

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK

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| CHRISTOPHER BRUMMER, | : Index No.: 153583/2015 |
| | : Hon. Manuel J. Mendez |
| | : IAS Part 13 |
| | : |
| Plaintiff, | : |
| | : |
| | : |
| | : |
| -against- | : |
| | : |
| | : |
| BENJAMIN WEY, FNL MEDIA LLC, and | : |
| NYG CAPITAL LLC d/b/a | : |
| NEW YORK GLOBAL GROUP, | : |
| | : |
| Defendants. | : |
| -----X | |

FIRST AMENDED COMPLAINT

Plaintiff Christopher Brummer (“Plaintiff” or “Professor Brummer”), by his attorneys, Vorys, Sater, Seymour and Pease LLP and Lynch Daskal Emery LLP, for his Complaint against defendant Benjamin Wey, FNL Media LLC, and NYG Capital LLC d/b/a New York Global Group (collectively “Defendants”) in this action alleges as follows:

INTRODUCTION

1. This action arises out of the vindictive and malicious conduct of defendant Benjamin Wey (“Wey”) and the companies he controls, NYG Capital LLC d/b/a New York Global Group (“NYGG”) and FNL Media LLC (“FNL Media”). Defendants have been waging a

comprehensive and widespread internet defamation campaign against Professor Brummer, a Professor of Law at Georgetown University Law Center.

2. Professor Brummer accordingly seeks, among other things, compensatory and punitive damages and an order enjoining Defendants from continuing their deliberate and relentless campaign of defamation, harassment, and intimidation, and from further tarnishing Professor Brummer's reputation.

PARTIES

3. Plaintiff Christopher Brummer is a natural person who resides in Washington D.C. and a Professor of Law at Georgetown University Law Center.

4. Defendant NYGG purports to be a U.S. and Asia-based strategic market entry advisory, venture capital, and private equity investment group that services clients worldwide in the areas of corporate finance, direct investments, China strategic advisory, and market entry advisory. NYGG is a company organized and existing under the laws of the State of New York with its principal place of business in New York, New York.

5. Defendant FNL Media is a division of and/or the wholly-owned subsidiary of NYGG. FNL Media is the owner of TheBlot website (www.theblot.com, "TheBlot"), a digital magazine that purports to combine investigative journalism with reader-submitted opinion pieces. FNL Media is a company organized and existing under the laws of the State of New York with its principal place of business in New York, New York.

6. NYGG and FNL Media operate in concert as a joint enterprise. They share the same offices, management, and ownership. Employees of both defendant companies meet to discuss and plan TheBlot's business and publications. NYGG exercises complete dominion and control over FNL Media and uses TheBlot to further its business interests by bolstering its own

reputation and by destroying the reputations of its actual and perceived adversaries through defamation, harassment, and intimidation.

7. Defendant Wey is the Chief Executive Officer of NYGG. At NYGG, Wey purports to specialize in strategic market entry and crisis management issues for Chinese companies. Wey is currently under federal indictment for conspiracy, wire fraud, securities fraud and money laundering in connection with his business practices at NYGG, and the SEC has filed a parallel complaint. Wey is also the publisher of and a regular contributor to TheBlot, a digital magazine that purportedly conducts “investigative journalism” and “brings traditional journalism to the modern day” but that Wey, in fact, uses to maliciously defame, harass, and intimidate private individuals. At TheBlot, Wey uses his significant resources to attack, defame, harass, and intimidate persons he perceives to be adverse to him personally and/or the interests of Wey, NYGG and FNL Media. Wey resides and works in New York, New York. As the publisher of TheBlot, Wey has complete control of all content produced by TheBlot.

8. Based on the residence of Wey and the place where Wey committed his tortious acts, venue is proper in New York County.

BACKGROUND

Plaintiff Christopher Brummer, Professor of Law at Georgetown University Law Center

9. Plaintiff Christopher Brummer, a Professor of Law at Georgetown University Law Center, is an expert in business organization and securities regulation, international finance, and international law. Professor Brummer earned his J.D. from Columbia Law School, where he graduated with honors, and received a Ph.D. in Germanic Studies from the University of Chicago. Before becoming a law professor, Professor Brummer practiced law in the New York

and London offices of Cravath, Swaine & Moore LLP. He earned his undergraduate degree *summa cum laude* from Washington University in St. Louis.

10. Prior to joining Georgetown University Law Center's faculty with tenure in 2009, Professor Brummer was an assistant professor of law at Vanderbilt Law School. Professor Brummer has also taught at several leading universities as a visiting professor, including the universities of Basel and Heidelberg and the London School of Economics.

11. Professor Brummer's work has been published in leading academic journals, including the *Columbia Law Review* (note), *California Law Review*, *Georgetown Law Journal*, *Southern California Law Review*, *University of Chicago Law Review*, *Vanderbilt Law Review*, and *Fordham Law Review*. Professor Brummer has testified for U.S. and foreign governments to offer his perspective on international regulatory policy.

12. From 2013-2015, Professor Brummer served on the Financial Industry Regulatory Authority, Inc.'s ("FINRA") National Adjudicatory Council ("NAC"), which is charged with hearing the appeals of disciplined FINRA members. FINRA is a not-for-profit national organization authorized by Congress to regulate the securities industry and protect investors.

Defendants' Retaliation Against Professor Brummer for a FINRA Decision that Punished Wey's Associates For Acts of Fraud

13. In August 2013, after a fully-litigated proceeding, a FINRA hearing panel found that two of Wey's business associates (William Scholander and Talman Harris) had violated Section 10(b) of the Securities Exchange Act of 1934, SEC Rule 10b-5, and FINRA Rules 2020 and 2010 for fraudulently marketing the stocks of Deer Consumer Products, Inc. This decision (the "Hearing Panel Decision") prohibited the parties from associating with any FINRA firm in any capacity. This Hearing Panel Decision was appealed to the NAC and ultimately affirmed on

December 29, 2014. Professor Brummer served on the NAC panel that issued this decision (the “NAC Decision”).

14. Less than a month after the NAC Decision upholding professional discipline against Wey’s associates, Defendants wrote and published on TheBlot an article about Professor Brummer titled “WANT TO GET RICH FROM A CRIMINAL? ASK CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR.” A copy of the original version of this article is attached as Exhibit A.

15. From the very outset of the attacks, Defendants invited readers to “[s]tay tuned,” announcing (in bold type) “the **Chris Brummer saga** to be continued.” As Defendants promised, the first posting of the article has proven to be just the beginning of an ongoing campaign of defamation and harassment against Professor Brummer involving multiple articles on TheBlot, fake comments on those articles specifically designed to influence search engine results, entire websites devoted to defaming Professor Brummer, and social media content from various platforms linking to TheBlot articles. Each of these acts was perpetrated by or at the direction of Defendants, and each was intentionally and maliciously calculated to ruin Professor Brummer’s professional and personal reputation and life.

16. Through the many online platforms they have utilized, Defendants’ defamation of Professor Brummer has expanded to cover several themes, all of which are demonstrably false and constitute defamation *per se*:

- Defendants knowingly and falsely assert that Professor Brummer engaged in an extramarital affair with Maureen Gearty, a witness against Scholander and Harris in the FINRA proceeding. Professor Brummer does not know Ms. Gearty and has never even met her.
- Defendants state that the NAC Decision, in which Professor Brummer took part, “ruined the lives of two innocent” brokers (Scholander and Harris) and that Professor Brummer “fabricated evidence” in support of that decision because he is a

“racist” (Harris is African-American, as is Professor Brummer) and an “Uncle Tom.” Scholander and Harris were certainly not innocent. The SEC upheld the NAC Decision. The Department of Justice indicted both Scholander and Harris, and Scholander has already pled guilty to wire fraud, securities fraud, and conspiracy to commit securities fraud and wire fraud. Moreover, Professor Brummer did not “fabricate evidence” against them, and his decision was not motivated or affected by racial animus.

- Defendants claim that Professor Brummer was involved in bribery and other schemes with financier Michael Milken and defrauded investors. Milken entered a guilty plea to charges of racketeering and securities fraud more than 25 years ago, and since then established an independent economic think tank called the Milken Institute focusing on public health, education and economic development. Professor Brummer, alongside many other professors, has served as a research fellow studying issues relating to capital access for young entrepreneurs and international financial regulation, but has never had any involvement with Michael Milken’s financial activities.
- Defendants assert that Professor Brummer was “unable to get into a decent law school,” “squeezed himself into a part-time program waiving the flag of ‘affirmative action’,” “struggled” in law school, was a failure in the private sector, “inflate[s]” his professional biography and is unqualified to serve as a professor or as a member of the NAC. Besides the fact that the law school Professor Brummer attended, Columbia, is well regarded (and has no part-time J.D. program), these allegations are objectively false because he was awarded the top merit based scholarship to attend, has stellar academic and professional credentials, and there is no need for him to inflate his professional biography, and he has never done so.

17. As mentioned above, the first salvo in Defendants’ defamatory assault on Professor Brummer’s reputation was an article posted on TheBlot on January 21, 2015. It now has a new title aimed at introducing more defamatory material and luring in a new and broader audience: “CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, ABUSER GOT CAUGHT,” (the “Fraud Article”). The Fraud Article also includes altered and captioned photographs of Professor Brummer that have been added since the original publication. A copy of the current version of the Fraud Article is attached as Exhibit B.

18. Since August 2015, Defendants have added new and specific allegations to the Fraud Article stating that Professor Brummer (1) “was entangled in an alleged extramarital affair with ‘Big Red’ Maureen Gearty,” a witness in the FINRA proceedings that testified against brokers Scholander and Harris (2) engaged in “bribery and shady money dealings,” (3) filed and lost a frivolous lawsuit against “journalists,” (4) caused “many investors to lose their life savings,” and (5) was “strongly rebuked in an SEC filing.”

19. The ever-changing Fraud Article makes false and defamatory statements that currently include the following:

- That Professor Brummer engaged in “bribery and shady money dealings,” and “repeatedly harassed investigative journalists.”
- That Professor Brummer acted “like a **thief that got caught** in a failed scheme to SILENCE THE MEDIA[.]” (bold in original)
- That “[p]ublic records revealed murky dealings among Chris Brummer, his alleged extramarital affair with a FINRA witness, the cover-up by FINRA cronies . . . [and] lies told by Chris Brummer[.]”
- That “[i]n March 2016, CHRIS BRUMMER, broadly known as ‘Dr. Bratwurst’ LOST the frivolous lawsuit against journalists. A New York judge tossed out Chris Brummer’s fabricated claims.”
- That Professor Brummer “was entangled in an alleged extramarital affair with ‘Big Red’ Maureen Gearty, a FINRA ‘STAR’ witness whose blatant lies destroyed the 20 year careers of two innocent black brokers. The alleged steamy sexual affair has brought media spotlight on CHRIS BRUMMER, who was also sued and accused of fabricating evidence.”
- That Professor Brummer’s “background of cooking sausages should have disqualified Brummer in a complex financial case. Instead, the FINRA Uncle Tom Chris Brummer was deliberately told to adjudicate a case and rule in FINRA’s favor against two black brokers.”
- That Professor Brummer “was strongly rebuked in an SEC filing against Brummer, quoted directly from the SEC complaint: ‘Led by Chris Brummer, FINRA has merely sought to malign the character of Appellants. This tactic is particularly egregious because there is NO support for the aspersions cast by FINRA...Chris Brummer and FINRA apparently feel that they can grossly misconstrue the record....’” [By

characterizing this as a “rebuke” in an “SEC filing,” and purportedly quoting from an “SEC complaint”—while deliberately omitting that it refers to an unsuccessful brief that (federally indicted brokers) Scholander and Harris filed with the SEC in connection with a rejected appeal—the statement implies the false facts that a rebuke came from the SEC itself and that the regulatory agency has “rebuked” Professor Brummer. But in fact the SEC upheld the decision in its entirety including the punishment of the brokers.]

- That Professor Brummer “may be better at teaching his students dancing with naked German girls than the law or business courses.”
- That Professor Brummer “never denied that his alleged lover and FINRA ‘star witness’ Maureen Gearty lied under oath – which led to a rigged ruling that assassinated the reputation of two innocent black men, [and] completely devastated their young families.”
- That Professor Brummer “makes money off convicted felons, according to public records.”
- That Professor Brummer “laid his eyes on a young female student’s pair of naked legs – a waitress working at Saxby’s Coffee, a popular coffee joint near Georgetown University in D.C.”
- That Professor Brummer worked at the Milken Institute as “a biotech industry ‘pumper and dumper’ that makes bundles of cash by selling highly risky biotech stocks — making empty promises and creating dreams of drug wonders while emptying the life savings of grandmas and grandpas across America.”
- That “[m]any investors lost their life savings, thanks to [the] endorsement by Brummer.”
- That Professor Brummer “became the 21st century ‘Uncle Tom’ ruining the lives of innocent men and women in the world of finance.”

20. Defendants have repeatedly revised the Fraud Article with the intent both to communicate the revised and new defamatory statements and to communicate the older defamatory statements to a new audience. Defendants’ ongoing revisions are calculated to include more inflammatory (and false) statements about Professor Brummer in order to attract more readers to TheBlot and increase the damage to Professor Brummer’s reputation.

21. The updated version of the Fraud Article also now includes 35 comments. The comments, which, upon information and belief, were posted by Wey, falsely impersonate two FINRA employees (Carrie Bennett and Jonathan Klein), a New York Times reporter

(Sharon@nytimes.com), and one of Professor Brummer's attorneys (Scott Emery). Many of the comments list only the purported first name of the commenter or are anonymous. The comments include the same type of false and defamatory statements that are contained in the Fraud Article itself, including:

- From "Carrie Bennett,": "I worked for FINRA – and Brummer. He is not so bad, just a sexist."
- From "Scott Emory," [sic] later changed to just "Scott" on October 19, 2015: "Chris Brummer is shameless. How could a black man like Chris Brummer have the conscience to destroy other black men? Black lives don't matter for blacks in the eyes of Chris Brummer?"
- From "Anonymous": "CHRIS BRUMMER IS JUST ANOTHER NIGGA TRYING TO GET IN THE PANTS OF A WHITE CHICK."
- From "Scott Emory" [sic] on June 14, 2016: "Just saw Chris Brummer. He was chewing on a Bratwurst sausage with his girlfriend Maureen Gearty. Forgot to call him Uncle Tom Chris."

22. There is little doubt that these comments were drafted and posted by Wey because (1) the language of the comments is identical or nearly identical to the language used in the body of the article; (2) the purported commenters often used false names that the general public would not recognize as connected to Professor Brummer (like Scott Emery, Professor Brummer's attorney); and (3) in a separate successful defamation case brought by a different plaintiff against the same Defendants, Wey admitted to posting comments on TheBlot using the names of individuals associated with the target of the comments (*see infra* at ¶ 32).

23. Not satisfied with merely revising and republishing the Fraud Article, on September 4, 2015, Defendants published an entirely new article about Professor Brummer, titled "Professor Chris Brummer, Creepy Georgetown Law Academic Wants To Shut Down The Internet, Choke Free Speech," (the "Shut Down Article"). A copy of the current version of the Shut Down Article is attached as Exhibit C. Along with many new altered and captioned

photographs of Professor Brummer, the Shut Down Article contains more false and defamatory statements about Professor Brummer, including:

- That “‘Chris Brummer’s wrecked [sic] intellect destroyed the professional lives of two innocent black Americans,’ said an attorney familiar with the Chris Brummer frivolous lawsuit.”
- That an unnamed “SEC filing strongly rebukes Chris Brummer, [and] FINRA’s racist decisions based on a single testimony from Brummer’s alleged lover.”
- That Professor Brummer “was in an alleged extramarital affair with Maureen Gearty.”
- That “the livelihoods of [Harris and Scholander] were taken away despite the two never having been targeted for enforcement by FINRA or the Securities and Exchange Commission (SEC). Each with about 20 years of professional accomplishments without a single customer complaint, Talman Harris and William Scholander were railroaded by the FINRA power abusers who were championed by Chris Brummer.”

24. Like the Fraud Article, the Shut Down Article has 15 fraudulent comments which, upon information and belief based on the same facts alleged *supra* at ¶ 22, were drafted and posted by Wey. The first comment was posted on September 5, 2015 and the most recent comment was posted on June 27, 2016. The comments include the same type of false and defamatory statements that are contained in the Shut Down Article itself, including:

- That Professor Brummer is “just [like] any other fast talking crooks out there: a stupid fukk.”
- That Professor Brummer is “a racist puppet for FINRA. He is nothing more than a fall guy that these racist FINRA bureaucrats are pushing to the front line to fight their battles so they don’t have to be exposed as the racist pigs they are!”
- That Professor Brummer is “a nigga bro dreaming to be white[.]”

25. Defendants’ next step in their campaign of defamation, harassment and intimidation against Professor Brummer came in March 2016, when Wey created the website professorchrisbrummer.com and republished much, if not all, of the false and defamatory content contained in the Fraud and Shut Down articles. The website also contains many of the same

defamatory and doctored images that accompany the articles on TheBlot. A copy of professorchrisbrummer.com is attached hereto as Exhibit D. A downloaded image from the domain registration reference website whois.icann.org showing that Defendant Wey was the “registrant contact” for www.professorchrisbrummer.com is attached hereto as Exhibit E.

26. Once again, the focus of Wey’s defamatory claims against Professor Brummer on professorchrisbrummer.com are:

- That Brummer ruined the lives of “innocent” brokers Talman Harris and William Scholander.
- That Brummer “fabricat[ed] evidence” and engaged in “racial discrimination” against Harris and Scholander.
- That Brummer “laid his eyes on a young female student’s pair of naked legs – a waitress working at Saxby’s Coffee, a popular coffee joint near Georgetown University in D.C.”
- That “Chris Brummer’s biography, puffed like a pillow, is almost entirely bullshit.”
- That “Chris Brummer has since failed in almost every attempt in the private sector.”
- That “[m]any believe Chris Brummer has a secret ‘Pandora’s box’ stuffed with lots of dirty laundry: a known regulatory abuser; an alleged extramarital affair with a FINRA ‘star’ witness’ while Brummer had a moonlighting job as a FINRA arbitrator; a failed lawsuit to retaliate against the media that had exposed Brummer’s money dealings with questionable characters; close associations and payment from the convicted market manipulator Michael Milken; strong condemnation in an SEC filing accusing Brummer and FINRA of fabricating evidence; strong rebukes from a New York court in March 2016 for filing a frivolous lawsuit against the media; the assassination of two innocent black men’s 20 year, spotless careers and allegations of outright fraud against Chris Brummer.”
- That Professor Brummer engaged in “an alleged sexual affair with a FINRA witness Maureen Gearty.”

27. Professorchrisbrummer.com was not the only website that Wey created to defame Professor Chris Brummer. He also created williamscholander.com, williamscholander.info, williamscholander.org, and billyscholander.com. Each of these websites went live on or about

August 10, 2015. Each of these websites contains a republication of the Fraud Article, including all of the defamatory statements described above.

