

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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SECURITIES AND EXCHANGE COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. _____
	§	
1POOL LTD. a.k.a. 1BROKER and	§	
PATRICK BRUNNER,	§	
	§	
Defendants.	§	
<hr/>		

COMPLAINT

Plaintiff Securities and Exchange Commission (“SEC”), for its Complaint against Defendants 1pool Ltd. a.k.a. 1Broker (“1Broker”) and Patrick Brunner (“Brunner”) (collectively, “Defendants”), alleges:

SUMMARY

1. From at least 2012 until September 2018, the Defendants have illegally offered and sold security-based swaps to U.S. investors through their website 1broker.com while failing to file a registration statement with the SEC. As 1Broker’s CEO and sole shareholder, Brunner controls 1Broker and its operations. He is also the developer of the 1broker.com platform.

2. On the 1broker.com website, the Defendants market the security-based swaps as “CFDs”—which is an acronym for “contracts for difference.” Through these CFDs, 1Broker accountholders can participate in the price movements of securities and other assets without actually owning the underlying asset. For example, an accountholder can purchase a long or short position in a CFD that tracks the price of the stock of a publicly-traded U.S. company. Then, depending on whether the stock price goes up or down, the value of the CFD will also go

up or down. 1Broker is the counterparty on every CFD, meaning it takes the opposite position of the accountholder on every CFD. For example, if the accountholder takes a long position, 1Broker takes the corresponding short position.

3. Because the values of the CFDs are tied to the values of underlying securities, market indices, or other financial assets or benchmarks, they are security-based swaps under the federal securities laws. Absent certain exceptions (which do not apply here), the federal securities laws require that offerings in security-based swaps be registered with the SEC and that the transactions be executed on a registered national exchange. Likewise, 1Broker—which acted as a dealer in the CFDs—was required to register with the SEC. Because neither the CFDs nor 1Broker was registered and because the transactions were not executed on a national exchange, the Defendants violated the federal securities laws. Brunner, who controlled 1Broker and directed its activities, was a culpable participant in 1Broker’s violations.

JURISDICTION AND VENUE

4. The SEC brings this action under Section 20(b) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77t(b)] and Section 21(d) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78u(d)], seeking to permanently restrain and enjoin the Defendants from engaging in the unlawful acts, practices, and courses of business alleged herein.

5. This Court has jurisdiction over this action under Sections 22(a) and (c) of the Securities Act [15 U.S.C. §§ 77v(a) and (c)] and Section 27(a)-(b) of the Exchange Act [15 U.S.C. § 78aa].

6. The Defendants, directly and indirectly, made use of the mails or of the means or instrumentalities of interstate commerce in connection with the transactions, acts, practices, or courses of business described in this Complaint.

7. Venue is proper because the transactions, acts, practices, and/or courses of business described below occurred within the District of Columbia.

PARTIES

8. Plaintiff SEC is an agency of the United States of America charged with enforcing the federal securities laws.

9. Defendant Brunner, age 26, resides principally in Austria. He is 1Broker's CEO, sole shareholder, and the only person authorized to represent the company. He also developed 1Broker's software platform.

10. Defendant 1Broker is a limited liability company registered as 1pool Ltd. in the Republic of the Marshall Islands. Although the entity was registered in 2015, Brunner and 1Broker have utilized and maintained the 1broker.com website since 2012.

FACTS

A. The Defendants offer security-based swaps to U.S. investors.

11. Since at least 2012, the Defendants have offered CFDs through their 1broker.com website, which is publicly available to anyone in the U.S. with internet access. Using the website, a person can open an account by simply providing an email address and creating a user name. Accountholders are not required to provide any additional information—such as full legal name, address, purpose of account, source of funds, etc.

12. In order to buy and sell CFDs, accountholders must first fund their accounts. Only one form of funding is accepted—the digital currency Bitcoin. Likewise, all payments made by 1Broker to accountholders are made in bitcoins.

13. Once an account is funded, the accountholder can trade CFDs. The value of the CFDs is based on the value of corresponding assets. These assets include U.S. exchange-listed

stocks, commodities, and foreign-exchange pairs. As explained on the 1broker.com website: “[u]nlike with options or other complex instruments the CFD price is one to one with the underlying market. You can trade them virtually feeless and faster than shares, options or futures.” 1broker.com also states that it provides accountholders “a selection of various current trade rates of certain securities [...and t]he depiction of these Markets is based on current data from the exchanges and is updated on an ongoing basis.”

