent, or representative of the Commission with regard to any criminal liability that may have arisen or may arise from the facts underlying this action or immunity from any such criminal liability. Defendant waives any claim of Double Jeopardy based upon the settlement of this proceeding, including the imposition of any remedy or civil penalty herein. Defendant further acknowledges that the Court's entry of a permanent injunction may have collateral consequences under federal or state law and the rules and regulations of self-regulatory organizations, licensing boards, and other regulatory organizations. Such collateral consequences include, but are not limited to, a statutory disqualification with respect to membership or participation in, or association with a member of, a self-regulatory organization. This statutory disqualification has consequences that are separate from any sanction imposed in an administrative proceeding. In addition, in any disciplinary proceeding before the Commission based on the entry of the injunction in this action, Defendant understands that he shall not be permitted to contest the factual allegations of the complaint in this action.

13. Defendant understands and agrees to comply with the terms of 17 C.F.R. § 202.5(e), which provides in part that it is the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings," and "a refusal to admit the allegations is equivalent to a denial, unless the defendant or respondent states that he neither admits nor denies

the allegations.” As part of Defendant’s agreement to comply with the terms of Section 202.5(e), Defendant: (i) will not take any action or make or permit to be made any public statement denying, directly or indirectly, any allegation in the complaint or creating the impression that the complaint is without factual basis; (ii) will not make or permit to be made any public statement to the effect that Defendant does not admit the allegations of the complaint, or that this Consent contains no admission of the allegations, without also stating that Defendant does not deny the allegations; (iii) upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the complaint; and (iv) stipulates solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, that the allegations in the complaint are true, and further, that any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under the Agreed Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Defendant of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19). If Defendant breaches this agreement, the Commission may petition the Court to vacate the Agreed Judgment and restore this action to its active docket. Nothing in this paragraph affects Defendant’s: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which the Commission is not a party.

14. Defendant hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney’s fees or other fees,

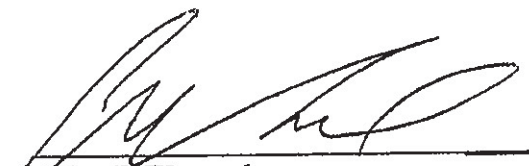
expenses, or costs expended by Defendant to defend against this action. For these purposes, Defendant agrees that Defendant is not the prevailing party in this action since the parties have reached a good faith settlement.

15. In connection with this action and any related judicial or administrative proceeding or investigation commenced by the Commission or to which the Commission is a party, Defendant (i) agrees to appear and be interviewed by Commission staff at such times and places as the staff requests upon reasonable notice; (ii) will accept service by mail or facsimile transmission of notices or subpoenas issued by the Commission for documents or testimony at depositions, hearings, or trials, or in connection with any related investigation by Commission staff; (iii) appoints Defendant's undersigned attorney as agent to receive service of such notices and subpoenas; (iv) with respect to such notices and subpoenas, waives the territorial limits on service contained in Rule 45 of the Federal Rules of Civil Procedure and any applicable local rules, provided that the party requesting the testimony reimburses Defendant's travel, lodging, and subsistence expenses at the then-prevailing U.S. Government per diem rates; and (v) consents to personal jurisdiction over Defendant in any United States District Court for purposes of enforcing any such subpoena.

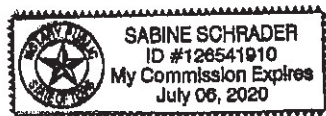
16. Defendant agrees that the Commission may present the Agreed Judgment to the Court for signature and entry without further notice.

17. Defendant agrees that this Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of the Agreed Judgment.

Dated: 7/17/17


Arthur F. Wammel

On July 17, 2017, Arthur F. Wammel, a person known to me, personally appeared before me and acknowledged executing the foregoing Consent.