28. Wey also created the websites unitedpressnews.com and investigativepress.com, which also purport to be investigative news websites, but in reality, simply republish the defamatory content regarding Professor Brummer and others found on TheBlot in a different layout and format, including the false statements described above from the Fraud and Shut Down articles.

29. Defendants republished the defamatory statements from the Fraud Article on these newer websites with the intent of communicating the statements to a new audience, ranging from readers specifically interested in legitimate reporting (unitedpress.com and investigativepress.com, for example, are designed to sound like news groups United Press International and Investigative Reporters and Editors) to those investigating and prosecuting William Scholander's illegal activities or considering doing business with him.

30. Defendants' campaign of defamation, harassment and intimidation continues unabated. On June 27, 2016, Defendants wrote and published another article on TheBlot, titled "PROFESSOR CHRIS BRUMMER, UNQUALIFIED CFTC NOMINEE HIDDEN IN DARK CLOSET," (the "Closet Article"). A copy of the Closet Article is attached as Exhibit F. The Closet Article makes defamatory statements similar to those made in the earlier articles on TheBlot, including:

- That "money through Michael Milken to the Democratic Party has propelled the completely unqualified Dr. Bratwurst – Chris Brummer to a fantasy land."
- That "[m]any believe Chris Brummer has a secret 'Pandora's box' stuffed with lots of dirty laundry: a known regulatory abuser; an alleged extramarital affair with a FINRA 'star' witness' while Brummer had a moonlighting job as a FINRA arbitrator; a failed lawsuit to retaliate against the media that had exposed Brummer's money dealings with questionable characters; close associations and payment from the convicted market

manipulator Michael Milken; strong condemnation in an SEC filing accusing Brummer and FINRA of fabricating evidence; strong rebukes from a New York court in March 2016 for filing a frivolous lawsuit against the media; the assassination of two innocent black men's 20 year, spotless careers and allegations of outright fraud against Chris Brummer."

- That "Chris Brummer muscled into a law school after waving the flag of 'affirmative action[.]'"
- That "Chris Brummer's gloomy life is shrouded in controversy: an exaggerated bio; a failed frivolous lawsuit in March 2016 against media criticism; an absurd effort to shut down the internet; bribes from convicted stock criminals; an alleged extramarital affair with a lying witness – 'Big Red' Maureen Gearty, which caused the FINRA arbitrator Chris Brummer to rule against her boyfriend; the blatant destruction of two innocent black men's professional lives – leaving their young black families deserted in the snow."
- That Professor Brummer "defrauded a New York judge – lied repeatedly in court filings denying the fact that he was a political jockey and a public figure."

31. The Closet Article, like the Fraud and Shut Down articles, also contains numerous photos regarding Professor Brummer that have been altered and captioned in a manner calculated to defame, harass and intimidate him. *See* Ex. F. The Closet Article also contains an image of what appears to be Jamaican sprinter Usain Bolt drinking a beer with a blonde woman at what appears to be Oktoberfest, with the caption "PROFESSOR CHRIS BRUMMER, PHD in GERMANIC STUDIES, OKTOBERFEST, BRATWURST SAUSAGE." *See* Ex. F at 3. This photo is defamatory in that it falsely implies that Professor Brummer is illicitly involved with German women, and is used to substantiate new false claims made in the article and on other websites controlled by Defendants of Professor Brummer "dancing with half-naked" European women, when in truth, Professor Brummer is not even in the photo. This image was recently added to the Fraud Article as well. *See* Ex. B at 5.

32. The Closet Article already has four fraudulent comments since it was posted on June 27, 2016 that, for the same reasons discussed supra at ¶ 22, are all believed to have been drafted and posted by Wey.

33. To maximize the damage and distress inflicted upon Professor Brummer, Wey has republished his defamatory attacks on other internet sites, such as Twitter and Tumblr. *See, e.g.*, examples of Benjamin Wey's Twitter and Tumblr posts, relevant copies of which are attached as Exhibit G and H respectively. As a result of these efforts, Wey has expanded the circulation of the defamatory articles. Wey has nearly 85,000 Twitter followers who may have been exposed to the defamatory articles in addition to the thousands of hits TheBlot receives every day.

34. As mentioned above, Defendants have altered numerous photographs of Professor Brummer in an effort to tar him as an abusive racist and fraud and to harass and intimidate him. Examples of such photographs are shown in the Google search results page for an image search of "Chris Brummer," attached as Exhibit I. Many of those same doctored photographs appear on TheBlot's Pinterest page, a copy of which is attached as Exhibit J. Defendants use Pinterest to expand the circulation of the defamatory articles.

35. Likewise, Wey has engaged in search engine optimization manipulations to ensure that the altered images of Professor Brummer described above appear near the top of internet image searches. *See Ex. I.*

36. Defendants have published Professor Brummer's office email and telephone number in connection with the campaign of harassment and intimidation against him.

37. Although the Fraud and Shut Down articles regarding Professor Brummer on TheBlot do not list Wey as the author, Wey authored and published them. Wey's own LinkedIn profile, attached hereto as Exhibit K, lists Wey as the author of both articles. Moreover, in a

separate defamation proceeding brought by another plaintiff against Defendants, a federal court found that Wey wrote and posted articles on TheBlot using pseudonyms for the express purpose of attacking his perceived enemies. (*See infra* at ¶¶ 39-41.)

Defendants' Defamatory Campaign Against Professor Brummer Mirrors An Earlier Campaign Against Another Perceived Enemy

38. This is not the first time Wey has used TheBlot to defame a perceived enemy. On July 21, 2014, Hanna Bouveng, a former employee of NYGG, sued Wey, NYGG, and FNL Media for sexual harassment, retaliation, and defamation, *Hanna Bouveng v. NYG Capital LLC d/b/a New York Global Group, FNL Media LLC, and Benjamin Wey*, Case No. 14-CV-5474 (S.D.N.Y.).

39. In June 2015, a jury for the United States District Court for the Southern District of New York found NYGG, FNL Media, and Wey liable on all claims and awarded Ms. Bouveng \$17.5 million in damages. Among other conclusions, the jury determined that Wey's statements about Ms. Bouveng on TheBlot were defamatory. The court later reduced the damages award based on a proportionality analysis, but it nonetheless recognized that Wey and his codefendants "carefully and maliciously chose falsehoods and lies that would do maximum damage to Plaintiff's burgeoning professional career, and then employed a media that would disseminate those falsehoods and lies as broadly as possible[.]" *See Bouveng*, Case No. 14-CV-5474, Doc. No. 296, at 96 (S.D.N.Y.).

40. In upholding the jury's \$1.5 million compensatory damages award on the plaintiff's defamation claim, the court found that Wey and his codefendants "engaged in a daily campaign of Internet-based defamation against Plaintiff that lasted for approximately ten months, during which time over 50,000 separate viewers visited The Blot Magazine's website each month. Defendants also used search engine optimization techniques to ensure that Blot articles

concerning Plaintiff would appear high on any search engine result list regarding Plaintiff, thus maximizing the damage to Plaintiff's reputation. In an effort to ensure that Blot articles would appear first in response to a search of Plaintiff's name, Defendants went so far as to arrange for phony and fabricated 'comments' to be made on Blot articles about [Plaintiff.]" *Id.* at 88.

41. Indeed, during the *Bouveng* trial, Wey stipulated that he "caused comments to be added . . . to articles on TheBlot.com . . . which (a) appeared under the names of people associated with plaintiff, such as her attorneys, friends, or family or under the names of well-known-people and (b) were not actually authored by" those people. An excerpt of the *Bouveng* trial transcript including that stipulation is attached hereto as Exhibit L, at 123-124.

42. Likewise, Alicia Lu, the former editor-in-chief of TheBlot, testified during the *Bouveng* trial that Wey often wrote "attack articles on certain people [who] he considered his enemies" using pseudonyms and that in order to increase an article's visibility on Google and other search engines, "Mr. Wey would write comments for the articles under different names because the more comments a story has, the more relevant it seems to Google[.]" *See* Ex. L at 145-147, 149-150, 160. Ms. Lu, like others who dare to stand up to Wey, has been bullied and harassed online with comments like these published on TheBlot after she testified against Wey:

- "Alicia Lu is an ugly whoorse [sic]."
- "This is the most ugly Asian chick I have ever seen. Alicia Lu is a shame. Must be a total waste"

A copy of TheBlot article regarding Ms. Lu, including altered photographs and comments, is attached as Exhibit M.

Scholander and Harris Were Not "Innocent"

43. On September 9, 2015, Scholander and Harris, along with three other co-defendants, were indicted on four counts of wire fraud and conspiracy to commit securities fraud

and wire fraud in connection with an Ohio Ponzi scheme. The allegations in the indictment mirror those in the FINRA action against Scholander and Harris that was upheld by the NAC Decision.

44. The next day, on September 10, 2015, Wey was indicted in the Southern District of New York on eight counts of conspiracy, securities fraud, wire fraud and money laundering related to “reverse mergers” transactions between Chinese companies and U.S. shell companies orchestrated by Wey. The indictment alleges that Wey concealed his ownership interest in the publicly traded companies and manipulated the companies’ stock prices for his own gain.

45. Also on September 10, 2015, the SEC filed a civil complaint against Wey in the Southern District of New York alleging 11 causes of action for violations of numerous federal securities laws arising out of the same “reverse merger” scheme.

46. Both the federal indictment and the SEC complaint against Wey for concealing a beneficial ownership interest in public companies (as well as the related stock manipulation, wire fraud and money laundering charges) concern some of the same stocks—those of Deer Consumer Products, Inc.—deemed earlier in the NAC Decision to have been fraudulently marketed by Scholander and Harris.

47. On March 31, 2016, the SEC upheld the NAC Decision against Scholander and Harris, finding that both men “omitted material facts in recommending securities” to prospective investors. A copy of the SEC’s decision is attached as Exhibit N. The decision references Wey, his association with Scholander and Harris, and the pending SEC and criminal actions against him. *See* Ex. N at 3.

48. On April 20, 2016, Scholander pled guilty to charges of wire fraud, securities fraud and conspiracy to commit securities and wire fraud, in violation of 18 U.S.C. § 1349, 18

U.S.C. § 1348, and 18 U.S.C. § 1343, respectively. A copy of the May 23, 2016 Order accepting the plea and finding Scholander guilty is attached hereto as Exhibit O.

49. On March 1, 2016, this Court denied Defendants’ motion to dismiss the original complaint in this matter pursuant to CPLR § 3211(a)(1), finding that the statements authored by Wey and posted on TheBlot regarding Professor Brummer are “sufficiently specific to state a claim for defamation.” *See* Dkt. No. 148.

50. The Court granted the motion to dismiss pursuant to CPLR 3211(a)(8) as to Wey, “solely to the extent of ordering a traverse hearing.” *See id.*

51. Thus, Professor Brummer’s claims against Wey and his companies were not “tossed out” or found to be “frivolous,” as Wey now claims throughout his various posts against Professor Brummer.

The Impact of Wey’s Defamation, Harassment and Intimidation Campaign

52. Defendants’ false statements described herein are defamatory because they allege that Professor Brummer is a criminal, that he has engaged in fraudulent activities, that he has lied about his academic and professional qualifications and experience, that he was involved in an administrative proceeding that illegally based its decision on racial animus, that he has cheated on his wife, and that he has other highly offensive character traits such that no one would want to work with him in any professional capacity. These statements are damaging on their face because they accuse Professor Brummer of serious crimes and misbehavior, and they are plainly injurious to Professor Brummer’s business and profession.

53. The defamatory statements described herein are presented on TheBlot as the product of “investigative journalism” in an effort to deceive readers into believing that the

defamatory assertions are objective statements of fact that have been verified. Epithets were not merely hurled in these articles; they were falsely presented as having a basis in fact.

54. Professor Brummer previously had an excellent professional and personal reputation. Defendants' defamatory and disparaging comments have caused him harm and have damaged his personal and business reputations.

55. Defendants have published the defamatory statements described herein with full knowledge that they were false and with actual malice. They have done this viciously with the intent of causing severe damage to Professor Brummer's reputation.

56. Defendants have added to the false statements about Professor Brummer and proliferated them more widely across the internet since the filing of the original complaint in this matter, with the intent of harassing and intimidating a litigant and witness against them.

57. Professor Brummer, a law professor at Georgetown since 2009 who holds no elective office and has not injected himself into any existing, relevant public controversy, is a private individual and not a public figure.

58. Defendants' repeated and continuous publications of disparaging and knowingly false comments about Professor Brummer demonstrate an intent to harm, harass, and intimidate Professor Brummer and all others who would dare to disagree with Wey. The relentless campaign and the steps taken to attack Professor Brummer's personal and professional reputation demonstrate actual malice, and constitute extreme and outrageous conduct.

59. As a direct result of Defendants' misconduct, Professor Brummer has suffered and continues to suffer economic loss in an amount to be proved at trial. For example, Professor Brummer has had to forgo a \$500 per hour consulting engagement for approximately one hour of work (*i.e.*, \$500) involving international banking regulations and has had to spend

\$1,523.76 to purchase and renew registrations for internet domains to protect himself from and decrease the impact of Defendants' past, current, and threatened future defamatory attacks and threats, which Defendants have, in fact, carried out against others in different public contexts. Professor Brummer will continue to suffer economic losses such as internet-related expenses, lost consulting fees, and other lost professional development and advancement opportunities because of defendants' actions.

60. Defendants' misconduct described herein has been deliberate, outrageous, malicious, wanton, oppressive, reckless, grossly reckless, and intentional and evinces an exceptionally high degree of moral turpitude and demonstrates such wanton dishonesty as to imply a criminal indifference to civil obligations. Defendants have further engaged in this misconduct with improper motives and with vindictiveness and with reckless and wanton disregard of Professor Brummer's rights and well-being.

FIRST CAUSE OF ACTION: DEFAMATION PER SE

(Against All Defendants)

61. Plaintiff incorporates paragraphs 1 – 60 as if fully restated herein.

62. The information Defendants published on the internet about Plaintiff is false and defamatory, not the subject of any privilege, and is viewable by many third parties.

63. Defendants had actual knowledge that the information they published about Plaintiff was false and knew or should have known that the information they published about plaintiff was false and defamatory.

64. The published false comments charge Plaintiff with a serious crime, are of the type that tend to injure Plaintiff in his trade, business, and profession, and impute salacious and immoral conduct to Plaintiff.

65. The published false comments were made with the intent to harm Plaintiff and with actual malice.

66. Defendants' unlawful conduct has caused and will continue to cause Plaintiff imminent, irreparable injuries for which there are no adequate legal remedies. Accordingly, Plaintiff is entitled to permanent injunctive relief.

67. Because Defendants have placed Plaintiff's personal character and reputation publicly at issue, Plaintiff is entitled to a declaratory judgment that Defendants' statements are false.

68. As a consequence of Defendants' conduct, Plaintiff's reputation has been injured, and Plaintiff has suffered economic loss, as previously described. Furthermore, Plaintiff has sustained conscious pain and suffering, shock, distress, and humiliating attacks to his personal and professional dignity.

69. As a consequence of the foregoing misconduct of Defendants, Plaintiff has been damaged in an amount exceeding the jurisdictional requirements of this Court and is entitled to an award of compensatory and punitive damages in an amount to be determined at trial.

SECOND CAUSE OF ACTION: DEFAMATION

(Against All Defendants)

70. Plaintiff incorporates paragraphs 1 – 69 as if fully restated herein.

71. The information Defendant published on the internet about Plaintiff is false and defamatory, not the subject of any privilege, and is viewable by many third parties.

72. Defendants had actual knowledge that the information they published about Plaintiff was false and knew or should have known that the information they published about Plaintiff was false and defamatory.

73. The published false comments were made with the intent to harm Plaintiff and with actual malice.

74. Defendants' unlawful conduct has caused and will continue to cause Plaintiff imminent, irreparable injuries for which there are no adequate legal remedies. Accordingly, Plaintiff is entitled to permanent injunctive relief.

75. Because Defendants have placed Plaintiff's personal character and reputation publicly at issue, Plaintiff is entitled to a declaratory judgment that Defendants' statements are false.

76. As a consequence of Defendants' conduct, Plaintiff's reputation has been injured, and Plaintiff has suffered economic loss, as previously described. Furthermore, Plaintiff has sustained conscious pain and suffering, shock, distress, and humiliating attacks to his personal and professional dignity.

77. Plaintiff has been damaged in an amount exceeding the jurisdictional requirements of this Court and is entitled to an award of compensatory and punitive damages in an amount to be determined at trial.

**THIRD CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

(Against All Defendants)

78. Plaintiff incorporates paragraphs 1 – 77 as if fully restated herein.

79. As a consequence of Defendants' wholly unwarranted, unlawful, reckless, grossly reckless, and intentional conduct, including but not limited to their repeated publication and republication of knowingly false and defamatory statements about Plaintiff on the internet, circulation of defamatory photographs of Plaintiff and simultaneous publication of his email address and telephone number, and use of search engine optimization techniques to manipulate

search engines such that the derogatory stories and images of Professor Brummer are omnipresent on the internet and serve to continuously harass Plaintiff, Defendants intentionally inflicted severe emotional distress upon Plaintiff. Defendants, through a pattern of extreme and outrageous conduct beyond all possible bounds of decency and that is atrocious and utterly intolerable within a civilized society, have unlawfully engaged in a malicious campaign of harassment and intimidation against Plaintiff specifically intended to injure and humiliate him and cause him severe emotional distress.

80. As a consequence of Defendants' conduct, Plaintiff's reputation has been injured, and Plaintiff has suffered economic loss, as previously described. Furthermore, Plaintiff has sustained conscious pain and suffering, shock, distress, and humiliating attacks to his personal and professional dignity.

81. Defendants' unlawful campaign of harassment, intimidation, and other unlawful conduct has caused and will continue to cause Plaintiff imminent, irreparable injuries for which there are no adequate legal remedies. Accordingly, Plaintiff is entitled to permanent injunctive relief.

82. As a consequence of the foregoing misconduct of Defendants, Plaintiff has been damaged in an amount exceeding the jurisdictional requirements of this Court and is entitled to an award of compensatory and punitive damages in an amount to be determined at trial.

