

APPENDIX

From: [REDACTED] daspin [mailto:[REDACTED] daspin [REDACTED]]
Sent: Sunday, December 13, 2015 8:41 AM
To: Kolodny, Nathaniel
Cc: [REDACTED] daspin [REDACTED]; Perlman, Benjamin; [REDACTED] @yahoo.com; McGrath, Kevin; O'Connell, Barry; Shields, Kathy Moore
Subject: Re: RE: RE: In the Matter of Edward Daspin et al. - A.P. File No. 3-165099

Dear Mr Fields,

Please accept this cover email letter in case #3-16509

The enclosed email notice to the SEC prosecution with respect to the SEC rejecting review of the filing of the WMMA?WDI 506 REg D,Justiofy defendants counterclaims and defenses that had it not been for the U.S Governments refusal to review exempt securities offerings there would be no lawsuit as had the SEC raised the issues that it is raising now there would have been a halt to the funding of the companies.

Since the dereliction of its fiduciary to those that relied upon its filing and reviewing by the SEC ,makes the defendants that relied upon suchmonitoring immune fromliability.

The government cant have it both ways as they try to do with in-house prosecution.Iand Mr Agostini were informed by WMMAs compliance officer that the companies had complied with the securities act[s].

This entire law suit is about semantics! I didmyjobas a consultant.it was fully disclosed.the boardmembers were independent and disinterested! The fees were published in all employment agreements,the subscription agreements warrant that the invstors every question and every ocument request was provide;that theywere accredited[had they been accredited we would not be here]!As the securities were to be exempt.Had the SEC doneits job by reviewing the offering memorandum and made comments as its function is supposed to protect the consumer no shares would have been sold.

prior to the transfer of the assignement of WMMAH warrents by cbi to My wifes family partnerships and prior to cbiassigning its sevice contract wirh WMMa My company CBI amnd My name were proudly announced upon the WMMA{WUSQa] draft pPm;after the reassignment of the wmmah shares by the family partnerships and after cbitransferred the service contract to mkma on or about jan 15-20th,ther ws new shareholders that owned the wmmah shares and a new service provider.the transactionof assignement of the wmma service contract was recited in the related party transactions!

The admitted preparer of the wmma ppms is on the cover sheet ;Mike Nwugugu[not me];The Lux deposition to the SEC and Nwugugus exculpatory retractions and Mains emails giving the company's coo mr jerryls' instructions to contract Troppelo in his absence is proof that Main, not me, was running the company, the financial emails sent by Sullivan Puccio, Berjedekian and the bookkeeper Marsh prove the SECs allegations that the wmma officers of financial aspects of wmma were provide all the information the SEC alleges they were not and which the sec alleges I his from them thru some control of Agostini; the Imc appraisal was MKMAs honest appraisal and it wasn't even paid for it. The wmma ppms of jan 5th 2012 disclaim the projected financial information and make it clear that neither Lockett nor Heisterkamph relied on the no sense the SEC conjured up to try to fabricate a case of fraud and to aid and abet those who agreed on 6/19/12 the dishonest shareholder tape to collude and state that I controlled wmma]

There is no case here only a agency that has nothing better to do than sue an elder ill person and imminently and irreparable harm me.

In addition this matter is mandated to be constitutional and in accordance with the guidelines to be in federal court so I can have a jury, a discovery and no hearsay and due process.

The adjl is not properly appointed and there are admissions galore that no one can get a fair shot in this court as a result of the unwayable conflicts and chains of authority.

At least there is the perception of bias and as admitted by judge Brenda Murray

I say the system is adverse to the defendants as does Commissioner Cox, Former Judge Mc Ewen, and many judges which is why Judge Berman halted this Duca matter and why Tilton is before the 2nd circuit.

This hearing is unjust and must be stayed hopefully by Judge Grimes until the dust settles and or until Sua sponte the court dismisses it which would be a first. prosecutorial misconduct has been prevalent here.

respectfully

E M Daspin

ProSe

----- Original Message -----

From: "Kolodny, Nathaniel"

Date: Saturday, December 12, 2015 11:45 am

Subject: RE: RE: In the Matter of Edward Daspin et al. - A.P. File No. 3-165099

To: "daspin@ [REDACTED]"

Cc: "Perlman, Benjamin", "[REDACTED]@yahoo.com", "McGrath, Kevin", "O'Connell, Barry", "Shields, Kathy Moore"

Mr. Daspin,

The Division has sent you (and Mr. Agostini) every filing made with the Court. My second email yesterday simply clarified the contents of the first email.