14. When trading the CFDs, accountholders select whether they want to take a long or short position. Accountholders who purchase a “long” CFD profit if the price of the corresponding asset or index increases. Accountholders who purchase a “short” CFD profit if the price of the corresponding investment decreases. Like stocks on publicly-traded exchanges, all purchases and sales of CFDs are subject to a bid-ask spread—described as a “one-time fee” that 1Broker collects on transactions.

15. 1Broker also uses stock exchange terminology and provides broker-dealer functionality for opening and closing investment positions. For example, 1broker.com includes a page labeled “Markets.” Within the Markets page, accountholders are presented with a series of choices—including Indices, Stocks, Commodities, Forex, and Crypto. Within these markets, accountholders can choose to trade individual CFDs that fall within these categories.

16. If an accountholder selects a stock from the menu of choices on 1broker.com, 1Broker provides various information about that company’s stock. This includes the U.S. exchange ticker symbol, real-time bid and ask prices quoted in U.S. dollars, maximum leverage amount, a stock price chart, and buttons labeled “Long” and “Short.” 1Broker offers a wide array of CFDs with corresponding U.S.-based equities. For example, an accountholder

considering a CFD in Bank of America Corp. common stock would see a screen that looks similar to this:

The screenshot shows a trade interface for Bank of America Corp. with the following details:

- Bank of America Corp.** (Share Trade)
- Amount (BTC):** 0.01 (Value: ~46.39 USD)
- Short Price:** 26.075
- Long Price:** 26.085
- Leverage:** 15 (with a slider control)
- Optional fields** and **Show help** buttons.
- Disclaimer:** If the price of BAC rises by 0.1% to 28.688 you will earn 0.0150 BTC (69.58 USD).
- Buttons:** Cancel and Create Order.

17. 1Broker acts as the counterparty on every CFD trade. This means that when an accountholder takes a position in a CFD, 1Broker takes the other side of the trade (e.g., if an accountholder takes a long position in a stock, 1Broker takes the corresponding short position).

18. The CFDs are security-based swaps as defined by the federal securities laws. The Securities Act and the Exchange Act define a “security-based swap” in relevant part as any agreement, contract, or transaction that is based on a single security or the occurrence, nonoccurrence, or extent of an occurrence of an event relating to a single issuer of a security, provided that such event directly affects the financial statements, financial condition, or financial obligations of the issuer. *See* 15 U.S.C § 77b(a)(17); 15 U.S.C. § 78c(a)(68); 7 U.S.C. § 1a(18).

B. The Defendants illegally offer the CFDs without registering with the SEC.

19. In order to protect investors, the federal securities laws require that securities offerings be registered with the SEC (absent an exemption). For the same reason, absent an exemption, securities dealers are required to register with the SEC. The Defendants failed to comply with these registration requirements.

20. Security-based swaps are securities under the federal securities laws. As detailed above, the CFDs—which have their value tied to stocks—are security-based swaps. They are also, therefore, securities—and may not be offered or sold in the U.S. unless a registration statement has been filed with the SEC. The Defendants failed to file a registration statement.

21. 1Broker offered and sold these security-based swaps through 1broker.com. Investors from across the world—including the U.S.—had access to the website. Although 1Broker and Brunner had the ability to restrict users' access to the website, as they did with Austrian investors, they continued to offer and sell these security-based swaps on the 1broker.com platform. Brunner created the platform for the offer and sale, and personally corresponded with investors about the company and specific aspects of the CFDs.

22. U.S. investors traded the CFDs through 1broker.com. For example, a Special Agent with the Federal Bureau of Investigation, acting in an undercover capacity (the "UC Agent"), accessed the 1broker.com website while physically located in Houston, Texas and opened an account by providing only an email address and password. The UC Agent then funded the account using bitcoins. Later, while physically located in Washington, D.C., the UC Agent logged into 1broker.com and bought and sold CFDs that track the price of the common stock of Ford Motor Company.

23. The UC Agent made all of the following trades at 1broker.com:¹

Date	Time (EST)	CFD	Action	Location
03/30/2016	11:25:17AM	WU	Buy	Houston
03/30/2016	11:28:14AM	WU	Sell	Houston
03/30/2016	11:34:02AM	WU	Buy	Houston
03/31/2016	10:15:46AM	WU	Sell	Houston
05/03/2016	2:28:33PM	GPRO	Buy	Houston
05/03/2016	3:07:57PM	GPRO	Sell	Houston
07/05/2016	11:33:24AM	GPRO	Buy	Houston
07/05/2016	3:49:09PM	GPRO	Sell	Houston
12/12/2016	2:14:24PM	F	Buy	D.C.
12/12/2016	2:38:40PM	F	Sell	D.C.
12/13/2016	9:31:06AM	F	Buy	D.C.
12/13/2016	11:29:24AM	F	Sell	D.C.