RELIEF REQUESTED

WHEREFORE, Plaintiff requests the following relief:

- A. Trial by jury on all issues contained in this Complaint;
- B. An award of compensatory and punitive damages for the harm caused to the Plaintiff;

C. An injunction that issues the following orders against Defendants, their agents, officers, members, managers, employees, representatives, and co-conspirators (“Restrained Parties”):

- i. Prohibiting the Restrained Parties from any further acts of defamation or publishing of false statements, comments, or information regarding Plaintiff;
- ii. Mandating that the Restrained Parties take all action including, but not limited to, removing from www.theblot.com, www.professorchrisbrummer.com, williamscholander.com, williamscholander.info, williamscholander.org, bilyscholander.com, unitedpressnews.com, and investigativepress.com (and other websites or internet services) all defamatory, disparaging, libelous, and false statements about Plaintiff that the defendants posted including, but not limited to, taking all action necessary to remove the defamatory content in question; and
- iii. Compelling the Restrained Parties to take all action, including, but not limited to, requesting removal from the Internet search engines including, but not limited to, Google, Yahoo!, and Bing, to remove all defamatory, disparaging, libelous, and false statements posted about Plaintiff on the Internet, including, but not limited to, all postings at www.theblot.com.

D. Declaratory judgment that Defendants’ comments posted on the website www.theblot.com, www.professorchrisbrummer.com, williamscholander.com, williamscholander.info, williamscholander.org, bilyscholander.com, unitedpressnews.com, and investigativepress.com regarding Plaintiff are false;

E. A judgment in Plaintiff’s favor and against Defendants for defamation per se, defamation, and intentional infliction of emotional distress;

F. Attorneys’ fees, costs, and expenses as allowed by law; and

G. Such further relief as the Court deems just and proper.

Dated: January 12, 2017

/s/ Daren S. Garcia

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Attorneys for Plaintiff
Christopher Brummer

Exhibit A



- POLITICS ▾
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WANT TO GET RICH FROM A CRIMINAL? ASK CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR

Thomas Greenfield | January 21, 2015 | [Business, Lawyers, Legal, Scandal, TheBlot Investigations](#) | [5 Comments](#)

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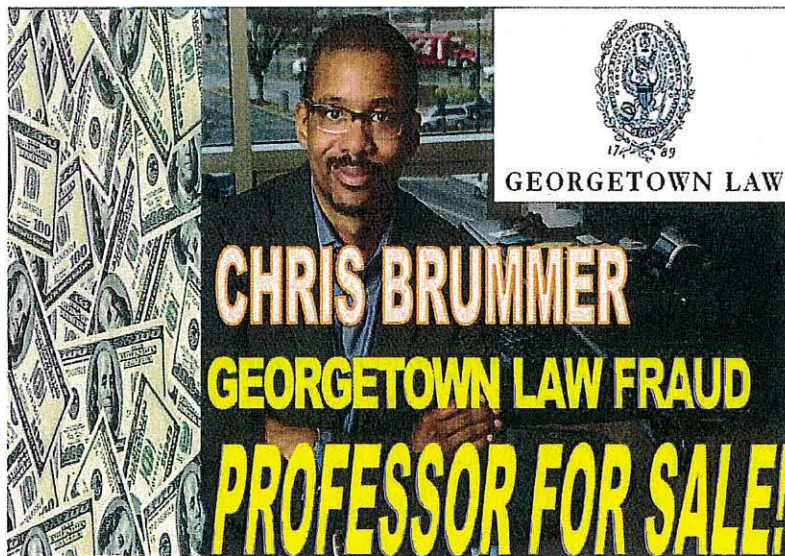
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FINRA CEO Rick Ketchum

Played Like a Fool, Sponsors Racism, Abuser Jeffrey Bloom, Georgetown "Tom" Chris Brummer Caught Pants

Exhibit A



**CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR
FOR SALE, SCANDAL CAUGHT**

MEET CHRIS BRUMMER, GEORGETOWN LAW SCHOOL ACADEMIC, A HOT AIR BALLOON, EXAGGERATED BIOGRAPHY

Chris Brummer is a Georgetown Law School "professor" (Tel: 202 -662-4191, email: cjb84@law.georgetown.edu) with an almost "perfect" profile that could charm the pants off any living creature on earth as well as on Mars. Brummer has the groomed goatee, the Georgetown Law School teaching job and even the right tone in his voice:

"This is Professor Chris Brummer, what can I do for you, and what's there for me?" asked the soft-spoken Chris Brummer, Georgetown Law School academic as he laid his eyes on a pair of naked legs of a young woman working at Saxbys Coffee, a popular coffee joint near Georgetown University in Washington, D.C.

The truth behind the smiling face and brown teeth of this Georgetown Law School "Professor" is quite troubling as the instructor has screwed up the lives of innocent people while selling himself out to a convicted felon.

44 Comments



**BARBARA
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32 Comments



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Cartoon

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30 Comments



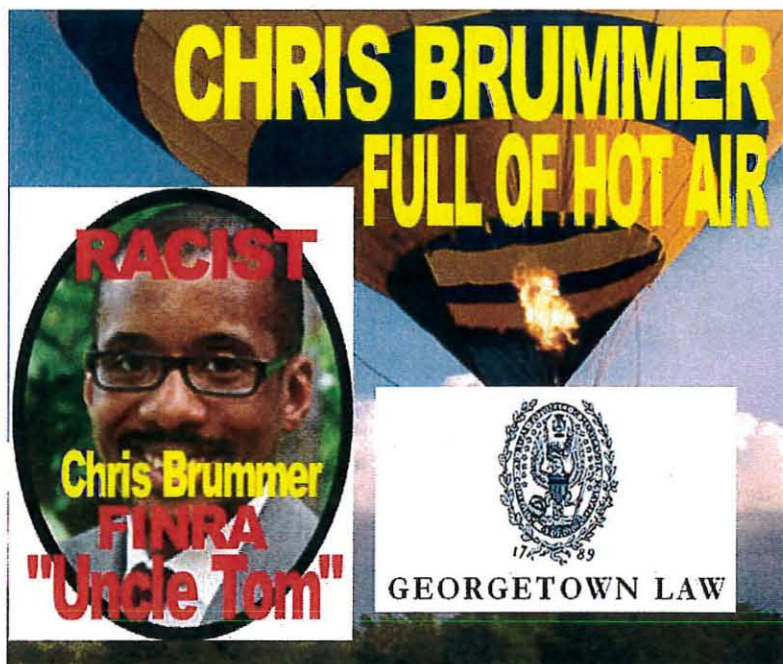
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With enough bragging to make even a donkey blush, Chris Brummer enjoys blowing up his academic credentials on his **website** like some hot air balloon flying over Somalia: *"Chris Brummer is an expert in international financial regulation ... lectures widely on finance and global governance, as well as on public and private international law, market microstructure and international trade."*

Chris Brummer sounded like some salesman – too good to be true for someone who has failed every job in the real life? Correct, it is bullshit. Chris Brummer is all about making money, and it doesn't matter how he makes the buck, even from a convicted criminal.



GEORGETOWN LAW SCHOOL CHRIS BRUMMER CAUGHT LYING, EXAGGERATED BIOGRAPHY

CHRIS BRUMMER, A COLLAPSED LEGAL CAREER

Unable to get into a decent law school on a normal schedule, Chris Brummer squeezed himself into a part-time program by waiving the flag of "affirmative action."

"Damn it, I am black. I deserve to get into a law school ..."

Brummer allegedly yelled at a college admissions officer. After struggling through school, he was unable to land a single corporate client willing to pay for his poor legal work.

Deeply buried in debt, his venture into real life abruptly collapsed. Struggling to make a living, Brummer became an academic "vacuum brain" swimming in the world of legal theories that could never survive a day in the real life. Teaching people senseless, useless legal jargon is never a path to prosperity. Brummer had to find a way to make a living, somewhere, somehow ... Until he got "lucky" by teaming up with a convicted criminal.

CHRIS BRUMMER, CRIMINAL INDICTMENT, "SHOW ME THE MONEY!"

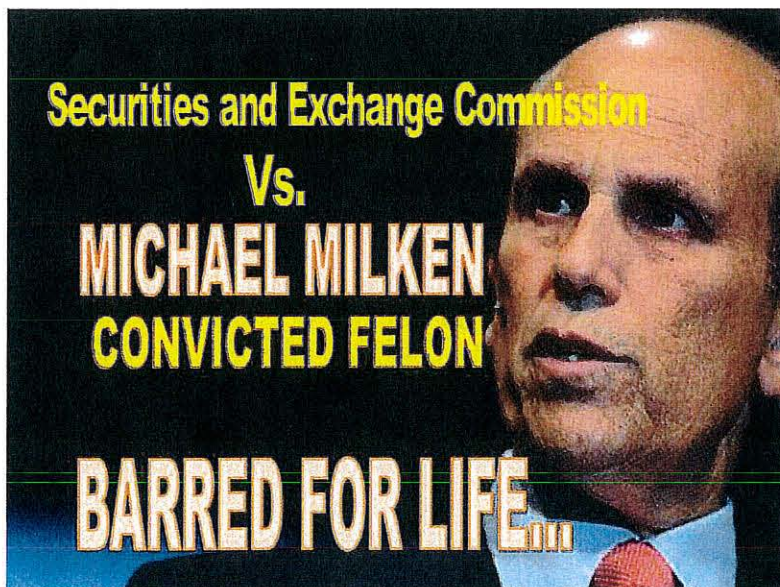
Desperation over money took Chris Brummer to the darkest corners of America's long forgotten past: Paid more than \$200,000 per year, Brummer became a "research fellow" at an obscure "institute" founded by a **Michael Milken**, a convicted felon who was arrested, **criminally indicted** and served a lengthy federal prison sentence as the culprit of the biggest junk bond fraud in the U.S. history, **according to The New York Times**. Milken was also barred for life by the Securities and Exchange Commission (SEC) from associating with anyone in the U.S. financial markets.

CHRIS BRUMMER IMPLICATED IN MICHAEL MILKEN FRAUD INVESTIGATIONS, LIFETIME BAR

By 2011, Chris Brummer was named a "**senior fellow**" (**cbrummer@milkeninstitute.org**) by the Michael Milken Institute. Two years later, the convicted felon Milken was under government investigations, again, by the SEC for violating a **bar order that prohibits him** from engaging in any investment-related activities.

According to investigations conducted by the highly credible **Fortune Magazine** and **TheBlot Magazine**, the **SEC accused Milken** of violating his lifetime bar — for the third time in the past 15 years. The government's fraud investigations against Milken also implicated Chris Brummer and Guggenheim Partners, a hedge fund outfit.

According to public records, Michael Milken, 68, has spent years and millions of dollars buying access to public relations and rehabilitating his image following a long prison stint in the early 1990s after he pleaded guilty to federal charges of securities and tax fraud. He also accepted a ban from the investment industry as part of an SEC plea bargain agreement. A few years after he left prison, the SEC alleged that Milken had violated his ban by advising investors on deals. In 1998, Milken settled the SEC's claim and paid \$47 million in restitution.



MICHAEL MILKEN, NEW SEC INVESTIGATION, BARRED FOR LIFE, CONVICTED FELON

While Michael Milken's lawyers wrestled with the SEC investigators, Chris Brummer was busy counting cash and courting the criminal fraud, adding "lipsticks" to the Milken Institute.

"When a man needed money, he had to do what he had to do ... When is my next pay check?" Chris Brummer reportedly said to a senior staffer at the Milken Institute, investigations reveal.

No one knows exactly what Chris Brummer had been told to promote his criminal boss Michael Milken. Brummer surely has become the criminal's paid glowing "mouthpiece" — appearing in several PR events selling Michael Milken as an "American hero."

As of January 2015, **Chris Brummer is still on the payroll of the convicted felon Michael Milken, according to the Milken Institute website.**

CHRIS BRUMMER, MONEY TALKS, BULLSHIT WALKS, A CRIMINAL'S "LIPSTICK"

Chris Brummer enjoys bragging about his close affiliations with Michael Milken, one of the most notorious Wall Street felons in the American history. **According to The New York Times**, after his release from prison, Milken put up money and set up the "Milken Institute," desperately seeking to redeem himself from his ugly and lengthy criminal past.

Brummer was carefully chosen to fit the color of the Milken "lipstick," and Brummer was just so happy to get paid. The prestigious UCLA, however, was so concerned about any affiliations with the Milken brothers by turning down their huge endowment:

"Michael Milken and his brother Lowell Milken's role in the rise of junk bonds helped make them rich. That wasn't enough for UCLA to turn down Lowell Milken's \$10 million donation — or even acknowledge his family's checkered past."

– The New York Times

According to an article published by **The New York Times**, "In the 1990s, Michael Milken pleaded guilty to six felonies and agreed

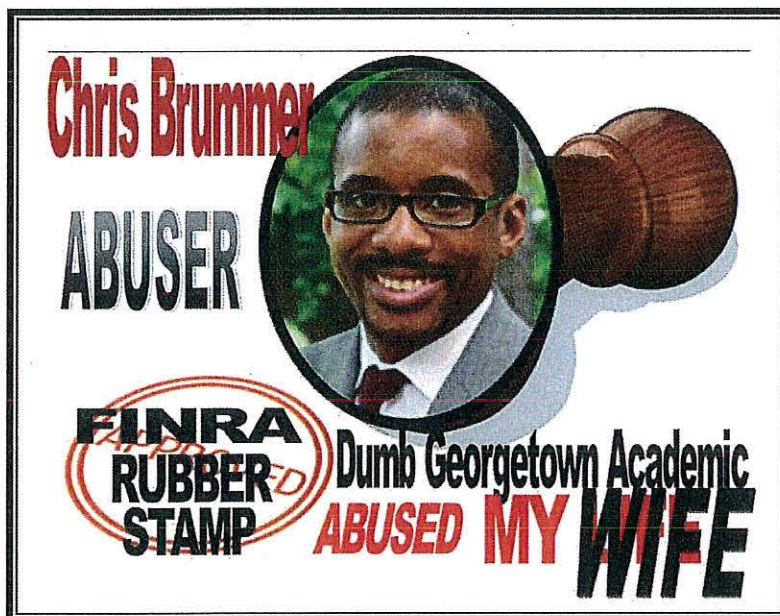
to put up \$600 million, \$200 million of that in fines, to settle the biggest fraud case in the history of the securities industry ... Milken was sentenced to 10 years in prison."

The U.S. Attorney's office in New York calls Milken the "biggest criminal ever landed in the junk bond world." Despite such a heavy cloud over the tainted Milken fraud, "professor" Chris Brummer could care less about his criminal affiliation — as long as the money keeps filling up his pocket ...

Professor Brummer calls Michael Milken a "master" of his universe. Is there still slavery in America?

CHRIS BRUMMER, THE PUMPER AND THE DUMPER, CAUGHT

As soon as Michael Milken got out of prison and started "reforming" himself with cash, Chris Brummer jumped onto the cash wagon in 2011 as a "senior fellow" of the "Milken Institute" — a biotech industry "pumper and dumper" that makes bundles of cash by selling highly risky biotech stocks — making empty promises and creating dreams of drug wonders while emptying the life savings of grandmas and grandpas across America. Many investors lost their life savings, thanks to Chris Brummer's endorsement.



CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR INVESTIGATED

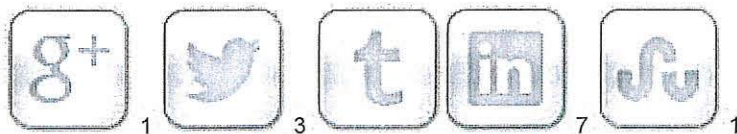
CHRIS BRUMMER, FINRA'S "UNCLE TOM"

Chris Brummer is the typical bookworm who can't survive a day in real life. Until he joined FINRA's **National Adjudicatory Council** to further supplement his income. FINRA is the murky world of sleepy securities "watchdog" called the Financial Industry Regulatory Authority. By joining FINRA's rubber stamp **National Adjudicatory Council**, Brummer became the 21st century "Uncle Tom" ruining the lives of innocent men and women in the world of finance.

In December 2014, Brummer was caught messing with another man's wife ... Stay tuned, the **Chris Brummer saga** to be continued ...

READ MORE: FINRA CEO RICK KETCHUM PLAYED LIKE A FOOL, SPONSORS RACISM, ABUSER JEFFREY BLOOM, GEORGETOWN "UNCLE TOM" CHRIS BRUMMER CAUGHT PANTS DOWN

*Thomas Greenfield is a contributing journalist for **TheBlot Magazine**.*



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ABOUT THE AUTHOR



ThomasGreenfield

Thomas Greenfield is an investigative reporter based in Canada. He is a contributing journalist for various newspapers and magazines worldwide.

5 COMMENTS



Jonathan K | January 21, 2015

[Reply](#)

Chris Brummer of Georgetown Law School is just an academic airhead trying to make a living selling people useless knowledge. He is no different from other academic idiots out there. The sad thing is Chris Brummer has destroyed people's lives, implicated in criminal probes.



Ouida Jones Esq. | January 21, 2015

[Reply](#)

Everyone knows that useless "academics" like Chris Brummer are affiliated with useless firms like FINRA. FINRA targets small broker dealers and burdens them with over regulation. Brummer is the book worm type that vomits at facts to save his hefty paycheck from Milken. Uncle Tom!



Charles Zappa | January 21, 2015

[Reply](#)

This character Brummer who sits and beats his chest is a paid Uncle Tom house-boy who rubber stamps FINRA's decision, 100 percent of the time. Why wouldn't he, they pay him!



Shirley Grover | January 21, 2015

[Reply](#)

he's not bad looking- less the mustache. Ewwwww!



Richard Calder | January 26, 2015

[Reply](#)

Chris Brummer is the type of sick professor that could easily teach students nonsense and ruin people's lives. Is Professor Chris Brummer for sale? Absolutely. Was Chris Brummer Implicated in the criminal conducts of Michael Milken? Absolutely.

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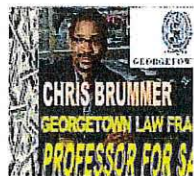
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THEBLOT INVESTIGATIONS



FINRA: THE
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AND CORRUPT
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WATCHDOG



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RICH FROM A
CRIMINAL? ASK
CHRIS
BRUMMER,
GEORGETOWN
LAW SCHOOL
PROFESSOR



HOW MILITARY
-GRADE SPY
GEAR IS
WINDING UP
ON AMERICAN
STREETS



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DEFRAUDED
THREE BANKS,
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Exhibit B

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CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, ABUSER GOT CAUGHT

Tom | January 21, 2015 | [Absurd](#), [Abuse](#), [BREAKING NEWS](#), [BUSINESS](#), [CRIME](#), [Finance](#), [FRAUD](#), [GAY](#), [GENDER](#), [Gossip](#), [GOVERNMENT](#), [Government Overreach](#), [Idiot](#), [INVESTIGATIONS](#), [Journalism](#), [Law Enforcement](#), [Lawyer](#), [LEGAL](#), [Lesbian](#), [LGBT](#), [LIFE](#), [Media](#), [Men](#), [Money](#), [News](#), [OPINION](#), [POLITICS](#), [Power Abuser](#), [Race](#), [RACIAL PROFILING](#), [RACISM](#), [Racist](#), [Rant](#), [Reader Submission](#), [Regulatory Abuser](#), [SCANDAL](#), [Shameless](#), [Social Media](#), [STUPIDITY](#), [The Flipside Views](#), [TheBlot Boomerang News](#), [TheBlot Investigations](#), [Top Story](#), [Total BS](#), [Tragedy](#), [Women](#), [WORLD](#) | 35 Comments

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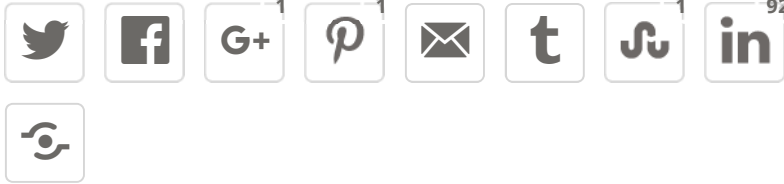
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Jonathan S Hanemann on Azealia Banks and Black People Who Think Like Her Are Stupid?