Regards,

Nik Kolodny

Nathaniel I. Kolodny | Counsel
U.S. Securities and Exchange Commission
212-336-[REDACTED]

From: "daspin@ [REDACTED]" [mailto:daspin@ [REDACTED]]

Sent: Saturday, December 12, 2015 9:43 AM

To: Kolodny, Nathaniel

Cc: ALJ; Perlman, Benjamin; [REDACTED]@yahoo.com; McGrath, Kevin; O'Connell, Barry; Shields, Kathy Moore

Subject: Re: RE: In the Matter of Edward Daspin et al. - A.P.
File No. 3-165099

Dear Mr Perlman;

If the SEC NY office did send an additional response that I have not answered yet I DID NOT RECEIVE IT TO RESPOND !Please send me the new response if a 2nd one was made so I can try to answer it.

In any event I respectfully request that you furnish the court with the Prosecutorial Charges and the exhibits you were copied on in my response to the Mr Fields ;the email exhibits which prove beyond any doubt that the Ny Prosecutors had the emails[The documents were delivered in discovery and I will send them along when my former lawfirm send them tome consistant with the courts instructions.

The documents are approx. 60,000 and it will be cumbersome to see each one but the SEC received the documents and so they prove that the Wells submissions the SEc provided the commission either did not inform the commission or if they did thenI have a bigger problem thanprosecutorial misconduct,brerach of an officer of the courts fiduciary to the court and tome regarding fair dealing.

This is not one isolated example of the NY office omitting exculpatory information as I remember that we sent the Lockett and Heisterkamph and nwugugu claims to Chatose to the SEC!!

The complaintis the product of unclean hands

I willnot be inundated with disingenuous allegations in a complaint to have to divert myself from issues that were not answered by a truthfull honest read of the information that was sent Its the same old,same old every time I read a complaint allegation and see that the SEC knew it was untrue andor even an inference used to make me look bad that THEY KNOW is untrue ,I see red.

But the complaint is full of this type of willful Omissions and exculpatory information not provided to the commission and or if provided makes the torts worse!!

An investigation is needed and as is a hearing regarding the need for the SEC to either withdraw the complaint and re-file one that does not have the disingenuous allegations and charged that the SEC knows is false.

Let them do it like men.be honest, inform the commission of the truth, transmit a new wells with the facts that are uncontravened ; not hearsay by the investors and/or their Mc Farlane enterprise leader.

I may have committed a felony in 1973 but I paid for it and the SEC is aiding and abetting investors who omitted material facts and with the SEC compounding the fraud upon this judge. The court is a man of integrity. He served our nation during

conflicts. He would not give credence to a complaint proffered with unclean hands

It's not just the emails I sent to you that indict these prosecutors with omissions of material facts it's almost the entire complaint. From Nwugugu writing the wmma ppms [the Chartis claim by Nwugugu proves that the

2] The Locket and Heisterkamp claims to the Chartis insurer that contravene the complaint's allegations. Which is worse: defrauding an Insured to obtain \$650,000.00 or defrauding the commission and this judge.

We cannot proceed until the prosecutorial charges are disposed of as I do not have the patience, time and stamina to go through 3 trials; one here another before the commission which endorsed the filthy complaint and then the federal court. I was supposed to get a federal judge as the "new guidelines", MANDATE A FEDERAL COURT if a controlling person's issue is a part of a complaint. Here it's the whole thing!

I also was to get the same if emergent relief was needed. I not only did not get that but my postponement sine die was destroyed as Judge Murray flipped judges and before any medical declarations to the contrary were proffered.

My claim for prosecutorial misconduct is real; it's not a dodge from the hearing. There are too many places that the prosecution has fouled by willful omissions of facts that a school boy could see with the naked eye.

Respectfully

E.M Daspin Pro Se