Notary Public

Commission expires:

July 6, 2020

Approved as to form:


Toby M. Galloway
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, TX 76102
(817) 878-3501
toby.galloway@kellyhart.com
Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

v. :

Civil Action No.: 4:17-cv-00336-ALM

**THURMAN P. BRYANT, III,
BRYANT UNITED CAPITAL FUNDING, INC.
ARTHUR F. WAMMEL, and
WAMMEL GROUP, LLC**

Defendants, :

**THURMAN P. BRYANT, JR., and
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

Relief Defendants. :

JUDGMENT AS TO DEFENDANT ARTHUR F. WAMMEL

The Securities and Exchange Commission having filed a Complaint and Defendant Arthur F. Wammel having entered a general appearance; consented to the Court's jurisdiction over Defendant and the subject matter of this action; consented to entry of this Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise provided herein in paragraph V); waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the



Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;

- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from participating, directly or indirectly, including, but not limited to, through any entity owned or controlled by him, in the issuance, purchase, offer, or sale of any unregistered securities, provided however that such injunction shall not prevent him from purchasing or selling securities for his own personal account.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

IV.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil penalty pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. The Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission. Prejudgment interest shall be calculated from August 1, 2012, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). In connection with the Commission's motion for disgorgement and/or civil penalties, and at any hearing held on such a motion: (a) Defendant will be precluded from arguing that he did not violate the federal securities laws as alleged in the Complaint; (b) Defendant may not challenge the validity of the Consent or this Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in the motion on the basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence, without regard to the standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with the Commission's motion for disgorgement and/or civil penalties, the parties may take discovery, including discovery from appropriate non-parties.

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant, and further, any debt for

disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under this Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Defendant of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

VI.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.

Dated: _____, _____

UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

v. :

**THURMAN P. BRYANT, III, and
BRYANT UNITED CAPITAL FUNDING, INC.** :

Defendants, :

**ARTHUR F. WAMMEL,
WAMMEL GROUP, LLC
THURMAN P. BRYANT, JR.,
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT** :

Relief Defendants. :

Civil Action No.: 4:17-cv-00336-ALM

WAMMEL RELIEF DEFENDANTS' INITIAL DISCLOSURES

Relief Defendants Arthur F. Wammel and Wammel Group, LLC (the "Wammel Relief Defendants") hereby make their Initial Disclosures under Rule 26(a)(1) of the Federal Rules of Civil Procedure and the Court's June 15, 2017 Order Governing Proceedings [Dkt. 33]. These disclosures are based on information currently reasonably available to the Wammel Relief Defendants, and the Wammel Relief Defendants reserve the right to supplement or amend these disclosures as provided by Rule 26(e).

I. The Correct Names of the Parties to the Action

The Wammel Relief Defendants are correctly named.

II. Potential Parties to the Action



The Wammel Relief Defendants are not aware of any potential parties to be added to this action.

III. Individuals Known to the Wammel Relief Defendants Who Have Knowledge of Facts Relevant to the Claim or Defense of Any Party

The Wammel Relief Defendants identify the following individuals who are likely to have knowledge of facts relevant to the claim or defense of any party:

Arthur F. Wammel	c/o Toby Galloway Kelly Hart & Hallman LLP 201 Main St., Suite 2500 Fort Worth, Texas 76102 and c/o Jimmy Ardoin Ardoin Law PLLC 2118 Smith St., Suite 200 Houston, Texas 77002	May have knowledge of conduct committed by Defendants Bryant and BUCF as alleged by the Commission in the Complaint.
Wammel Group, LLC	c/o Toby Galloway Kelly Hart & Hallman LLP 201 Main St., Suite 2500 Fort Worth, Texas 76102 and c/o Jimmy Ardoin Ardoin Law PLLC 2118 Smith St., Suite 200 Houston, Texas 77002	May have knowledge of the conduct committed by Defendants Bryant and BUCF as alleged by the Commission in the Complaint.

Thurman P. Bryant, Jr.	P.O. Box 16022 Golden, CO 80402	<p>Knowledge of the offering fraud and misappropriation of investor funds committed by Bryant and BUCF as alleged by the Commission in the Complaint.</p> <p>Knowledge of: (a) funds he received from Bryant directly and indirectly through BUCF, and other entities owned or controlled by Bryant; and (b) all other conduct alleged by the Commission in the Complaint.</p>
Carlos D. Goodspeed a/k/a Sean Phillips d/b/a Top Agent Entertainment d/b/a Mr. Top Agent Entertainment	1300 Cottonwood Valley Circle, South Irving, Texas 75038	<p>Knowledge of the offering fraud and misappropriation of investor funds committed by Bryant and BUCF alleged by the Commission in the Complaint.</p> <p>Knowledge of: (a) funds he received from Bryant directly and indirectly through BUCF; and (b) all other conduct with which he was involved as alleged by the Commission in the Complaint.</p>