Tara on 5 Kid Versions of Songs That'll Get You Suspended Today

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OUR SOCIAL PROFILES

Editor's Note: **CHRIS BRUMMER**, a notorious public figure and Georgetown Law School professor with a ridiculous Ph.D. degree in "Germanic Studies" – German opera and grilling Bratwurst sausages, has repeatedly harassed investigative journalists since this investigative article exposed Brummer's bribery and shady money dealings with the stock criminal Michael Milken while Brummer worked in a moonlighting job as a **FINRA NAC member** – ironically, the watchdog charged with prosecuting crooks on Wall Street like Michael Milken. **CHRIS BRUMMER** has declined repeated requests to comment on the bribery he has received from criminals. The conflict of interest, bribery and Brummer's bizarre reaction to media criticism – acting like a thief that got caught in a failed scheme to SILENCE THE MEDIA put a shame to Georgetown Law School and FINRA. Public records revealed murky dealings among Chris Brummer, his alleged extramarital affair with a **FINRA witness**, the cover-up by FINRA **cronies**, the racist FINRA staffer Jeffrey Bloom, the CORRUPT FINRA kangaroo

Search the site

court – National Adjudicatory Council (NAC) which rubber stamps FINRA rulings 100% of the time, the **secret** inner workings of a rigged FINRA **hearing panel**, lies told by **Chris Brummer** and **Charles Senatore** – a Chicago University academic who quickly blamed **Chris Brummer** in a recorded call for destroying the lives of two **innocent black Americans**, exposed in **FINRA BARRED TWO INNOCENT BLACK BROKERS BASED ON BS, RACISM, TRASHES THE AMERICAN CONSTITUTION**. In retaliation, the imbecile **Chris Brummer** sued the media, vowed to **shut down the internet**. **Chris Brummer** is the **ONLY black man** in the all-white FINRA National Adjudicatory Council (NAC) rubber stamp tasked with dealing with black brokers – an obvious setup to appease the black folks after the Ferguson riot.

In March 2016, CHRIS BRUMMER, broadly known as “Dr. Bratwurst” LOST the frivolous lawsuit against journalists. A New York judge tossed out Chris Brummer’s fabricated claims.

THE LATEST: CHRIS BRUMMER, CREEPY GEORGETOWN LAW PROFESSOR WANTS TO SHUT DOWN THE INTERNET, CHOKE FREE SPEECH

The bottom line: Let the American public judge the fraudulent **CHRIS BRUMMER**, a hypocrite and disgraced “professor” know as Dr. Bratwurst sausages.

*“**CHRIS BRUMMER**’s humiliating defeat in a frivolous lawsuit against the media is a victory for America’s First Amendment rights to free speech...”*





CHRIS BRUMMER, GEORGETOWN “PROFESSOR” – ASSASSINATION, LIES, SEX AND CORRUPTION

CHRIS BRUMMER, the corrupt Georgetown Law School academic struggling in a moonlighting job as a FINRA arbitrator was entangled in an alleged extramarital affair with “Big Red” **Maureen Gearty**, a FINRA “STAR” witness whose blatant lies destroyed the 20 year careers of **two innocent black brokers**. The alleged steamy sexual affair has brought media spotlight on **CHRIS BRUMMER**, who was also sued and accused of fabricating evidence.

As the only black man “handpicked” by FINRA CEO **Richard Ketchum** (*America’s highly paid quasi-government employee*) to join FINRA’s rubber stamp National Adjudicatory Counsel (NAC), Chris Brummer’s background of cooking sausages should have disqualified Brummer in a complex financial case. Instead, the FINRA Uncle Tom Chris Brummer was deliberately told to adjudicate a case and rule in FINRA’s favor against two black brokers. “When a case is rigged, a chimp could win a case for FINRA. Brummer at least knows to follow orders,” concluded the brokers. “‘Double Black’ is not just Johnie Walker Whiskey, we were ‘lynched’ by FINRA in a FINRA NAC hearing.”

“These two black Appellants were lynched in a FINRA NAC hearing presided over by Brummer. The rigged FINRA NAC has a near perfect record of voting against FINRA opponents 100% of the time. Rigged?”

CHRIS BRUMMER – “Dr. Bratwurst” was strongly rebuked in an SEC filing against Brummer, quoted directly from the SEC complaint:

*“Led by **CHRIS BRUMMER**, FINRA has merely sought to malign the character of Appellants. This tactic is particularly egregious because there is NO support for the aspersions cast by FINRA... **Chris Brummer** and FINRA apparently feel that they can grossly misconstrue the record...”*

READ MORE: CFTC NOMINEE PROFESSOR CHRIS BRUMMER, TASTY GERMAN BRATWURST SAUSAGES, BUT NO AG

BRUMMER has a PhD in the ridiculous “Germanic Studies” – brewing German beers, watching German movies, opera, learning German folk dances as well as making Bratwurst sausages during Oktoberfest... **BRUMMER** may be better at teaching his students dancing with naked German girls than the law or business courses. Phony?

READ MORE: PROFESSOR CHRIS BRUMMER, AN UNQUALIFIED CFTC NOMINEE IN A SECRET DARK CLOSET



**READ MORE: SEC FILING STRONGLY CONDEMNED
CHRIS BRUMMER AND FINRA FOR LYING,
FABRICATING EVIDENCE.**

MICHAEL J. BRONSON, an obscure Ohio “country lawyer” FINRA general counsel **Bob Colby** has hired to silence reporters failed miserably. Brummer never denied that his alleged lover and FINRA “star witness” **Maureen Gearty had lied under oath** – which led to a rigged ruling that **assassinated the reputation of two innocent black men**, completely devastated their young families. “Black Lives matter”? **MICHAEL J. BRONSON** said “No.” **In March 2016, a well respected New York judge kicked Brummer and Michael J. Bronson’s false claims out of court.**

The following indisputable evidence against **BRUMMER** was copied directly from Maureen Gearty’s FINRA sworn testimony – which Brummer has relied on, and concluded two “**nigga bros**” had “fraudulently marketed Deer stocks by controlling a brokerage firm First Merger Capital.” The opposite is true: Brummer’s girlfriend **Maureen Gearty was in fact the boss in total control (here)** of the two black brokers. An email from Gearty to the office building manager is clear. Maureen Gearty also admitted to lying under oath, played **Brummer** like a retarded chimp.

“For someone who’s failed almost every job in the private sector, Dr. Bratwurst, Chris Brummer has screwed over some innocent people,” said an expert. “Chris Brummer is a sad imbecile.”

From: Maureen Gearty [mailto:MGearty@firstmergercapital.com]
 Sent: Thursday, March 31, 2011 3:38 PM
 To: Andrea Savyers
 Subject: security alert

Please be aware that 2 of our employee's are no longer allowed in our space.
 We did not get their building pass back

We CAN NOT have them come into this office.

The employees are TALMAN HARRIS and WILLIAM SCHOLANDER

Thank you

Maureen Gearty
First Merger Capital, Inc
The Trump Building
 40 Wall Street - 30th Floor
 New York, New York 10005
 (o) 212-419-0884
 (f) 212-401-0879



Direct Evidence

Maureen Gearty said
 Talman Harris and William
 Scholander controlled the
 firm and she was just a
 "secretary"...

Ever seen a secretary firing
 the boss?
 Or Maureen Gearty lied to
 the government about
 her position?

Maureen Gearty's lies to the government, in control of the defunct brokerage firm

159. For example, in the FINRA Wells Hearing from January 30, 2013 **GEARTY** testified:

Q. But you would agree that it's either one or the other, correct?
 You're either mistaken or you were lying.

A. Okay. You can put it that way, if you like.

Q. So which was it?

A. I was lying.

Q. And did you inform Enforcement, Mr. Dixon or Mr. Bloom, prior to testifying here today after signing your AWC that you had lied in your July 2010 OTR?

A. Yes, I did.

Q. They were okay with that?

A. They asked me why.

Q. That's the only lie that you told in that OTR?

A. Yes, I think so.



Sworn Testimony
Lying Maureen Gearty,
FINRA "Star Witness" Duped
Georgetown Imbecile CHRIS
BRUMMER

(See p. 618 7-24 of FINRA Wells Hearing Gearty January 30, 2013 (emphasis supplied).



160. Significantly, **GEARTY** succeeded in concealing the fraud from the very investigators that are charged with investigating fraud in this industry.

CHRIS BRUMMER, GEORGETOWN LAW PROFESSOR DUPED IN MAUREEN GEARTY FRAUD

*"**CHRIS BRUMMER** has absolutely no regulatory experience. Brummer is an academic airbag lost in the real world. Making sausages and drinking German beer does not make one a qualified regulator."*



"CHRIS BRUMMER, a public figure and Georgetown Law School academic has repeatedly harassed and threatened investigative journalists."



CHRIS BRUMMER, GEORGETOWN LAW PROFESSOR
THREATENS JOURNALISTS, FREE SPEECH HIJACKED,
SHAMELESS

CHRIS BRUMMER, AN ACADEMIC HYPOCRITE, A 'LEGO TOY' FOR FINRA DIVERSITY

"CHRIS BRUMMER is a hypocrite. Brummer and the racist FINRA staffer Jeffrey Bloom screwed over my pregnant wife, destroyed my spotless 20 year career and devastated my unborn child," said Talman Harris to reporters on Capitol Hill. Talman Harris is an accomplished African American financial adviser. "Brummer is a total fraud."

"FINRA NAC is a rubber stamp for FINRA abusers. Is FINRA NAC an 'independent' review board? It's a rigged kangaroo court..."

An updated [list of the shameless FINRA NAC rubber stampers is here](#). In his pursuit of justice, African American hero Talman Harris has filed a complaint with the Securities and Exchange Commission against Brummer and FINRA, in which the [SEC filing exposed the Chris Brummer fraud, Talman Harris was exonerated](#).

"FINRA NAC is a kangaroo court controlled by FINRA staff, a total gimmick for innocent people to fail."

"Chris Brummer is a dumb academic and a disgrace to the African American community," speaking in the Rayburn House Office Building after meeting with congressional representatives, American hero Talman Harris had a lot to say about FINRA, which is headed by its CEO Richard Ketchum. FINRA is a "non-profit" government entity that pays Rick Ketchum \$300,000 a month. Richard Ketchum is the highest paid "non-profit" government employee in America. Read more: [DOES FINRA CEO RICK KETCHUM FACE RACISM CHARGES IN CONGRESS BEFORE DISGRACED RETIREMENT?](#)

CHRIS BRUMMER, CORRUPT FINRA ARBITRATOR IMPLICATED IN MICHAEL MILKEN STOCK FRAUD

Other than the lust for money and the color of Brummer's dark skin as a FINRA "flower vase," no one could explain the bizarre reason why FINRA has hired Brummer, the "chef in a German kitchen" as well as a notorious mouthpiece for the convicted stock criminal Michael Milken as a member of its FINRA NAC.

Exposed by the *New York Times* in an article titled [Chris Brummer, Michael Milken – Banned From Street](#), Michael Milken is an ex-convict and junk bond king, banned for life by the SEC, exposed by the *Los Angeles Times* in [MILKEN'S GUILTY PLEA : Milken's Future: Prison, Then Back to Finance?](#)

"Despite Michael Milken's nasty background as a convicted stock criminal, FINRA appointed Brummer to FINRA NAC – a supposedly "independent" agency that reins in crooks just like Michael Milken on Wall Street."

**READ MORE: FINRA CONTINUES TO TARGET
DIVERSITY ON WALL STREET, DISCRIMINATION
AGAINST WOMEN, BLACKS**



CONGRESSIONAL ACTIONS AGAINST FINRA RACISM, CORRUPTION

"The American public and Congress deserve to know the **secret bribes and hush money** CHRIS BRUMMER has received from the convicted criminal **Michael Milken**," reported by **The New York Times**.

"We are troubled by FINRA's abuse of power and we are monitoring the situation closely for possible legislative actions," said a senior staffer with Congressman Scott Garrett's office.

Congressman **Scott Garrett** is the Chairman of the Financial Services Committee in the U.S. Congress. Garrett has a distinguished record of reining in rogue FINRA regulators.



CHRIS BRUMMER, GEORGETOWN LAW SCHOOL
PROFESSOR, IMPLICATED IN FRAUD, ALLEGED BRIBERY,
SECRET PAYMENTS FROM A CRIMINAL

CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, EXAGGERATED BIOGRAPHY

CHRIS BRUMMER is a bizarre Georgetown Law School “professor” and a public figure who makes money off convicted felons, according to public records. Brummer is a Georgetown Law School “professor” (Tel: 202-662-4191, email:

cjb84@law.georgetown.edu, Source: Brummer’s own website) with an almost “perfect” profile that could charm the pants off any living creature on earth as well as on Mars. Brummer has the groomed goatee, the Georgetown Law School teaching job and even the right tone in his voice. According to a source, Chris Brummer laid his eyes on a young female student’s pair of naked legs – a waitress working at Saxbys Coffee, a popular coffee joint near Georgetown University in D.C.:

“This is Professor Chris Brummer, what can I do for you, and what’s there for me?” asked the soft-spoken Chris Brummer who sounds like a teenage boy barely going through puberty.

**READ MORE: RONEN ZAKAI, FINRA STAR WITNESS
DUPED FINRA, CHRIS BRUMMER, GEORGETOWN
PROFESSOR FOOLED**



**CHRIS BRUMMER, GEORGETOWN PROFESSOR DUPED BY
CRIMINAL RONEN ZAKAI**

The truth behind the smiling face and brown teeth of this Georgetown Law School "Professor" Brummer is quite troubling as the obscure academic has screwed up the lives of innocent people while selling himself out to a convicted felon, Michael Milken, according to [public records](#) and sources.

**READ MORE: FINRA BARRED TWO INNOCENT BLACK
BROKERS BASED ON RACISM, TRASHES THE
AMERICAN CONSTITUTION, CHRIS BRUMMER
IMPLICATED**

CHRIS BRUMMER is a public figure. With enough bragging to make even a donkey blush, Chris Brummer enjoys blowing up his questionable academic credentials on his [website](#) and spreading it all over the internet like some hot air balloon flying over Somalia. Here is the Chris Brummer bullshit:

"Chris Brummer is an expert in international financial regulation ... lectures widely on finance and global governance, as well as on public and private international law, market microstructure and international trade."

Is this true? It sure sounded like some cheap ads put up by an egoistic, heavy self-promotional "expert" beating the drum,

shamelessly seeking public attention, jumping up and down like a gorilla pounding on the chest in a zoo...

“PROFESSOR” CHRIS BRUMMER, THE \$500-PER-HOUR SALESMAN SOLD OUT TO A CRIMINAL

The reality is revealed, in our opinion: Chris Brummer is all about making a pile of cash quickly, somehow, somewhere. Billing himself out at a shocking rate of \$500 per hour as a “consultant” that adds no tangible value to anything, Chris Brummer is a busy man, like a clumsy washing machine salesman peddling junk gadgets door to door...

Brummer sounded like a cheap salesman – with an exaggerated biography too good to be true for someone who has failed nearly every job in the real life, according to sources. Correct, Chris Brummer’s biography, puffed like a pillow, is almost entirely bullshit. Brummer is all about making money, and it doesn’t matter how he makes the buck, even from a criminal. Before long, Chris Brummer fell in love with the deep pockets of a convicted criminal, the notorious Michael Milken – the junk bond peddler behind some of the most heinous crimes ever committed in human history, according to the *New York Times*: Chris Brummer gets paid from the stock fraudster Michael Milken: **MILKEN SET TO PAY A \$600 MILLION FINE IN WALL ST. FRAUD.**

**READ MORE: CHRIS BRUMMER
SUPPORTS CONVICTED STOCK CRIMINAL RONEN
ZAZAI – BOOKWORM CHRIS BRUMMER PLAYED LIKE A
FOOL – GUILTY PLEAS**



GEORGETOWN LAW SCHOOL CHRIS BRUMMER CAUGHT LYING, EXAGGERATED BIOGRAPHY

CHRIS BRUMMER, A COLLAPSED LEGAL CAREER, A “HOT AIR BALLOON FLYING OVER SOMALIA”

Chris Brummer was unable to get into a decent law school on a normal schedule, according to sources. Instead, Chris Brummer squeezed himself into a program by waiving the flag of “affirmative action,” according to a source.

“Damn it, I am black. I deserve to get into a law school... Black Lives Matter!” Chris Brummer allegedly barked at a college admissions officer

After struggling through school, he was unable to land a single corporate client willing to pay for his poor legal work.

Deeply buried in debt, Chris Brummer’s short venture into the real life abruptly collapsed. Struggling to make a living, Chris Brummer obtained a laughable PhD in “Germanic Studies” – the learning of German dances with girls and grilling Bratwurst

sausages, turned himself into an academic “vacuum brain” by swimming in the world of theories that could never survive a day in the real life. Teaching people senseless, useless legal jargon is never a path to prosperity. Chris Brummer had to find a way to make a living, somewhere, somehow... Until he got “lucky” selling out to the convicted criminal Michael Milken as Milken’s “senior fellow”, according to [a public source](#).

READ MORE: A HISTORY OF FRAUD, FABRICATION OF EVIDENCE, COURT SANCTIONS DOOM THE TINY MORELLI ALTERS RATNER LAW SHOP

“SHOW ME THE MONEY!”