24. 1Broker and Brunner did not determine whether accountholders met certain discretionary trading thresholds. The unregistered sale of security-based swaps is legal when the sales are limited to “eligible contract participants”—which are high-net-worth individuals and certain types of sophisticated and/or regulated entities. The sales of 1Broker CFDs were not so limited.

25. Similarly, the CFD transactions were not effected on a registered national securities exchange, as required. Instead, all of the sales took place through the 1broker.com website—which is not registered in the U.S.

26. Finally, 1Broker illegally operates as an unregistered dealer. The federal securities laws require that any dealer register with the SEC. A dealer is any person (including an entity) engaged in the business of buying and selling securities for the person’s own account. Although certain exemptions apply to security-based swaps dealers, because 1Broker dealt in

¹ The UC Agent took a long position in each of these trades. The CFD ticker symbols are: The Western Union Company (WU), GoPro Inc. (GPRO), and Ford Motor Company.

security-based swaps with non-eligible contract participants, it cannot avail itself of this exemption.

27. Because it participated in every transaction as the counterparty, 1Broker was in the business of buying and selling CFDs for its own account. 1Broker charged a “fee” on each transaction in the form of a bid-ask spread. Thousands of accountholders, including U.S investors, have utilized 1Broker’s platform to transact in millions of dollars of bitcoin across their 1Broker trading accounts.

28. In addition, 1Broker describes itself as the “market maker” for the CFDs.

29. Despite the fact that it was acting as a dealer, 1Broker failed to register with the SEC. In failing to do so, it violated the federal securities laws.

CLAIMS FOR RELIEF

First Claim Violations of Section 5(e) of the Securities Act

30. The SEC re-alleges and incorporates paragraphs 1-29 by reference as if set forth fully herein.

31. The Defendants, directly or indirectly, in the absence of any applicable exception, made use of the means or instruments of transportation or communication in interstate commerce or of the mails, to offer to sell, offer to buy or purchase or sell, a security-based swap to persons who are not eligible contract participants as defined in Section 1a(18) of the Commodity Exchange Act, without an effective registration statement.

32. Consequently, the Defendants have violated and, unless enjoined, will continue to violate Section 5(e) of the Securities Act [15 U.S.C. § 77e(e)].

**Second Claim
Violations of Section 6(l) of the Exchange Act**

33. The SEC re-alleges and incorporates paragraphs 1-29 by reference as if set forth fully herein.

34. Defendant 1Broker effected transactions in security-based swaps with or for a person that is not an eligible contract participant, without such transaction being effected on a national securities exchange registered pursuant to subsection Section 6(b) of the Exchange Act [15 U.S.C. § 78f(b)].

35. Because Defendant Brunner, directly or indirectly, controls 1Broker, he is also liable jointly and severally with and to the same extent as 1Broker pursuant to Section 20(a) of the Exchange Act [15 U.S.C. § 78t(a)].

36. Consequently, the Defendants violated and, unless enjoined, will continue to violate Section 6(l) of the Exchange Act [15 U.S.C. § 78f(l)].

**Third Claim
Violations of Section 15(a)(1) of the Exchange Act**

37. The SEC re-alleges and incorporates paragraphs 1-29 by reference as if set forth fully herein.

38. Defendant 1Broker made use of the mails or means or instrumentalities of interstate commerce to effect transactions in, or to induce or attempt to induce the purchase or sale of, any security (other than an exempted security or commercial paper, bankers' acceptances, or commercial bills) without being registered in accordance with Exchange Act Section 15(b) [15 U.S.C. § 78o(b)].

39. Because Defendant Brunner, directly or indirectly, controls 1Broker, he is also liable jointly and severally with and to the same extent as 1Broker pursuant to Section 20(a) of the Exchange Act [15 U.S.C. § 78t(a)].

40. Consequently, the Defendants violated and, unless enjoined, will continue to violate Section 15(a)(1) of the Exchange Act [15 U.S.C. § 78o(a)(1)].

RELIEF REQUESTED

The SEC respectfully requests that this Court enter a judgment:

A. Permanently enjoining the Defendants from violating Section 5(e) of the Securities Act [15 U.S.C. §§ 77e(e)] and Sections 6(l) and 15(a)(1) of the Exchange Act [15 U.S.C. § 78f(l) and 15 U.S.C. § 78o(a)(1)].