Jennifer R. Ecklund Court-appointed Receiver	Thompson & Knight One Arts Plaza 1722 Routh Street, Suite 1500 Dallas, Texas 75201	Knowledge of: (a) the flow of investor funds to Bryant and other entities owned or controlled by him; (b) the use of investor funds by Bryant for his personal benefit; (c) all other conduct as alleged by the Commission in the Complaint.
Titan Business Suites	212 Bradfield Lane Rockwall, Texas 75087	Knowledge of: (a) the use of funds from the investors of BUCF; and (b) BUCF's business operations.
Bellagio Interiors	c/o Misti Thomas 6009 W. Parker Road Suite 101 Plano, Texas 75093	Knowledge of the use of investor funds by Bryant for his personal benefit.
American Express Company	c/o CT Corp. 111 8th Avenue 13th Floor New York, NY 10011	Knowledge of credit card transactions in the accounts of Bryant, and others, as alleged by the Commission in the Complaint.
CitiBank	Legal Services Intake Unit 701 E. 60 th Street North Mail Code: 1251 Sioux Falls, SD 57117	Knowledge of credit card transactions in the accounts of Bryant, and others, as alleged by the Commission in the Complaint.
JPMorgan Chase Bank, N.A.	Attn: Custodian of Records 7610 West Washington Street Mail Code: INI-4054 Indianapolis, IN 46231	Knowledge of transactions occurring in accounts in the names of Bryant, and other entities owned or controlled by Bryant.

Legacy Bank Texas	2101 Custer Road Plano, Texas 75075-2962	Knowledge of transactions occurring in accounts in the names of Bryant, and other entities owned or controlled by Bryant.
USAA	10750 McDermott Freeway San Antonio, TX 78288-9876	Knowledge of transactions occurring in accounts in the names of Bryant, and other entities owned or controlled by Bryant.
Wells Fargo Bank NA	Attn: Custodian of Records 2700 South Price Road, 2nd Floor Chandler, AZ 85286	Knowledge of transactions occurring in accounts in the names of Thurman Bryant, Bryant Financial, and Bryant United Capital Funding, Inc., and other entities owned or controlled by Bryant.
Carol Stumbaugh	c/o Jason Reinsch U.S. Securities and Exchange Commission 801 Cherry St., Suite 1900 Fort Worth, Texas 76102	Information related to the Commission's investigation

Attached hereto as Exhibit 1 is a list of investors who likely have discoverable information related to solicitations of and investments with Bryant, BUCF, Wammel, Wammel Group, and Goodspeed and/or affiliated entities. The Wammel Relief Defendants may use information from some of these investors to support its defenses. Because the Wammel Relief Defendants do not yet know which of these investors they will call as witnesses, or whose information they will use in this litigation, the Wammel Relief Defendants disclose all of these investors out of an abundance of caution.

The Wammel Relief Defendants incorporate by reference the witnesses identified by the Defendants, the other Relief Defendants, and the Commission in their Initial Disclosures.

IV. Documents, Electronically Stored Information, Witness Statements, and Tangible Things in the SEC's Possession, Custody, or Control that are Relevant to the Claim or Defense of Any Party

The following documents may be relevant to the claim or defense of any party. The documents are located at the SEC's offices and will be made available for the parties' review at a mutually agreeable time and place.

A. Documents Produced by:

Producing Party

TD Ameritrade

Blake Ducharme

Comerica Bank

Thompson Knight

Bryant United

Wammel Group

American Express

Wells Fargo Bank

JP Morgan Chase Bank

OptionsXpress

Capital One

CitiBank

USAA FSB

Titan Business Suites

Prosperity Bank

Zions Bancorporation

Bank of America

Investors

B. Transcripts of Investigative Testimony and Exhibits

None.

C. Correspondence

See the Production List included in Section IV.A, above.

V. Computation of Damages

The Wammel Relief Defendants do not seek damages.

VI. Local Rule CV-34 Authorizations

Not applicable.