Desperation over money took Brummer to the darkest corners of America’s long forgotten past. According to various sources, Chris Brummer is paid more than \$200,000 per year as a “research fellow” at an obscure “institute” founded by [Michael Milken](#), the convicted felon who was arrested, [criminally indicted](#) and served a lengthy federal prison sentence as the culprit of the biggest junk bond fraud in the U.S. history, [according to The New York Times](#). Milken was also barred for life by the Securities and Exchange Commission (SEC) from associating with anyone in the U.S. financial markets, according to the SEC’s own website, as reported in the New York Times: [Former Junk-Bond Manager Agrees to a Bar for Life by the S.E.C.](#)

READ MORE: MANHATTAN DISTRICT ATTORNEY INDICTED CRIMINAL RONEN ZAKAI, CHRIS BRUMMER’S STAR WITNESS

CHRIS BRUMMER, A MOUTHPIECE WITHOUT THE LIPSTICK

By 2011, Brummer was named a “[senior fellow](#)” (cbrummer@milkeninstitute.org) of the Michael Milken Institute, a paid mouthpiece for the convicted criminal Michael Milken. Two years later, the convicted felon Milken was under government investigations, again, by the Securities and Exchange Commission for violating a [bar order that prohibits him](#) from

engaging in any investment-related activities for life. An SEC spokesperson declined to comment further. The SEC subsequently sued Michael Milken again several times for Milken's violation of his life time bar. The public record against Michael Milken is here on the SEC's website: [SEC bars criminal Michael Milken for life, Milken's repeated violations.](#)

According to investigations conducted by the highly credible [Fortune Magazine](#) and [TheBlot Magazine](#), the SEC accused Milken of violating his lifetime bar — for the third time in the past 15 years. The government's fraud investigations against Milken also implicated Chris Brummer and Guggenheim Partners, a hedge fund outfit.

[READ MORE: FINRA CEO RICK KETCHUM PLAYED LIKE A FOOL, SPONSORS RACISM, ABUSER JEFFREY BLOOM, GEORGETOWN "UNCLE TOM" CHRIS BRUMMER CAUGHT PANTS DOWN](#)

According to public records, Michael Milken, 68, has spent years and millions of dollars buying access to public relations and rehabilitating his image following a long prison stint in the early 1990s after he pleaded guilty to federal charges of securities and tax fraud. He also accepted a ban from the investment industry as part of an SEC plea bargain agreement. A few years after he left prison, the SEC alleged that Milken had violated his ban by advising investors on deals. In 1998, Milken settled the SEC's claim and paid \$47 million in restitution.



**CHRIS BRUMMER, GEOERGETOWN LAW PROFESSOR
IMPLICATED IN MICHAEL MILKEN FRAUD, BRIBERY
CHARGED**

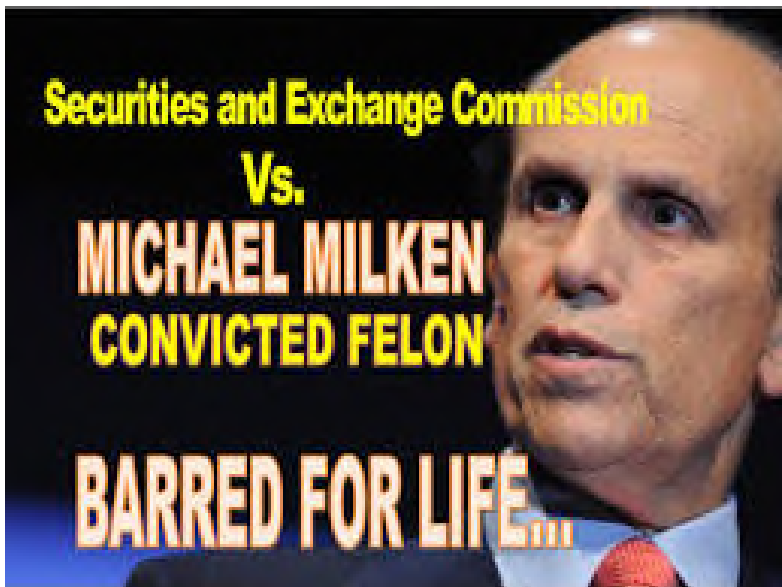
CHRIS BRUMMER, A CRIMINAL'S BUGLE BOY

While Michael Milken's lawyers wrestled with the SEC investigators, Chris Brummer was busy counting cash and courting the criminal fraud, adding "lipsticks" to the Milken Institute.

"When a man needed money, he had to do what he had to do ...When is my next pay check?" Chris Brummer reportedly said.

As told to a senior staffer at the Milken Institute, investigations revealed, according to sources.

No one knows exactly what Chris Brummer has been ordered to promote his convicted criminal boss Michael Milken. One thing is clear as the blue sky: Chris Brummer surely has become the criminal's bugle boy – a paid "mouthpiece" appearing in several PR events selling Michael Milken as an "American hero."



**CHRIS BRUMMER, GEORGETOWN PROFESSOR IMPLICATED
IN MICHAEL MILKEN FRAUD**

As of January 2015, [Chris Brummer](#) is still on the payroll of the convicted felon [Michael Milken](#), according to the [Milken Institute website](#).

“Chris Brummer, money talks, bullshit walks, a criminal’s “lipstick”

Chris Brummer enjoys bragging about his close affiliations with Michael Milken, one of the most notorious Wall Street felons in the American history. [According to The New York Times](#), after his release from prison, Milken put up money and set up the “Milken Institute,” desperately seeking to redeem himself from his ugly and lengthy criminal past.



**CHRIS BRUMMER, CAUGHT IN MULTIPLE FRAUD, DUMB
GEORGETOWN LAW PROFESSOR DUPED**

Chris Brummer was carefully chosen to fit the color of the Milken “lipstick,” and Chris Brummer was happy just to get paid from Milken, according to sources. The prestigious UCLA, however, was so concerned about any affiliations with the Milken brothers by turning down their huge endowment:

“Michael Milken and his brother Lowell Milken’s role in the rise of junk bonds helped make them rich. That wasn’t enough for UCLA to turn down Lowell Milken’s \$10 million donation — or even acknowledge his family’s checkered past.”

– The New York Times

According to an article published by **The New York Times**, “In the 1990s, Michael Milken pleaded guilty to six felonies and agreed to put up \$600 million, \$200 million of that in fines, to settle the biggest fraud case in the history of the securities industry ... Milken was sentenced to 10 years in prison.”



**CHRIS-BRUMMER-GEORGETOWN-LAW-SCHOOL-ABUSER-
JEFFREY-BLOOM-RICK-KETCHUM-FINRA-FRAUD-LIES-
CAUGHT**

The U.S. Attorney's office in New York calls Milken the "biggest criminal ever landed in the junk bond world." Despite such a heavy cloud over the tainted Michael Milken fraud, Georgetown "professor" Brummer could care less about his criminal affiliation — as long as the money keeps filling up his pocket ...

***READ MORE:* SEX, LIES AND IMPOTENT FINRA
REGULATOR JEFFREY BLOOM MISSED NEW BERNIE
MADOFF**

*"Professor Brummer calls felon Michael Milken a
"master" of his universe. Is there still slavery in
America?"*

**CHRIS BRUMMER, THE STOCK PUMPER
AND THE DUMPER GOT CAUGHT**

Soon after Michael Milken got out of prison, he started “reforming” himself with cash. Among the many recruits, Brummer jumped onto the cash wagon in 2011 as a “senior fellow” of the “Milken Institute” — a biotech industry “pumper and dumper” that makes bundles of cash by selling highly risky biotech stocks — making empty promises and creating dreams of drug wonders while draining the life savings of grandmas and grandpas across America. Many investors lost their life savings, thanks to endorsement by Brummer.

**READ MORE: MICHAEL MILKEN, CHRIS BRUMMER
SPONSOR, 60,000 DEATHS, – DEEP CAPTURE
MAGAZINE**



**Brummer, Georgetown Law School Professor Under
Investigation for Fraud**

**“CHRIS BRUMMER, REGULATORY ABUSER,
FINRA “UNCLE TOM”**

Brummer is the typical bookworm who can't survive a day in the real life, until he joined FINRA's notorious **National Adjudicatory Council** to further supplement his income. FINRA is the murky world of sleepy securities "watchdog" called the Financial Industry Regulatory Authority. By joining FINRA's rubber stamp **National Adjudicatory Council**, Brummer became the 21st century "Uncle Tom" ruining the lives of innocent men and women in the world of finance.

IN OCTOBER 2014, MAUREEN GEARTY'S LONG TERM LOVER, FAKE FACEBOOK FRAUDSTER **RONEN ZAKAI** PLEADED GUILTY TO 11 COUNTS OF CRIMINAL CONDUCTS AND IS NOW SERVING TIME IN A NEW YORK PRISON. The Manhattan District Attorney arrested and **indicted Ronen Zakai for fraud**. Under Chris Brummer, FINRA has missed **Ronen Zakai** and cost investors millions of dollars, again.

***READ MORE:* AEGIS CAPITAL FIGHTS BACK AT FINRA
BLACKMAIL, RACISM, CHRIM BRUMMER IMPLICATED**



Chris Brummer Endorses FINRA Regulatory Abuses,
Georgetown Professor Implicated

SCREWED OVER MY UNBORN CHILD...

TALMAN HARRIS has a lot to say about "professor" Brummer:

"Brummer and his FINRA cronies have targeted me only because I am a BLACK AMERICAN."

**READ MORE: CHRIS BRUMMER'S STAR WITNESS
RONEN ZAKAI INDICTED, CONVICTED FOR 11 COUNTS
OF FRAUD, SENT TO PRISON**

In December 2014, Chris Brummer was caught messing with another man's life ... Stay tuned, the **Brummer saga** will continue...

Sharing is caring!



You may also like:

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AND
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No Comments | Jun 13, 2015

35 COMMENTS



Sharon@nytimes.com | April 19, 2015

[Reply](#)

This is quite interesting how puppets with academic degrees and no hands-on experience model themselves as leaders. Please reach out to me as I would love to cover this story.



Jonathan Klein | April 19, 2015

[Reply](#)

I would like to know how many times Brummer went against FINRA's decision. The NAC is supposed to be an independent body of FINRA, but somehow Chris Brummer manages to side with FINRA's decisions "100%" of the time.



Louis Bennett | April 19, 2015


[Reply](#)

Expose the Rubber Stamper please.




 Carrie Bennett | April 19, 2015 [Reply](#)


I worked for FINRA – and Brummer. He is not so bad, just a sexist.

 JoAnne | April 19, 2015 [Reply](#)


Hey Carrie, me toooooooooo. How are you. Email me.

 Sofia | April 26, 2015 [Reply](#)


I never knew chris Brummer is paid by convicted felons.
What a shameless man disguised as a Georgetown
“professor”.

 John Brown | May 9, 2015 [Reply](#)

A black professor discriminated against another black man? I
would call Chris Brummer Uncle Tom. Wouldn't you? Hello
Uncle Tom Chris Brummer! what an idiot.

 Mary Jane | May 9, 2015 [Reply](#)

Me too. Hello Finra uncle tom, Chris Brummer.

 Todd Johnson | May 11, 2015 [Reply](#)

Chris Brummer is a black racist against black men? We
should call Chris Brummer, Uncle Tom Chris Brummer. That
is fair.





Anonymous | August 3, 2015

[Reply](#)

It is universally out of order to slander people. You really feel threatened.



Chris Brown | August 6, 2015

[Reply](#)

Chris Brummer is a lying son of a bitch. I am glad this stupid rotten apple is exposed. God bless free speech in America.



Anonymous | October 18, 2015

[Reply](#)

Chris brummer is a sick bastard. How could a black man like him destroy the lives of other black men? What a disgusting loser.



Alex | October 19, 2015

[Reply](#)

Chris Brummer looks like a total idiot. What a fraud.



Scott | October 19, 2015

[Reply](#)

Chris Brummer is shameless. How could a black man like Chris Brummer have the conscience to destroy other black men? Black lives don't matter for blacks in the eyes of Chris Brummer?



Jackie | October 20, 2015

[Reply](#)

I think this "professor" Chris Brummer has either autism or ADD. He sounds like an idiot.



Anonymous | October 21, 2015

[Reply](#)

As the only black man on the racist FINRA NAC panel, Chris Brummer was handpicked by FINRA to adjudicate the lives of two black men, despite the fact that Chris Brummer was not qualified.



Anonymous | October 21, 2015

[Reply](#)

Chris brummer is a sick bastard. Well said here: "CHRIS BRUMMER has screwed up my life; CHRIS BRUMMER has screwed over my pregnant wife, and CHRIS BRUMMER has screwed up the future of my unborn child! "



Jeff | October 22, 2015

[Reply](#)

Is it true that Chris Brummer gets paid from the convicted stock criminal Michael Milken's outfit? It's true! Chris Brummer is listed as a Milken fellow on Milken's website: <http://www.milkeninstitute.org/about/our-team/view/70>



keira | October 31, 2015

[Reply](#)

How much was chris brummer bribed by Michael milken the criminal? A million dollars?



Jason | November 15, 2015

[Reply](#)

CHRIS BRUMMER IS A TOTAL CRYPT. A SICK NIGGA.



Michael E | November 15, 2015

[Reply](#)

Chris Brummer is a loser. A professor of what?! He doesn't appear to know anything about law. What an idiot.



Anonymous | November 24, 2015

[Reply](#)

Chris brummer is just another stupid idiot trying to make a living. A dumb ass.



sean | November 25, 2015

[Reply](#)

How much does chris brummer get paid from criminal michael milken? Shameless.



Anonymous | December 21, 2015

[Reply](#)

Chris Brummer is a dumb hypocrite trying to make some money. A loser.



Anonymous | February 11, 2016

[Reply](#)

Who is this MICHAEL J. BRONSON, an obscure Ohio "country lawyer"? Perhaps just another idiot? #chrisbrummer is sick loser. Loser + loser = two losers.



Anonymous | February 11, 2016

[Reply](#)

#chrisbrummer + Ohio loser = two losers.



Anonymous | February 24, 2016

[Reply](#)

This Chris Brummer is a wild dude. What's wrong with him? He serves for FINRA at the same time he collects a paycheck from a convicted stock criminal? What a hypocrite.



Anonymous | March 4, 2016

[Reply](#)

CHRIS BRUMMER is a total fraud, a hypocrite.



Anonymous | March 22, 2016

[Reply](#)

Chris brummer is shameless idiot. His actions against people of his own race is deplorable. Uncle tom chris brummer is a good fit.



Anonymous | April 21, 2016

[Reply](#)

Chris brummer is a product of the failed policies on affirmative actions that promote incompetent people simply because they are the minorities. Chris brummer is a complete loser.



Anonymous | April 27, 2016

[Reply](#)

CHRIS BRUMMER IS JUST ANOTHER NIGGA TRYING TO GET INTO THE PANTS OF A WHITE CHICK. German study? What the fuck is that? Chris Brummer is BS.



Anonymous | May 14, 2016

[Reply](#)

This is a shady and nutty professor. Hilarious. Professor Chris Brummer the Bratwurst sausage. Where is the mustard sauce?



Bob | May 15, 2016

[Reply](#)

Chris brummer is a black man's injustice on other black men.
A psycho.



Mike | May 15, 2016

[Reply](#)

Hello Dr. BRATWURST SAUSAGE CHRIS BRUMMER. FUNNY AS
HELL.



Scott Emory | June 14, 2016

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Just saw chris brummer. He was chewing on a Bratwurst
sausage with his girlfriend Maureen Gearty. Forgot to call
him Uncle Tom Chris.

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RACIAL PROFILING



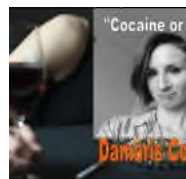
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CHRIS
BRUMMER,
UNQUALIFIED
CFTC NOMINEE
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PROFESSOR CHRIS BRUMMER, CREEPY GEORGETOWN LAW ACADEMIC WANTS TO SHUT DOWN THE INTERNET, CHOKE FREE SPEECH

[Jacob Jones](#) | September 4, 2015 | [A Fancy World](#), [Abuse](#), [Advertorial](#), [BREAKING NEWS](#), [BUSINESS](#), [Career](#), [Celebs](#), [CRIME](#), [EDUCATION](#), [ENTERTAINMENT](#), [Finance](#), [FRAUD](#), [GOVERNMENT](#), [Idiot](#), [INVESTIGATIONS](#), [Job](#), [Lawyer](#), [LEGAL](#), [LIFE](#), [Literature](#), [Marketing](#), [Media](#), [Money](#), [Movies](#), [News](#), [OPINION](#), [POLITICS](#), [Power Abuser](#), [Race](#), [RACIAL PROFILING](#), [RACISM](#), [Rant](#), [Reader Submission](#), [Regulatory Abuser](#), [SCANDAL](#), [SCIENCE](#), [SEX](#), [STUPIDITY](#), [Tech](#), [The](#)

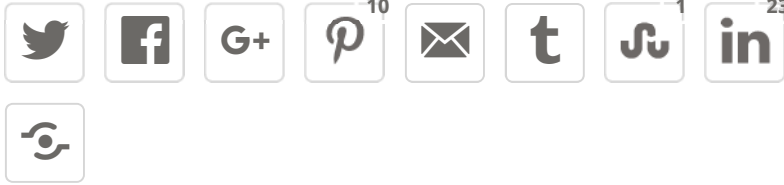
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PROFESSOR CHRIS BRUMMER, GEORGETOWN LAW
PROFESSOR WANTS TO SHUT DOWN THE INTERNET

PROFESSOR **CHRIS BRUMMER**, a notorious Georgetown Law School academic has a new theory in play for the hot summer: The shameless Professor **Chris Brummer** doesn't like postings about him online that have exposed his peculiar financial arrangements with the stock criminal Michael Milken. Chris Brummer wants to shut down the internet! **Read more: PROFESSOR CHRIS BRUMMER, AN UNQUALIFIED CFTC NOMINEE IN A SECRET DARK CLOSET.**

“Georgetown Law “professor” Chris Brummer likes screwing people over, not being outed for it.”cftc

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That's why **CHRIS BRUMMER**, a rubber stamp paid by the notorious **FINRA National Adjudicatory Council (NAC)** — the racist body that oversees decisions of the Financial Industry Regulatory Authority (FINRA) — is crying foul like a baby holding an empty milk bottle over opinions that have exposed his shady dealings with the convicted criminal **Michael Milken**. **Chris Brummer** claims the Internet posts constitute defamation and alleges they are actionable for recovery in court because they have inflicted upon Chris Brummer “emotional distress” that have cost him about \$500 in “actual damage” to “clean up” himself.

THE LATEST UPDATES: PROFESSOR CHRIS BRUMMER WAS DEFEATED IN A FRIVOLOUS LAWSUIT AGAINST REPORTERS, WAS REBUKED BY A NEW YORK COURT, A WIN FOR FREE SPEECH.

CHRIS BRUMMER: “PAY ME THE \$20 MILLION IN RANSOM OR I WILL SHUT DOWN THE INTERNET!”

The creepy Georgetown University “professor” **Chris Brummer** is suing the internet posts for \$20 million and has threatened to shut down the internet posts unless he is paid the outrageous ransom. **Read more: CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUDS, ABUSER GOT CAUGHT.**

“\$500 in actual damage vs. \$20 million in emotional suffering? Chris Brummer must be a very emotional man.”

Chris Brummer filed a lawsuit against the alleged internet posts early this summer. The defendants’ motion to dismiss the case

was submitted in New York Supreme Court in August 2015. Since then, Chris Brummer has had a very tough time churning out garbage legal theories to justify a frivolous lawsuit. "Get Brummer some Prozac to calm him down. He needs that," a medical professional laughed.