B. Ordering the Defendants to disgorge, on a joint and several basis, an amount equal to the funds and benefits they obtained illegally, or to which they are otherwise not entitled, as a result of the violations alleged, plus prejudgment interest thereon.

C. Imposing civil penalties upon the Defendants pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d) of the Exchange Act [15 U.S.C. § 78u(d)].

D. Ordering such other relief as this Court may deem just and proper.

Dated: September 27, 2018

Respectfully Submitted,

/s/ Chris Davis

Chris Davis

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(817) 978-4927 (fax)

davisca@sec.gov

ATTORNEY FOR PLAINTIFF
SECURITIES AND EXCHANGE
COMMISSION

CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)

<p>I. (a) PLAINTIFFS</p> <p style="text-align: center;">SECURITIES AND EXCHANGE COMMISSION</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____ (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)</p> <p>Christopher A. Davis U.S. Securities and Exchange Commission 801 Cherry Street, Suite 1900 Fort Worth, Texas 76102, 817-900-2638</p>	<p>DEFENDANTS</p> <p style="text-align: center;">1POOL LTD. a.k.a. 1BROKER and PATRICK BRUNNER</p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY) <small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small></p> <p>ATTORNEYS (IF KNOWN)</p>																								
<p>II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)</p> <p><input checked="" type="radio"/> 1 U.S. Government Plaintiff <input type="radio"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="radio"/> 2 U.S. Government Defendant <input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!</p> <table style="width:100%; border: none;"> <thead> <tr> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 4</td> <td style="text-align: center;"><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
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Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6																				

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<p><input type="radio"/> A. Antitrust</p> <p><input type="checkbox"/> 410 Antitrust</p>	<p><input type="radio"/> B. Personal Injury/Malpractice</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Medical Malpractice</p> <p><input type="checkbox"/> 365 Product Liability</p> <p><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Product Liability</p>	<p><input type="radio"/> C. Administrative Agency Review</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><u>Social Security</u></p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p><u>Other Statutes</u></p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)</p>	<p><input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction</p> <p>Any nature of suit from any category may be selected for this category of case assignment.</p> <p>*(If Antitrust, then A governs)*</p>
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E. General Civil (Other) OR **F. Pro Se General Civil**

<p><u>Real Property</u></p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent, Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p> <p><u>Personal Property</u></p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p><u>Bankruptcy</u></p> <p><input type="checkbox"/> 422 Appeal 27 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><u>Prisoner Petitions</u></p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus & Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Conditions</p> <p><input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement</p> <p><u>Property Rights</u></p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 835 Patent – Abbreviated New Drug Application</p> <p><input type="checkbox"/> 840 Trademark</p>	<p><u>Federal Tax Suits</u></p> <p><input type="checkbox"/> 870 Taxes (US plaintiff or defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p> <p><u>Forfeiture/Penalty</u></p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p> <p><u>Other Statutes</u></p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 430 Banks & Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p>	<p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p> <p><input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organization</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Satellite TV</p> <p><input checked="" type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> <p><input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)</p>
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<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multi-district Litigation
 7 Appeal to District Judge from Mag. Judge
 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 Section 5(e) Securities Act [15 USC § 77e(e)]; Sections 6(l) & 15(a)(1) Exchange Act [15 USC § 78f(l) & 78o(a)(1)]

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 <input type="checkbox"/>	DEMAND \$ _____	JURY DEMAND: YES <input type="checkbox"/> NO <input type="checkbox"/>
VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If yes, please complete related case form

DATE: 9/27/18	SIGNATURE OF ATTORNEY OF RECORD: /s/ Chris Davis
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INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

AO 440 (Rev. 06/12; DC 3/15) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

SECURITIES AND EXCHANGE COMMISSION

Plaintiff(s)

v.

1POOL LTD. a.k.a. 1BROKER, et al

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) 1POOL LTD. a.k.a. 1BROKER, Reg. No. 85182, Trust Company Complex Ajeltake Road, Ajeltake Island, Majuro, Marshall Islands MH 96960

or wherever found

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chris Davis
Securities and Exchange Commission
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ANGELA D. CAESAR, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12; DC 3/15) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

SECURITIES AND EXCHANGE COMMISSION

Plaintiff(s)

v.

1POOL LTD. a.k.a. 1BROKER, et al

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) PATRICK BRUNNER c/o Stadler Volkel Rechtsanwälte GmbH
Seilerstatte 24, 1010 Wien, FN 426839f, Austria

or wherever found

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

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