VII. Insurance Agreements

Not applicable.

Dated: July 19, 2017

Respectfully submitted,

/s/ Toby M. Galloway
TOBY M. GALLOWAY
State Bar No. 00790733
KELLY, HART & HALLMAN, LLP
201 Main Street, Suite 2500
Fort Worth, TX 76102
Phone: (817) 332-2500
Fax: (817) 878-9280
Email: toby.galloway@kellyhart.com

/s/ James Ardoin
JAMES ARDOIN
State Bar No. 24045420
ARDOIN LAW, PLLC
2118 Smith St., Suite 200
Houston, TX 77002
Phone: (713) 574-8900
Fax: (713) 574-1404
Email: jimmy@ardoinlawpllc.com

Attorneys for Relief Defendants
ARTHUR F. WAMMEL and
WAMMEL GROUP, LLC

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2017, the document and attachments were served by the method detailed below.

<p>Thurman P. Bryant, III 2 Dogwood Lane Hilltop, Texas 77871 <i>Pro Se Defendant</i></p> <p><i>VIA EMAIL TO</i> <i>TREYBRYANT03@GMAIL.COM</i></p>	<p>Toby Galloway Kelly Hart & Hallman LLP 201 Main St., Suite 2500 Fort Worth, Texas 76102 toby.galloway@kellyhart.com</p> <p>Jimmy Ardoin Ardoin Law PLLC 2118 Smith St., Suite 200 Houston, Texas 77002 Jimmy.ardoinlawllc.com <i>Attorneys for Relief Defendants Arthur M. Wammel and Wammel Group LLC</i></p> <p><i>VIA EMAIL</i></p>
<p>Thurman P. Bryant, Jr. 5343 Buena Vista Dr. Frisco, Texas 75034 <i>Pro Se</i></p> <p><i>VIA EMAIL TO</i> <i>SONNY_103@HOTMAIL.COM</i></p>	<p>Carlos D. Goodspeed a/k/a Sean Phillips d/b/a Top Agent Entertainment d/b/a Mr. Top Agent Entertainment 1300 Cottonwood Valley Circle, South Irving, TX 75038 <i>Pro Se</i></p> <p><i>VIA USPS</i></p>

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One Arts Plaza
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Dallas, TX 75201
Jennifer.Ecklund@tklaw.com
Court-Appointed Receiver

Timothy E. Hudson
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*Counsel for Court-Appointed Receiver for
Bryant United Capital Funding*

VIA EMAIL AND USPS

/s/ Toby M. Galloway
Toby M. Galloway

Investor- Last	Investor- First	Last Known Address
Acton	Howard and Karen	13614 Taylorcrest Rd., Houston, TX
Always Stay Balance, LLC	Lars and Nancy Farestvedt	20726 Teal Point, Katy, Texas 77450
Aragonesa, LLC	Beneficiary List on File	8350 Delphian, Universal City, TX
Barnes	Neal	3211 Cherry Hill Dr., Missouri City, TX 77459
Broadway	Eugene and Charlotte	102 Edgefield, Kingsland, TX 78639
Bryant	Bruce and Mary	1631 VZ CR 4607, Ben Wheeler, Texas 75754
Bryant, Jr.	Thurman (Jr.) and Judy	P.O. Box 16022, Golden, CO 80402
Bowling	Bret	NOT KNOWN
Chahill	Randi	14935 S. Richmond Aves, #2118, Houston, Texas
Calehr & Assoc.	Haroon Calehr	2700 Post Oak Blvd., Suite 1220, Houston, TX 77056
Calehr	Samira and Soraya	Rodos, Straat 40, Holland 1339, Netherlands
Cantatore	Mark	647 Hemlock Ln., Bluemont, VA 20135
Carter	Ronald	8351 Delphian Dr., Universal City, TX 78148
Chetty	Mark	5100 Patrick Henry St., Bellaire, TX 77401
Childers	Danny and Glenda	70 Valley Rd., Paris, TN
Chung	Andrea	NOT KNOWN
Cook	Laura	8301 Spinmaker Bay Lane, Pearland, TX 77584
Craft	Brian	3502 E. Orange St., Pearland, TX 77079
Cunningham-Small	Erin	4625 Post Oak Dr., Frisco, TX 75034
De La Garza J	Javier	2540 Prosect Hill Dr., Ft. Worth, TX 76123
De La Garza M	Maria	1211 Columbus Ln, Wylie, TX 75098
Delapaz	Michael and Lorena	22 Beechcreek Dr., Ft. Worth, TX 76134
DesBiens	Frances	10 Walnut St, Ludlow, MA 01056
Dwyer	Kerrie (fmr Kerrie Beane)	2203 Windswept Place, Arlington, Tx 76012
Dysart	Teddi	1256 Sunny Oaks Cir, Altadena, CA 91001
Dysart	Eric	297 E. Las Flores Dr, Altadena, CA 91001
Emmons	Brenda and Stanley	139 Hidden Oaks Dr., Kingsland, TX 78639
Evens	Thomas	4094 E. 131 Dr., Thornton, CO
Fizell	John	6830 Alpine, Houston, TX 77061
Fizell	Teresa	6830 Alpine, Houston, TX 77061
Foley	Steven	103 Forest Cove, Kingwood, TX 77339
Fossler	Andrew	4511 Oakshire Dr., Houston TX 77027
Gallagher	Kevin and Kimberly	22000 Port Gamble, Poulsbo, WA 98370