"Chris Brummer has a better chance of suing a light pole than going after someone's First Amendment right to free speech."

"Those imbecile lawyers representing Brummer know it's a BS case," said a legal expert. "Pounding on a Gorilla's chest is useless. Chris Brummer is the only 'turkey' with a head in the sand. What a stupid idiot."

READ MORE: CFTC NOMINEE CHRIS BRUMMER, TASTY GERMAN BRATWURST SAUSAGES, BUT NO AG

Oved & Oved LLP, a New York media law powerhouse represents the brave voices that have simply exercised their First Amendment rights to free speech. The case is represented by Edward Wipper, a renowned litigator. An obscure Ohio country lawyer **Michael J. Bronson** makes money off Chris Brummer. Investigations have revealed that the obscure **Michael J. Bronson** never graduated law school in New York and neither has he ever passed the New York Bar...



CHRIS BRUMMER, CREEPY GEORGETOWN LAW PROFESSOR WANTS TO SHUT DOWN THE INTERNET, CHOKE FREE SPEECH

CHRIS BRUMMER, A COLLEGE “PROFESSOR” WITHOUT INTELLECT, IT’S ALL “BLA, BLA, BLA...”

“Chris Brummer acted in an official capacity when he ‘slaved’ for FINRA and was paid money for that. Chris Brummer’s wrecked intellect destroyed the professional lives of two innocent black Americans,” said an attorney familiar with the Chris Brummer frivolous lawsuit. “Chris Brummer hardly has any work experience and Brummer is all about bla, bla with nonsense – a useless academic.”

With a “near perfect” goatee growing out of a creepy smile, Georgetown law “professor” Chris Brummer has a lot to worry about these days. His efforts to shut down the internet were met with some serious legal hurdles, experts say.

“It’s an uphill battle to choke someone’s throat to stop her from speaking. Chris Brummer is losing sleep like a baby wetting its bed.”

CHRIS BRUMMER, FINRA’S “TOY” FOR “MINORITY REPRESENTATION”

The dust-up between Chris Brummer and the internet began when Brummer co-authored a 36-page affirmation of an earlier FINRA decision that barred for life two highly successful Wall Street investment brokers William Scholander and Talman Harris, who are, unfortunately, African-Americans in a FINRA world dominated by white, pale faces.

In June 2015, the American heroes William Scholander and Talman Harris filed a petition with the Securities and Exchange

Commission (SEC) to overturn FINRA's racially charged decision: The SEC filing strongly rebukes Chris Brummer, FINRA's racist decisions based on a single testimony from Brummer's alleged lover.

Despite the key testimony that had led to the lifetime ban emanating from an obscure Maureen Gearty, a 300 pound bisexual woman who had admitted to altering her sworn testimony and description of events several times, Chris Brummer was aware of these facts however did not object to the affirmation decision and went further to uphold it – Brummer was in an alleged extramarital affair with Maureen Gearty.

“As the only black dude on the racist FINRA NAC panel, Chris Brummer was handpicked to shoot at two black men, Chris Brummer pulled the trigger...”

Research shows the FINRA NAC is a kangaroo court that affirms FINRA enforcement staff's decisions 100% of the time. Myles Edwards, another impotent FINRA panel member has declined repeated requests for comment.

“Chris Brummer is like a piece of LEGO toy for FINRA's superficial racial diversity program,” a source said. “No one could understand why Chris Brummer has hurt fellow black men. Black lives matter?” That is a question “professor” Chris Brummer is the 21st century “FINRA Uncle Tom.”

READ MORE: MYLES EDWARDS, DISGRACED CONSTELLATION WEALTH ADVISOR LAWYER IMPLICATED IN RONEN ZAKAI FELONY CONVICTION

CHRIS BRUMMER, SEX, LIES, LOVE AFFAIR

Maureen Gearty had engaged in a steamy extramarital affair with her criminal boyfriend Ronen Zakai, a married Jewish man convicted of a massive Ponzi scheme in a conspiracy with Gearty. Ronen Zakai is currently serving a multi-year prison sentence,

according to an announcement from the Manhattan District Attorney's office.



CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR,
WORTHLESS ACADEMIC

Under heavy pressure from Chris Brummer and a racist FINRA enforcement staffer **Jeffrey Bloom**, Maureen Gearty shifted the blame of criminal conduct from her lover Ronen Zakai to Harris and Scholander, who had nothing to do with Maureen Gearty's Ponzi scheme with Zakai. In the fraudulent securities offering document, Ronen Zakai and Maureen Gearty were listed as the sole managers for the Ronen Zakai Ponzi scheme.

Steven Susswein, a notorious SEC "enforcement" staffer declined to comment on why he has endorsed Maureen Gearty and her fraudulent lover boy Ronen Zakai for their criminal activities. In 2014, Ronen Zakai was sent to prison for running a Ponzi scheme, **declared** by Manhattan's renowned district attorney.

READ MORE: CHICAGO STOCK EXCHANGE SALE TO CHINA ENDS RACIST NASDAQ MONOPOLY ON LISTINGS

Chris Brummer, FINRA took the Ronen Zakai criminal bait like a catfish. Chris Brummer, the FINRA “Uncle Tom” sent Harris and Scholander to their “electric chairs”, “burned these black men into charcoal” and barred them from working in the securities industry.

The result of this decision was the complete denial of legal due process for Harris and Scholander. Further, the livelihoods of both men were taken away despite the two never having been targeted for enforcement by FINRA or the Securities and Exchange Commission (SEC). Each with about 20 years of professional accomplishments without a single customer complaint, Talman Harris and William Scholander were railroaded by the FINRA power abusers who were championed by Chris Brummer.

“Chris Brummer was duped and played like an impotent gorilla in the DC zoo.”

“I don’t like those black brokers in New York, we have to burn them...” Jeffrey Bloom, a notorious FINRA staffer allegedly said to an unconfirmed source.

“Chris Brummer is the perfect mouthpiece for FINRA. Man, that black ‘professor’ loves to get paid.”



FINRA STAFFER JEFFREY BLOOM, CHRIS BRUMMER,
GEORGETOWN LAW SCHOOL FRAUD

**READ MORE: FINRA CONTINUES TO TARGET
DIVERSITY ON WALL STREET, DISCRIMINATION
AGAINST WOMEN, BLACKS**

CHRIS BRUMMER, A FRIVOLOUS LAWSUIT, A HYPOCRITE DROWNING IN LEGAL HOT WATER

The motion to dismiss the frivolous **Chris Brummer** case makes a cogent legal argument for it to be thrown out and stands on several sound precedents of case law including the Communication Decency Act of 1996. Any basis for defamation claims must first start with the compelling imperative of whether an action to recover for a plaintiff would infringe on media, individual or organizational free speech.

According to the motion to dismiss, “**Chris Brummer’s** complaint is an attempt to chill the free speech rights afforded by both the United States and New York State Constitutions to individuals who voice their opinions in protest of unjust decisions, matters of public concern, and the individuals responsible for such injustice.”

Perhaps this country's most sacred building block of freedom and most unique feature of the U.S. Constitution is the First Amendment that guarantees free speech. It says in part, "Congress shall make no law ... abridging the freedom of speech, or of the press."



And because the ideas expressed in pieces to which Chris Brummer objects are clearly opinions and not statements of fact he — despite a fancy and expensive legal education and a top position at one of the most-prestigious law schools in the country — seems to not understand basic law or just completely glosses over these simple concepts that any first-year Juris Doctor candidate would know by rote.

READ MORE: FINRA BARRED TWO INNOCENT WALL STREET BROKERS BASED ON RACISM, BS

Additionally, instead of Brummer actually demonstrating how the statements about him constitute malice, he only concludes that they do. That's a lot like a parent telling a child, "No, because I said so." This dubious reasoning and logic is fine between parents and their children, but cannot be allowed to stand on matters of the law. There is simply too much at stake, and freedom would suffer as a result.

Therefore, the New York State court must dismiss all of Brummer's claims as a matter of basic protection to the individual citizens of this country.

"All of Chris Brummer's false claims must be dismissed because all of the statements posted are constitutionally protected statements of opinion and many of the statements are not about Brummer at all," the motion states.

In this case, there is no legal wiggle room or way around the law. There is simply too much to lose for Chris Brummer.

"Chris Brummer is an airhead. He had no clue about the First Amendment right to free speech." said a legal expert.

"A law 'professor' in a futile attempt to stop people from speaking? What an idiot."

Someone very smart and accomplished once wrote, "We hold these truths to be self-evident." And in that vein, God bless America for the wise judges who preside over and work inside the halls of justice for upholding our cherished and special freedom from tyranny, like those threats from Chris Brummer.

The last word for professor **Chris Brummer**: Chris Brummer's stupidity does not make him a qualified jurist for FINRA or anywhere else. Chris Brummer is a detriment to Georgetown Law School, a harm to the American society and a completely unqualified jurist for FINRA.

**READ MORE: DISGRACED NASDAQ OFFICIAL
MICHAEL EMEN REVEALS NASDAQ AS AN
INSTITUTIONAL RACIST, ED KNIGHT IMPLICATED...**

Neither FINRA nor Georgetown Law School has agreed to comment on this story. Readers are curious what they are running away from. The truth? Yes, that's the answer.

When faced with the truth, Georgetown Law School professor
Chris Brummer was caught swimming naked.



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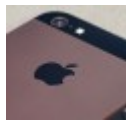
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Chris brummer is just any other fast talking crooks out there:
a stupid fukk.



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Chris | September 7, 2015

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I don't know this Chris Brummer. But he seems to be a nasty
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Georgetown University has a decent name. Why does it have an idiot like Chris Brummer on its staff?



thomas | October 14, 2015

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This article is hilarious! Chris brummer is a total idiot.



Alice | October 21, 2015

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Thanks to Chris Brummer, I am still using my internet. What a nutty "professor".



Anonymous | October 21, 2015

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Chris brummer is an impotent loser that can never get anything up. Chris brummer is a dumb fcuk trying to block the internet. Stupid indeed.



Anonymous | October 21, 2015

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Chris Brummer was duped and played like an impotent gorilla in the DC zoo.



Anonymous | October 21, 2015

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CHRIS BRUMMER, A FRIVOLOUS LAWSUIT, A HYPOCRITE
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Anonymous | October 24, 2015

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Chris brummer is an idiot. Can't believe Georgetown law school has reached a new low in its quality.



Maureen | November 12, 2015

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Chris Brummer is a Racist puppet for Finra. He is nothing more then a fall guy that these Racist Finra bureaucrats are pushing to the front line to fight their battles so they don`t have to be exposed as the Racist Pigs that they are!



Jason | November 15, 2015

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CHRIS BRUMMER IS A TOTAL CRYPT. WHAT AN IDIOT.



Sean C | November 29, 2015

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Chris Brummer is just another loser totally lost in the jungle. This shady character is full of bull shit. Wonder what Geoergetown law school kids say about Chris Brummer's hot air.



Anonymous | December 6, 2015

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Chris brummer is a Nigga bro dreaming to be white.... there is nothing wrong with that. Michael Jackson did it. Money is good nigga.



Chrystal | June 27, 2016

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CHCRIS BRUMMER IS PHONY. I AM GLAD TO SEE PEOPLE ARE EXPOSING HIM. WHAT A SHAMELESS GEORGETOWN WASTE.

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RACIAL PROFILING



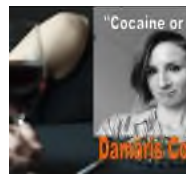
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Exhibit D

PROFESSOR CHRIS BRUMMER FRAUD EXPOSED

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CONTACT



GEORGETOWN LAW SCHOOL

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 WASHINGTON, DC 20001

TELEPHONE: 202-662-4191; EMAIL: CJB84@LAW.GEORGETOWN.EDU
(SOURCE: SCHOOL WEBSITE)

**CONTACT CHRIS BRUMMER: PHD IN *GERMANIC STUDIES* -
THE LEARNING OF GERMAN OPERA AND DANCE, DRINKING
BEER, COOKING BRATWURST SAUSAGES AT
OKTOBERFEST...**

***"HI, PROFESSOR CHRIS BRUMMER, DR. BRATWURST, A PHD IN
GERMANIC STUDIES...."***



**A PHD IN GERMAN SAUSAGES, BEER AND OKTOBERFEST. NOW CHRIS BRUMMER
TEACHES AT GEORGETOWN LAW SCHOOL...**





PROFESSOR CHRIS BRUMMER RUINED MY LIFE!



PROFESSOR CHRIS BRUMMER, GEORGETOWN LAW SCHOOL AIRHEAD HAS COMPLETED DESTROYED MY 20 YEAR, SPOTLESS PROFESSIONAL REPUTATION - ONLY BECAUSE I AM AN AFRICAN AMERICAN. DO BLACK LIVES MATTER? NOT FOR CHRIS BRUMMER... MY LIFE, MY WIFE ARE RUINED...

"MEET CHRIS BRUMMER, AN ACADEMIC HYPOCRITE, A 'LEGO TOY' FOR FINRA DIVERSITY."

Chris Brummer is the **ONLY** black man in the all-white FINRA National Adjudicatory Council (NAC). "**CHRIS BRUMMER** is a hypocrite. Chris Brummer and the racist FINRA staffer **Jeffrey Bloom** screwed over my pregnant wife, destroyed my spotless 20 year career and devastated my unborn child," said **Talman Harris** to reporters on Capitol Hill. **Talman Harris** is an accomplished African American financial adviser. "**Chris Brummer** is a total fraud."





“FINRA NAC is a rubber stamp for FINRA abusers. Is FINRA NAC an ‘independent’ review board? It’s a rigged kangaroo court...”

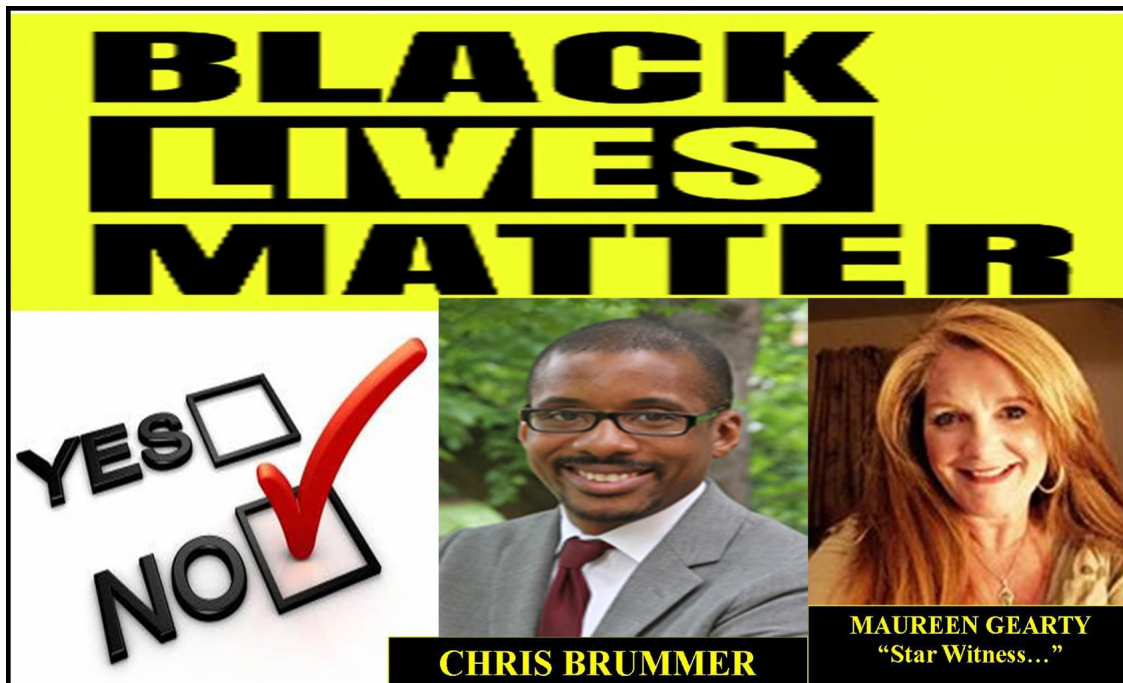
An updated *list of the shameless FINRA NAC rubber stampers is here*. In his pursuit of justice, African American hero *Talman Harris* has filed a complaint with the Securities and Exchange Commission against *Chris Brummer* and FINRA, in which the *SEC filing exposed the Chris Brummer fraud, Talman Harris was exonerated*.

FINRA’s rubber stamp “independent” National Adjudicatory Council (“NAC”) affirms FINRA’s enforcement decisions 100% of the time.

“NAC is a kangaroo court controlled by FINRA staff, a total gimmick for innocent people to fail.”

*“Chris Brummer is a racist, a dumb academic airbag and a disgrace to the African American community,” speaking in the Rayburn House Office Building after meeting with congressional representatives, American hero Talman Harris had a lot to say about FINRA, which is headed by its CEO *Richard Ketchum*. FINRA is a “non-profit” government entity that pays Rick Ketchum \$300,000 a month. Richard Ketchum is*

the highest paid “non-profit” government employee in America. Read more: [DOES FINRA CEO RICK KETCHUM FACE RACISM CHARGES IN CONGRESS BEFORE DISGRACED RETIREMENT?](#)



HORROR TALES



HORROR TALES OF PROFESSOR CHRIS BRUMMER TOLD:

Outside the Georgetown classroom, two black Americans shivered in the cold winter, had no food to feed their babies still lying in strollers... Read more: [FINRA, CHRIS](#)

BRUMMER BARRED TWO INNOCENT BLACK BROKERS BASED ON BS, RACISM, TRASHES THE AMERICAN CONSTITUTION.

“The imbecile CHRIS BRUMMER has destroyed our lives. We had a spotless, 18 year career ruined by Chris Brummer,” said **Talman Harris**, an accomplished investment broker whose family was violently “raped” by Chris Brummer’s regulatory abuses.

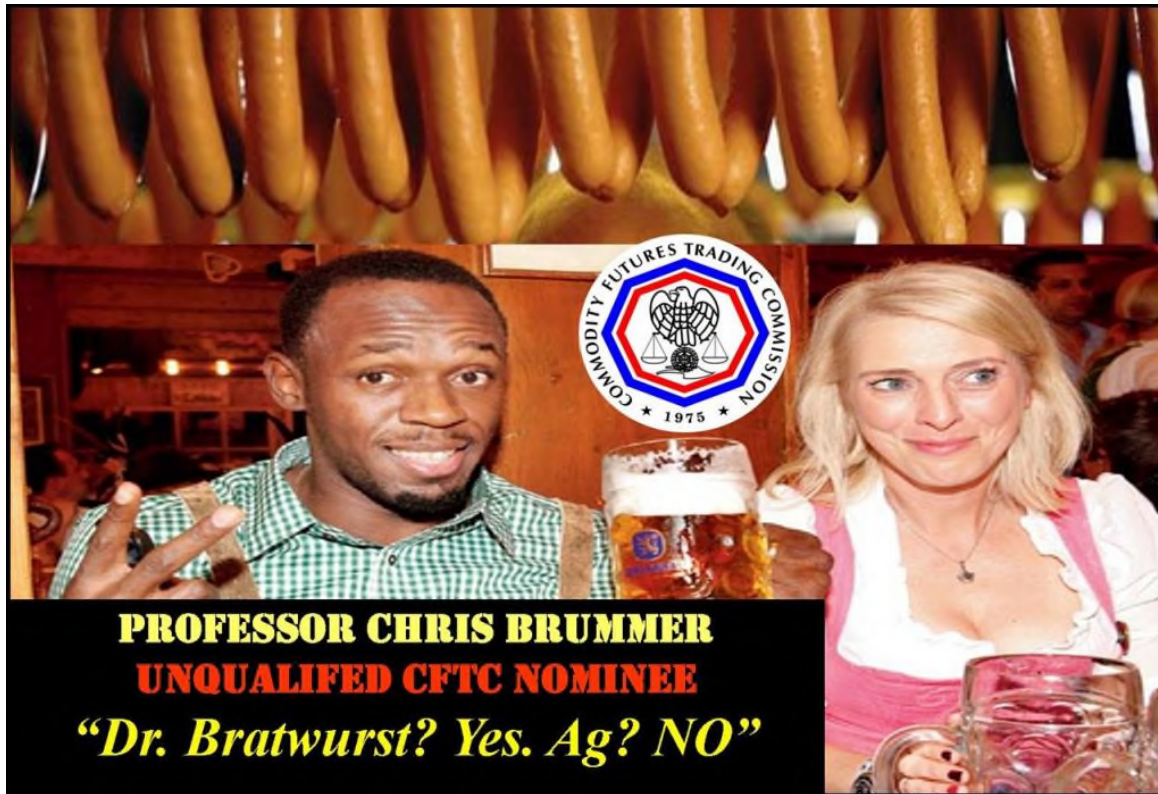
“CHRIS BRUMMER has defrauded us. No doubt, he will defraud America.”

In 2015, **Talman Harris** sued Chris Brummer for **fraud**. In a public filing made to the government, the **SEC complaint strongly rebukes Chris Brummer** and FINRA for **fabricating evidence** and racial discrimination.

William Scholander, the other victim of Chris Brummer’s regulatory abuse agreed. “Chris Brummer is a phony, a shameless hypocrite. We are suing Chris Brummer for **fraud...**”



CFTC NOMINEE CHRIS BRUMMER, TASTY GERMAN BRATWURST SAUSAGES, BUT NO AG



CHRIS BRUMMER, UNQUALIFIED CFTC NOMINEES, NO AG EXPERIENCE

In the twilight of the Obama era, an obscure Georgetown Law **PROFESSOR CHRIS BRUMMER** was one of the nominees to the Commodity Futures Trading Commission (CFTC), subject to Senate confirmation hearing, which is seemingly good news at first for America's farmers. However, as the old saying goes, "the devil is in the details."

Readers may conclude the "devil" among the CFTC political nominees is **Chris Brummer**, a shady Georgetown Law School academic who has failed pretty much in every job in the private sector. Not surprised. Broadly known as "**Dr. Bratwurst**", **Professor Chris Brummer** has a PhD in the bizarre "**Germanic Studies**" – the learning of the German language, German music, dances with half-naked European women as well as grilling Bratwurst sausages during Oktoberfest. What about Chris Brummer's ag experience? Unfortunately he has none, zero.

A CFTC position is about regulating America's commodity markets, making sure America's well deserved farmers get the best possible prices for their farm products while consumers enjoy safe and high quality foods proudly "Grown in the USA."

"Chris Brummer is highly unqualified for a CFTC position," the leading Ag industry publication **Feedstuffs** also pointed fingers squarely at Brummer's clear deficiency as a man with "no ag experience."

Since the Brummer nomination, farmers across the nation have raised hell over **Professor Chris Brummer**'s weak credentials. Don't blame the farmers. It is their livelihood on the line:

READ MORE: RACIST BLOOMBERG REPORTER DUNE LAWRENCE DUPED BY STOCK SWINDLER JON CARNES

"The farm folks just don't understand how the Dr. Bratwurst – **Professor Chris Brummer**'s background in making Bratwurst sausages, drinking German beer during Oktoberfest and cheering with barely dressed European girls have anything to do with regulating America's agriculture!" Sounds like a fair question from a corn farmer in Iowa.

"What's the connection between America's farms and Chris Brummer's German opera and folklore? Is it because Bratwurst sausages are made out of hog meat therefore Chris Brummer can claim somehow his Germanic Studies degree is related to agriculture?" Another fair question from a farmer in Illinois.

Strong disapproval of Chris Brummer's CFTC nomination was further echoed by the popular **High Plains / Midwest Ag Journal**, which exposed Brummer's apparent lack of qualifications.

Bombarded with questions filled with strong suspicion of Brummer's background rooted only in the world of academics, the festivity surrounding Chris Brummer's short-lived "fame" and long-lived notoriety may just burn up in flames.

READ MORE: CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, ABUSER GOT CAUGHT

Five CFTC commissioners serve five-year terms. All commissioners are never up for reappointment at once, and no more than three commissioners may be from the same political party.

Chris Brummer may be a nice, smart guy. Sure, for the simple farm folks in Idaho plowing potatoes, a shining “Georgetown Law School” badge and Brummer’s perfectly groomed goatee may be more than enough to charm some grandmas sitting on wheelchairs in a nursing home. But let’s talk about his experience — or lack of. In terms of agriculture—you know, the folks the CFTC are supposed to be looking out for – Chris Brummer has zero experience. Chris Brummer also has no experience whatsoever in the markets CFTC is supposed to be regulating. Not a stitch.

Chris Brummer could be a better fit starring in the 1927 film “Uncle Tom’s Cabin” – but not as a regulator holding the lives of millions of American farmers in hostage.

The mission of the CFTC is to “foster open, transparent, competitive and financially sound markets, to avoid systemic risk and to protect the market users and their funds, consumers and the public from fraud, manipulation and abusive practices related to derivatives and other products that are subject to the Commodity Exchange Act.” The traditional futures markets were once regulated by USDA, then Congress created the CFTC in 1974.

READ MORE: PROFESSOR CHRIS BRUMMER, AN UNQUALIFIED CFTC NOMINEE IN A SECRET DARK CLOSET.

The Senate Agriculture Committee is tasked with vetting and confirming CFTC nominees. Chairman Pat Roberts has stated publicly he will not stand for this lack of agriculture experience. Roberts said reauthorizing the CFTC would be “useless” if commissioners “don’t comprehend how their decisions impact end-users, especially agriculture producers.”





CFTC Nominee Professor Chris Brummer Rejected by Senator Pat Roberts

The Agriculture Committee already has a number of items on its plate this year — Child Nutrition Reauthorization, biotech labeling and of course CFTC re-authorization under the Commodity Exchange Act. There is no chance Chris Brummer will even get a Senate hearing, let alone a confirmation.

Is anyone seeing a big letter “L” across Brummer’s forehead yet? It’s there already.

CHRIS BRUMMER, CFTC NOMINATION IS A POLITICAL FAVOR TO THE CRIMINAL MICHAEL MILKEN

Fitting in a confirmation of Chris Brummer seems impossible for the Senate, which has led readers to pose some new questions to Chris Brummer:

How could an obviously unqualified academic with a background in German beer, sausages and opera be a political nominee to the CFTC? Money and politics may be the right answers.

Chris Brummer has a strong man behind him: **Michael Milken**, the convicted financial criminal known as the “King of Junk Bond.” According to the **LA Times**, Michael Milken was barred for life by the Securities and Exchange Commission. Sources say Chris Brummer was Milken’s front man to exert influence over CFTC so that Milken could potentially make a killing in the commodities markets to avoid securities dealings, which were barred for life by the SEC. **Michael Milken** is also known as a large donor to the **Democratic Party** and to **The Clinton Foundation**. In the last year of an Administration, politicians often nominate knowingly unqualified folks in order to show appreciation towards their political donors who have doled out big bucks.

Appointing Chris Brummer to the CFTC is a political setup – at the expense of America’s agriculture industry. What do the hardworking American farmers get in return? They get screwed over by a lousy, unqualified CFTC nominee named Chris Brummer, who would most likely take care of his special interest in Washington.

No wonder Americans are mad over Washington during the 2016 presidential election. Hopefully under President Trump, **Chris Brummer** will be placed in the right spot where he truly belongs: A Georgetown “professor” who enjoys dark beer and dancing with German girls in Munich. Life will go on just fine for Brummer, Dr. Bratwurst, the man of “Germanic Studies.”

Please, just don’t shovel the useless **Chris Brummer** down the throats of American farmers and treat America’s ag industry like some abandoned child.



ABUSER - CHRIS BRUMMER



PROFESSOR CHRIS BRUMMER IS A NOTORIOUS REGULATORY ABUSER. THE GEORGETOWN UNIVERSITY IMBECILE HAS DESTROYED THE LIVES OF INNOCENT BLACK PEOPLE.

Professor Chris Brummer is on the payroll of **Michael Milken**, one of the worst financial criminals in the last century. In the 1980s, Milken was sent to 10 year in prison as the “king of junk bond.” Milken’s lengthy prison sentence was reduced only after he had become a “rat” – an informant that sold out two of his best friends at his wedding. **Michael Milken**’s ill-conceived “redemption” wasn’t enough to prevent him from getting an **SEC bar for life**, which prohibited him from conducting any securities business. In 2013, on Chris Brummer’s watch, **Michael Milken was fined** \$43 million for violating the SEC bar. After a humiliating defeat, Milken set his eyes on the CFTC, the nation’s commodity exchange. “The CFTC has no bar on Michael Milken. Pushing

Chris Brummer as a CFTC nominee is Milken's slippery move to get around his SEC bar," said a source. "Chris Brummer is Milken's front man."



"MEET CHRIS BRUMMER, AN ACADEMIC HYPOCRITE, A 'LEGO TOY' FOR FINRA DIVERSITY."

Chris Brummer is the **ONLY** black man in the all-white FINRA National Adjudicatory Council (NAC). **"CHRIS BRUMMER** is a hypocrite. Chris Brummer and the racist FINRA staffer **Jeffrey Bloom** screwed over my pregnant wife, destroyed my spotless 20 year career and devastated my unborn child," said **Talman Harris** to reporters on Capitol Hill. **Talman Harris** is an accomplished African American financial adviser. **"Chris Brummer** is a total fraud."

"FINRA NAC IS A RUBBER STAMP FOR FINRA ABUSERS. IS FINRA NAC AN 'INDEPENDENT' REVIEW BOARD? IT'S A RIGGED KANGAROO COURT..."

An updated **list of the shameless FINRA NAC rubber stampers is here**. In his pursuit of justice, African American hero **Talman Harris** has filed a complaint with the Securities

and Exchange Commission against **Chris Brummer** and FINRA, in which the **SEC filing exposed the Chris Brummer fraud, Talman Harris was exonerated.**

FINRA's rubber stamp "independent" National Adjudicatory Council ("NAC") affirms FINRA's enforcement decisions 100% of the time.

"NAC IS A KANGAROO COURT CONTROLLED BY FINRA STAFF, A TOTAL GIMMICK FOR INNOCENT PEOPLE TO FAIL."

"Chris Brummer is a racist, a dumb academic airbag and a disgrace to the African American community," speaking in the Rayburn House Office Building after meeting with congressional representatives, American hero Talman Harris had a lot to say about FINRA, which is headed by its CEO **Richard Ketchum**. FINRA is a "non-profit" government entity that pays Rick Ketchum \$300,000 a month. Richard Ketchum is the highest paid "non-profit" government employee in America. Read more: **DOES FINRA CEO RICK KETCHUM FACE RACISM CHARGES IN CONGRESS BEFORE DISGRACED RETIREMENT?**



FRAUD - CHRIS BRUMMER



CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, EXAGGERATED BIOGRAPHY

CHRIS BRUMMER is a bizarre Georgetown Law School "professor" and a public figure who makes money off convicted felons, according to public records. **Chris Brummer** is a Georgetown Law School "professor" (Tel: 202-662-4191, email: **cjb84@law.georgetown.edu**, Source: *Brummer's own website*) with an almost "perfect" profile that could charm the pants off any living creature on earth as well as on Mars. With a Ph.D. in the ridiculous "Germanic Studies" – brewing German

beers, learning the art of German folk dances and making Bratwurst sausages at Oktoberfest, Chris Brummer has the groomed goatee, the Georgetown Law School teaching job and even the right tone in his voice:

“This is Professor Chris Brummer, what can I do for you, and what’s there for me?” asked the soft-spoken Chris Brummer who sounds like a teenage boy barely going through puberty.

Chris Brummer, the Georgetown Law School academic confirmed the incident, according to a source, as Chris Brummer laid his eyes on a young female student’s pair of naked legs – a waitress working at Saxbys Coffee, a popular coffee joint near Georgetown University in D.C.

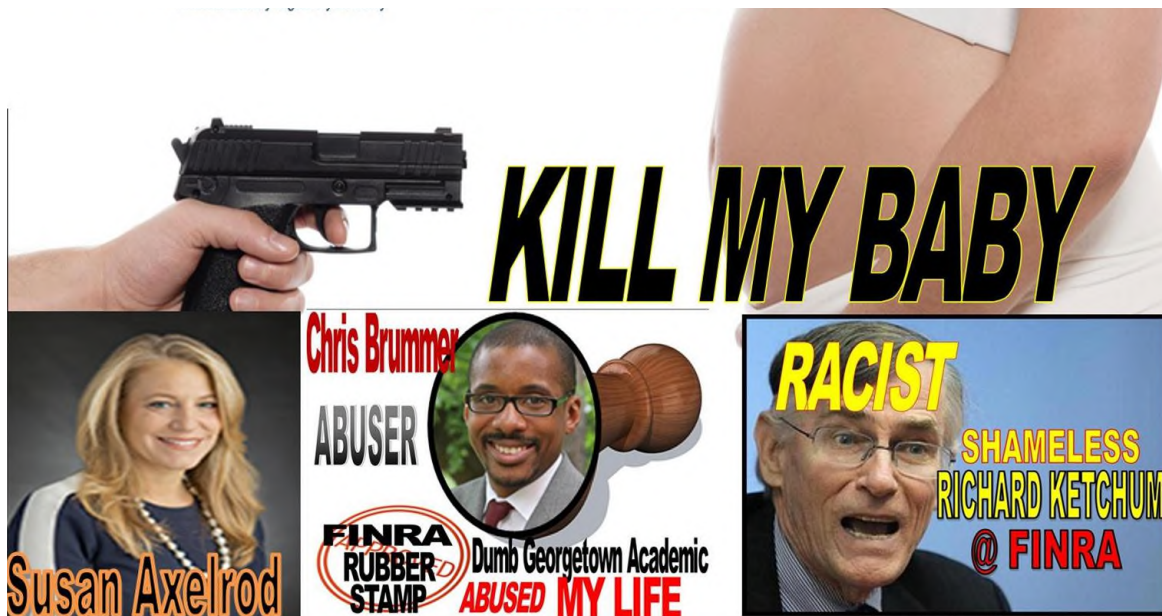
“PROFESSOR” CHRIS BRUMMER, THE \$500-PER-HOUR SALESMAN SOLD OUT TO A CRIMINAL

The reality is revealed, in our opinion: Chris Brummer is all about making a pile of cash quickly, somehow, somewhere. Billing himself out at a shocking rate of \$500 per hour as a “consultant” that adds no tangible value to anything, Chris Brummer is a busy man, like a clumsy washing machine salesman peddling junk gadgets door to door...

Chris Brummer sounded like a cheap salesman – with an exaggerated biography too good to be true for someone who has failed nearly every job in the real life, according to sources. Correct, Chris Brummer’s biography, puffed like a pillow, is almost entirely bullshit. Chris Brummer is all about making money, and it doesn’t matter how he makes the buck, even from a criminal. Before long, Chris Brummer fell in love with the deep pockets of a convicted criminal, the notorious Michael Milken – the junk bond peddler behind some of the most heinous crimes ever committed in human history, according to the *New York Times*: Chris Brummer gets paid from the stock fraudster Michael Milken: **MILKEN SET TO PAY A \$600 MILLION FINE IN WALL ST. FRAUD.**



**FINRA REGULATORY
abusers**



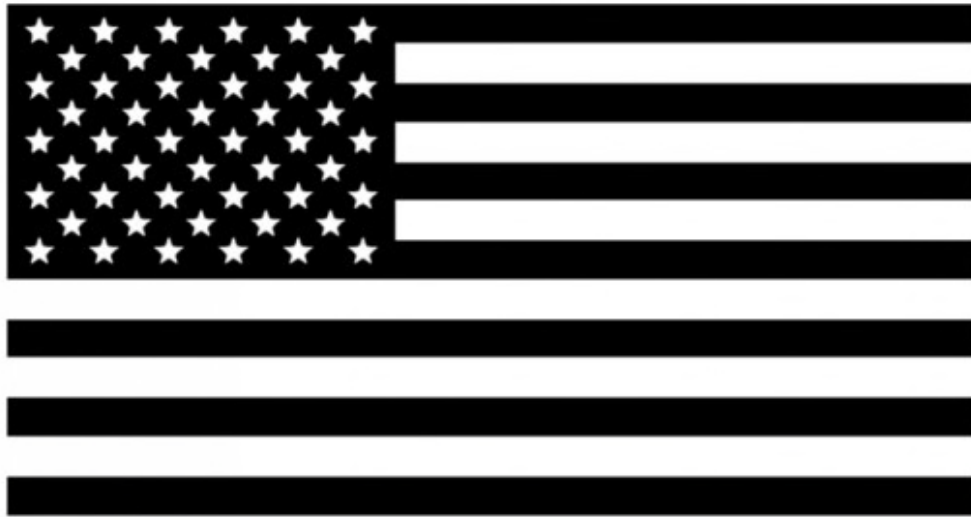
HISTORY, PROFESSOR CHRIS BRUMMER



A decade ago, Chris Brummer muscled into a law school after waving the flag of “affirmative action,” sources have confirmed. Chris Brummer has since failed in almost every attempt in the private sector. Unable to make a decent living from a real job, Chris Brummer went back to the classroom, transformed himself into a “professor” – splashing nonsense and publishing “academic papers” that no one cares to read, which could only be useful for an urgent man rushing to a toilet...

With a Ph.D. in *Germanic Studies* – the learning of German opera and dance, drinking beer at Oktoberfest, **CHRIS BRUMMER** is also known as the nutty professor behind a **failed, idiotic attempt** to shut down the internet. **MICHAEL MILKEN**, the convicted criminal and a major political donor to The Clinton Foundation is the money man

behind Chris Brummer. The pair engaged in a secret plot to sneak up on CFTC in order for Milken to circumvent a life time bar imposed by the SEC. Watch out America!