Investor- Last	Investor - First	Last Known Address
Jarcia	Ronaldo	P.O. Box 158, Moore, TX 78057
William	Jeff	338 Cottonwood, Blytheville, AR 72315
Jula	Heather	8115 Sunset Fallas Ct., Spring, TX 77379
Jadaway	Richard and Rosalean	P.O. Box 309, Jewett, TX 75846
JARCO Development, LLC	Albert Rathmell	720 N. Post Oak Rd, Suite 350, Houston, Texas 77024
Jendricks	Scott and Cheryl	3153 Apple Creek Lane, Waldorf, MD 20603
Highway 6 interest, LLC	Albert Rathmell	720 N. Post Oak Rd, Suite 350, Houston, Texas 77024
Linze	Randy	557 Orange Hill Rd., Sealy, TX 77474
Joselton	Stephen	212 Bradfield Lane, Rockwall, TX
Jradil	Rodney	620 Atchison St, Sealy TX 77474
Jughes	Kenneth	1527 Mammoth Springs, Richmond, TX 77469
Jyman	Gary	9014 Harbour Town Dr., Selma TX 78154
L. Ponte Enterprises, LLC		P.O. Box 143, Von Ormy, TX 78073
Jones	David and Dawnette	11520 CR 170, Boling, TX 77420
Jnapp	Blair	723 Red Oak Lane, Friendswood, TX 77546
Jo	Pung	12722 Birch Fallas Rd., Houston, TX 77065
Jocian	Kassh	13553 Miller Ln., Willis, TX 77318
JeBauve	Christopher	13118 Oakwood Dr., Needville, TX 77461
Jehmann Grandchildren Trust		18217 11th Ave NE, Poulsbo, WA 98370
Jehmann	Dr. Quentin and Marilyn	11520 CR 170, Boling, TX 77420
Jemann	Peter and Michelle	18217 11th Ave NE, Poulsbo, WA 98370
Juyt	Petrus	13610 Westin Hill Court, Houston, TX 77077
Jaldonado	Ronaldo and Holly	802 Sir Galahad Lane, Lewisville, TX 75056
Jalik	Shirin	5622 Camben Springs Ln, Sugar Land, TX 77479
Jascheri	Artgelo and Gay	27150 West Hemlock Rd., Channahon, IL 60410
Jeintjes	Theo and Engela Van Wyk	2722 Stuart Manor, Houston, TX 77082
Jckenfels	Michael, Carmen, Gia, and Bianca	14810 Iron Liege, San Antonio, TX 78248
JLaughlin	Francis	14400 Montfort Dr., #501, Dallas, TX 75254
Jerry	Patrick	21111 La Arbre Ln, Spring, TX 77388
Jeterman	Mitja and Tina	2327 Albans Rd., Houston, TX 77005
Jeters	Holly	11615 Moreno Ave, Lakeside CA 92040
Juhardjo	Hari	Pelita Sr No. 22, RT 010/RWE 002, South Cipete, Indonesia
Jumbin	Frank and Robin	3000 Bissonnet St., #2207, Houston, TX 77005

Investor-Last	Investor - First	Last Known Address
Keyes	Anthony	P.O. Box 143, Von Ormy, TX 78073
Keyes	Trina	P.O. Box 143, Von Ormy, TX 78073
KB Synergy	Ric and Barb Solis	506 Amistad Blvd., Universal City, TX 78148
Kevenig	Jurgen and Jennifer	21723 97th Dr SE, Snohomish, WA 98296
Koss	Walker and Amber	505 W. Doyle Street, Granbury TX 76048
Kussell	Jeffrey	1861 Claret Loop NW, Poulsbo, WA 98370
Kargent	Wayne	6405 Lake Drive, Bremerton, WA 98312
Kchnabel	Thomas	22709 Gaycrest Ave, Torrance, CA 90505
Keddighi	Hossein	13175 Torrington Dr., Frisco, TX 75035
Kenft	Mark	73-4322 Keo Keo St., Kailua-Kona, HI 96740
Kenft	Thomas and Karen	2306 Vinemead Ct, Katy TX 77450
Khafter	Ken Jr.	2352 FM 1094, Sealy, TX 77474
Khafter	Ken and Alice	2352 FM 1094, Sealy, TX 77474
Kilvey	Connie	11335 Highline Drive, Northglenn, CO 80233
Ksmith	Bettye	604 CR136A, Kingsland, TX 78639
Ksmith	Betty e	605 CR136A, Kingsland, TX 78639
Kuekhai	Sardah	District Commewijne, Kingdom of the Netherlands
Kolis Synergy, Inc.		P.O. Box 1576, Poulsbo, WA 98370
Kolis	Joseph and Dana	P.O. Box 1576, Poulsbo, WA 98370
Kolis	Peter	280 Middle Holland Rd., Apt 1601, Holland, PA 18966
Kolis	Roland and Isabel	8350 Delphian, Universal City, TX
Kolis	Roland (Chicos Ventures)	8350 Delphian, Universal City, TX
Kuch	Christel	4029 Pear Ridge Dr., The Colony, TX 75056
Kuhani	Idn	Villa Ganesha Br. Batanwani, Bali, Indonesia
Kurmon	Robert	5491 NE Bear Hill Rd., Poulsbo, WA 98370
Kerry	Neva	6115 Sedgwick Rd., Columbus, OH 43235
Kibbals	Gary and Tammy	8514 Prescott Cir, Frisco, TX 75033
Keldsman	Juan	27950 Colonial Point Dr., Katy, Texas 77494
KWilliams	Jason and Michelle	2915 Wickwood Dr., Pearland, TX 77584
KWilliams	Roberta	6355 Delphian, Universal City, TX 78148
KWilliams	Chet	2715 Lincoln Dr., Arlington, TX 76006
KWren	Greg and Alix	6000 Hackberry Ct., Frisco, TX 75034
KWren	Sherrell and Susan	4 Heritage Xt., Grand Prairie, TX 75050
Kschappel Trust	Robert Bradley Zschappel Trust	331 Patchester Dr, Houston, TX 77079
Kschappel	Kenneth and Karri	803 W. Austin St, Fredericksburg, TX 78624
Kschappel	Robert	331 Patchester Dr, Houston, TX 77079

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

v.

**THURMAN P. BRYANT, III, and
BRYANT UNITED CAPITAL FUNDING, INC.**

Defendants,

**ARTHUR F. WAMMEL,
WAMMEL GROUP, LLC,
THURMAN P. BRYANT, JR.,
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

Relief Defendants.

Civil Action No.:

4:17-CV-00336-ALM

ORDER

Before the Court is Relief Defendants Arthur F. Wammel and Wammel Group, LLC's Emergency Motion and Brief for Reconsideration of *Ex Parte* TRO, Preliminary Injunction, Asset Freeze, and Receivership Orders (the "Motion"). After considering the Motion, the Court finds that an expedited hearing on the Motion is in the best interests of the parties.

IT IS THEREFORE ORDERED THAT Relief Defendants' Motion is hereby set for hearing on _____ at _____.