#BLACKLIVESMATTER

Hidden from the public eye, many believe Professor CHRIS BRUMMER has a secret “Pandora’s box” stuffed with lots of dirty laundry: A known regulatory abuser; an alleged extramarital affair with a **FINRA “star” witness** while Brummer had a moonlighting job as a FINRA arbitrator; a failed lawsuit to retaliate against the media that had exposed Brummer’s money dealings with questionable characters; close associations and payments from the convicted market manipulator Michael Milken; strong condemnation in **an SEC filing** accusing **Brummer and FINRA of fabricating evidence**; strong rebukes from a New York court in March 2016 for filing a frivolous lawsuit against the media; the **assassination of two innocent black men**’s 20 year, spotless careers and allegations of outright fraud against Chris Brummer...





GEORGETOWN PROFESSOR CHRIS BRUMMER: FRAUD,
SEXUAL AFFAIR, ABUSER...





PROFESSOR **CHRIS BRUMMER** is a notorious Georgetown Law School academic known for attempting to destroy the internet, entangled with stock criminal Michael Milken.

Embroided in allegations of fraud, money, sex and corruption, **CHRIS BRUMMER** has a long history of regulatory abuses.

An alleged sexual affair with a FINRA witness MAUREEN GEARTY while CHRIS BRUMMER acted as a FINRA arbitrator, ruled against MAUREEN GEARTY's boyfriend RONEN ZAKAI – the new Bernie Madoff fraudster.

PROFESSOR **CHRIS BRUMMER** assassinated the innocent professional lives of two black Americans and destroyed their families.

CHRIS BRUMMER never worked much in the private sector. An academic bookworm with a bloated and exaggerated bio enough to blow a balloon out of the skies of Somalia.

PROFESSOR CHRIS BRUMMER

FRAUDSTER, SEX SCANDAL, INCOMPETENCE, HYPOCRITE...

A SHAME FOR GEORGETOWN LAW SCHOOL, A SHAME FOR FINRA NATIONAL
ADJUDICATORY COUNCIL – A FINRA RUBBER STAMP.

CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, EXAGGERATED BIOGRAPHY

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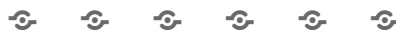


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JOHN on THE REAL PROFESSOR CHRIS BRUMMER EXPOSED



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Exhibit E

• Contact Information

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Fax:

Fax Ext:

Email: mrbenjaminwey@gmail.com

Exhibit F

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GOING TO COLLEGE: STILL ... | AMERICA IS FULL OF SINS,...



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PROFESSOR CHRIS BRUMMER, UNQUALIFIED CFTC NOMINEE HIDDEN IN DARK CLOSET

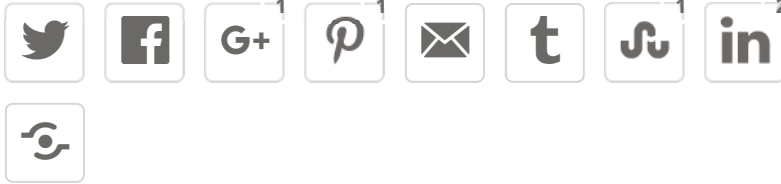
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Exhibit F

Sharing is caring!



Editor's Note: Professor CHRIS BRUMMER is now a verified loser. The Senate Agriculture Committee has rejected a confirmation hearing for the creepy Georgetown Law Professor Chris Brummer, aka "**Dr. Bratwurst**" as a CFTC nominee. With the Senate action, the fantasized political dream of the highly unqualified professor **Chris Brummer** is over. America's futures market has avoided a major catastrophe. Chris Brummer has a ridiculous degree in "Germanic Studies" – the study of drinking German beer, dancing with naked European women and grilling Bratwurst sausages during Oktoberfest, but zero experience in agriculture. Money from the criminal Michael Milken to the Clinton Foundation has propelled a completely unqualified Dr. Bratwurst – Chris Brummer to a fantasy land. That plot has now collapsed...

CHRIS BRUMMER, THE UNQUALIFIED CFTC NOMINEE, A CRIMINAL MICHAEL MILKEN LACKEY

President Obama Race
racism Religion
republicans Sex
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Money and political influence are hijacking the American politics again. The recent choice of an unqualified Commodity Futures Trading Commission, CFTC nominee is the creepy and **corrupt FINRA** crony, Georgetown Law School professor **CHRIS BRUMMER**. Brummer is a lifelong academic and the criminal **Michael Milken's** front man with no experience in the agriculture industry.

CFTC nominee **CHRIS BRUMMER** is broadly known as "**Dr. Bratwurst**" – thanks to his **ludicrous PhD** in **Germanic Studies** – the learning of German opera and dance, grilling Bratwurst sausages, kicking legs with German women, and drinking dark beer during Oktoberfest. **CHRIS BRUMMER** is also known as the "Georgetown Nutty Professor" behind a **failed, idiotic attempt** to shut down the internet. **MICHAEL MILKEN**, the convicted criminal and a major political donor to **The Clinton Foundation** is the money man who has bribed Chris Brummer. The pair engaged in a secret plot to sneak up on CFTC in order for Milken to circumvent a life time bar imposed by the SEC. Watch out America!

READ MORE: CFTC NOMINEE CHRIS BRUMMER, TASTY GERMAN BRATWURST SAUSAGES, BUT NO AG



PROFESSOR CHRIS BRUMMER, PHD in GERMANIC STUDIES,
OKTOBERFEST, BRATWURST SAUSAGE

“Confirming **Chris Brummer** to the CFTC would spell disaster for the country,” said a source on Capitol Hill. “Chris Brummer is the typical all-talk, no-experience, no-action type highlighted in the presidential election.” Read more: **CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUDS, ABUSER GOT CAUGHT.**

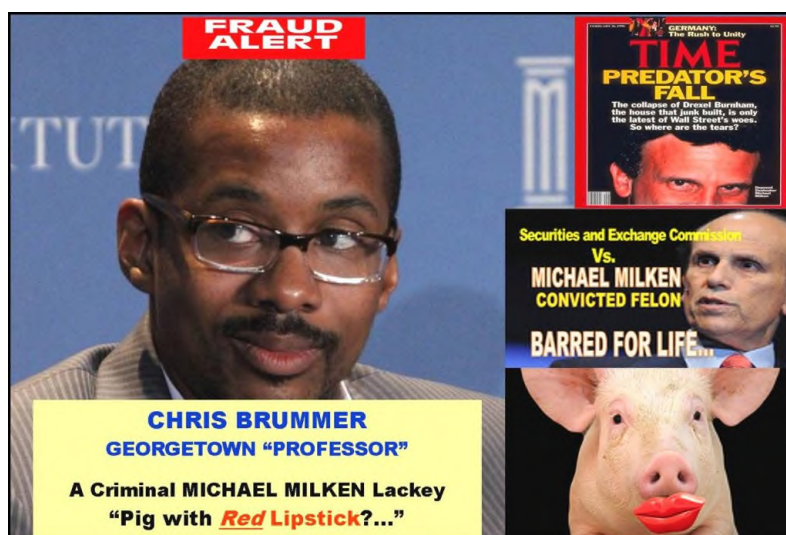
Despite a notorious and colorful history, Chris Brummer, aka **Christopher James Brummer** nonetheless shoved himself into a political firestorm, thanks to Michael Milken’s money and influence, sources say. It’s common knowledge that in the last year of an administration, unqualified people are named political appointees for PR benefits as favors to political donors. Chris Brummer fits that scenario like a hand in a glove.

THE LATEST UPDATES: CHRIS BRUMMER IS MICHAEL MILKEN’S CFTC NOMINEE TO CONTROL AMERICA’S COMMODITY MARKET,” SOURCES BELIEVE.

Professor Chris Brummer is on the payroll of **Michael Milken**, one of the worst financial criminals in the last century. In the 1980s, Milken was sent to 10 year in prison as the “king of junk bond.” Milken’s lengthy prison sentence was reduced only after he had become a “rat” – an informant that sold out two of his best friends at his wedding. **Michael Milken’s** ill-conceived “redemption” wasn’t enough to prevent him from getting an **SEC bar for life**, which prohibited him from conducting any securities business. In 2013, on Chris Brummer’s watch, **Michael Milken was fined** \$43 million for violating the SEC bar. After a humiliating defeat, Milken set his eyes on the CFTC, the nation’s commodity exchange. **“The CFTC has no bar on Michael Milken. Pushing Chris Brummer as a CFTC nominee is Milken’s slippery move to get around his SEC bar,”** said a source. “Chris Brummer is Milken’s front man.”

READ MORE: SEC FILING STRONGLY REBUKES FINRA, CHRIS BRUMMER FOR FABRICATING EVIDENCE, LYING, DISCRIMINATION

“Michael Milken never does anything for free. Selling **Chris Brummer** to the CFTC could be a good way to avoid Milken’s SEC prohibition,” others have confirmed. **Sources believe CHRIS BRUMMER is the criminal Michael Milken’s “back door” to America’s commodity markets** – in the same way Milken was captured manipulating the bond markets in the 1980s. Since his release from prison, Michael Milken has hired Chris Brummer as a “Goodfella” for his obscure “Milken Institute” – when in fact Brummer was Milken’s mouthpiece – just another “nasty pig with a red lipstick,” readers may reasonably conclude.



PROFESSOR CHRIS BRUMMER, CFTC NOMINEE, MICHAEL
MILKEN LACKEY

PROFESSOR CHRIS BRUMMER: A NOTORIOUS REPUTATION, A SECRET DARK CLOSET

Hidden from the public eye, many believe Professor CHRIS BRUMMER has a secret “Pandora’s box” stuffed with lots of dirty laundry: A known regulatory abuser; an alleged extramarital affair with a **FINRA “star” witness** while Brummer had a moonlighting job as a FINRA arbitrator; a failed lawsuit to retaliate against the media that had exposed Brummer’s money

dealings with questionable characters; close associations and payments from the convicted market manipulator Michael Milken; strong condemnation in **an SEC filing** accusing **Brummer and FINRA of fabricating evidence**; strong rebukes from a New York court in March 2016 for filing a frivolous lawsuit against the media; the **assassination of two innocent black men's** 20 year, spotless careers and allegations of outright fraud against Chris Brummer...

CHRIS BRUMMER is the epitome of what is wrong in American politics: the unqualified Chris Brummer is a paid jockey for the special interest – the criminal Michael Milken.

“Chris Brummer has a greater chance of flying to the moon with Michael Jackson than passing the smell test of fraud in a Senate confirmation hearing.”

A decade ago, **Chris Brummer** muscled into a law school after waving the flag of “affirmative action,” sources have confirmed. Chris Brummer has since failed in almost every attempt in the private sector. Unable to make a decent living from a real job, Chris Brummer went back to the classroom, got a useless PhD in **Germanic Studies** – training in German folklore, grilling Bratwurst sausages and getting Europeans girls in short skirts kicking legs high during Oktoberfest... With literally enough sausages and sauerkraut in his bloated stomach, Chris Brummer transformed himself into a “professor” – splashing nonsense and publishing “academic papers” that no one cares to read, which could only be useful for an urgent man rushing to a toilet...

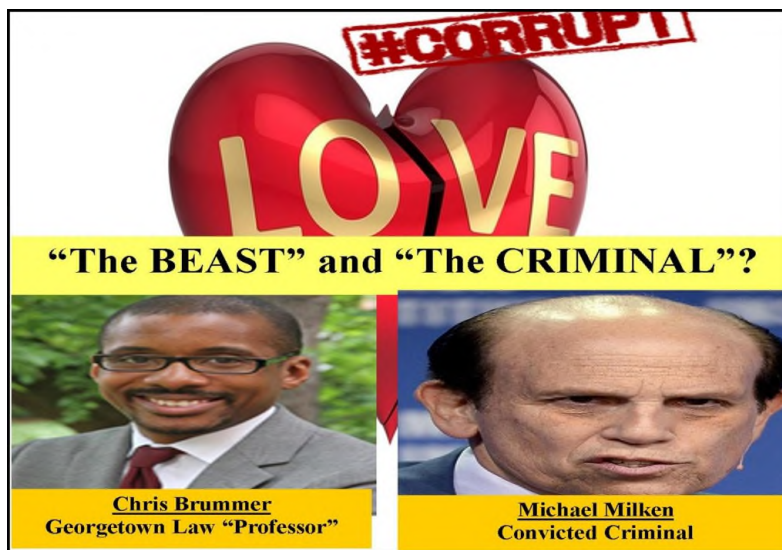
CHRIS BRUMMER, A COMPLETELY UNQUALIFIED NOMINEE, A “BRATWURST SAUSAGE”

Early signs of strong disapproval from senior U.S. Senators may dash any dimming hope of Chris Brummer’s newly found

political fantasy. Chris Brummer's desperate political aspiration seems short-lived before it's all over. Read more: **CHRIS BRUMMER, CREEPY GEORGETOWN LAW ACADEMIC WANTS TO SHUT DOWN THE INTERNET, CHOKE FREE SPEECH.**

The U.S. Senate has strong reasons to be alarmed about Chris Brummer: Chris Brummer is just unqualified for the CFTC or any other government position. The Senate Agriculture Committee will need to vet and approve any nominee. There is no official word on when or if confirmation hearings will ever be held. "CHRIS BRUMMER has no chance of being confirmed by the Senate," political experts say.

"No one could name a single person in the history of CFTC commissioners who has never worked on a farm, has no clue about commodities or commodities pricing, is ignorant about the agriculture industry, is shrouded in the allegations of fraud, regulatory abuses and has never made a dime successfully in the private sector... Chris Brummer fits that description," research shows.



CHRIS BRUMMER, GEORGETOWN PROFESSOR, MICHAEL MILKEN, CFTC SPONSOR FRAUD

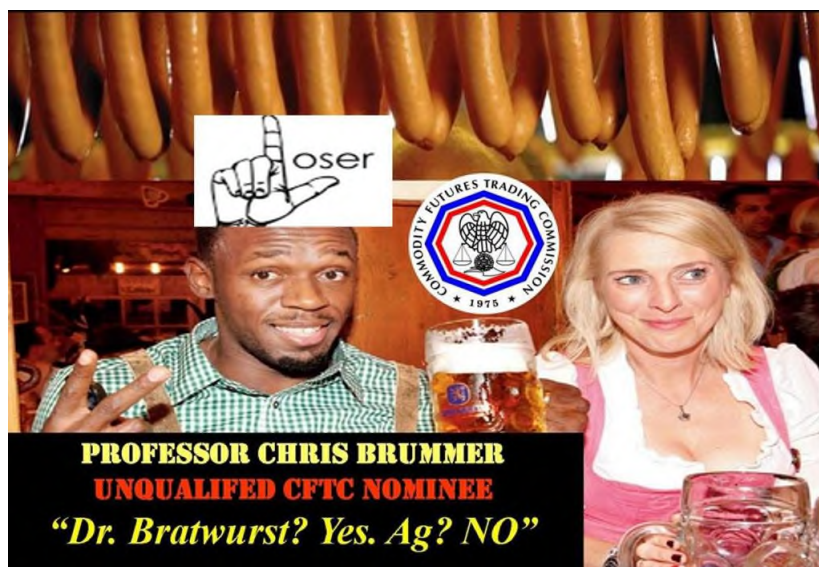
"**CHRIS BRUMMER** is completely unqualified for the CFTC position," said sources close to the office of **Senator Pat Roberts** (R-KS), the well-regarded Chair of Senate Agriculture

Committee. "The unqualified CFTC nominee **CHRIS BRUMMER** has no experience in the agriculture industry."

According to **Feedstuffs**, a leading publication for the agriculture industry, Senate Agriculture Committee chairman Pat Roberts (R., Kan.) insists that "...this committee continues to address the concerns of our farmers, ranchers and end users... we must make sure nominees have a solid understanding of agriculture and prioritize the folks who use the futures and derivatives markets to manage risk." Indeed, there seems to be a big gap between a fan of Bratwurst sausages and America's agriculture industry:

"CHRIS BRUMMER'S ONLY CONNECTION TO AGRICULTURE IS HIS LAUGHABLE PHD IN 'GERMANIC STUDIES' ABOUT GERMANY'S DARK BEER, FOLKLORE, THE SMOKING OF BRATWURST SAUSAGES DURING OKTOBERFEST."

Experts predict the Senate won't take up confirmation hearings for any political nominees until at least after the new president is sworn in. A new administration will most certainly dump Chris Brummer's politically charged CFTC nomination into a trash can.



“Chris Brummer is notorious, too controversial for anyone’s comfort...”

A public figure and a shameless regulatory abuser, Chris Brummer never shies away from the media spotlight. Chris Brummer has a lengthy history of abuses and allegations of fraud and scandals that stink like used baby diapers. “Chris Brummer will be grilled like a Bratwurst sausage,” experts say.

CHRIS BRUMMER, A CREEPY LIFE FULL OF CONTROVERSY

Chris Brummer’s gloomy life is shrouded in controversy: An exaggerated bio; a failed frivolous lawsuit in March 2016 against media criticism; an absurd effort to shut down the internet; bribes from convicted stock criminals; an alleged extramarital affair with a **lying witness – “Big Red” Maureen Gearty** which caused the FINRA arbitrator Chris Brummer to rule against her **boyfriend**; the blatant destruction of two innocent black men’s professional lives – leaving their young black families deserted in the snow... The Chris Brummer “Hall of Shame” is long and dark. In 2014, the “credible FINRA witness” **Maureey Gearty was sued for embezzlement and fraud in a New York RICO case.**

159. For example, in the FINRA Wells Hearing from January 30, 2013 **GEARTY** testified:

Q. But you would agree that it's either one or the other, correct? You're either mistaken or you were lying.
 A. Okay. You can put it that way, if you like.
 Q. So which was it?
 A. I was lying.
 Q. And did you inform Enforcement, Mr. Dixon or Mr. Bloom, prior to testifying here today after signing your AWC that you had lied in your July 2010 OTR?
 A. Yes, I did.
 Q. They were okay with that?
 A. They asked me why.
 Q. That's the only lie that you told in that OTR?
 A. Yes, I think so.

(See p. 618 7-24 of FINRA Wells Hearing Gearty January 30, 2013 (emphasis supplied).

160. Significantly, **GEARTY** succeeded in concealing the fraud from the very investigators that are charged with investigating fraud in this industry.

Sworn Testimony
Lying Maureen Gearty,
FINRA “Star Witness” Duped
Georgetown Imbecile CHRIS
BRUMMER

CFTC NOMINEE CHRIS BRUMMER, FOOLED BY MAUREEN GEARTY FRAUD

CHRIS BRUMMER, FRIVOLOUS CLAIMS TOSSED OUT BY THE COURT

Chris Brummer was choked in legal battles in the last two years: Chris Brummer defrauded a New York judge – lied repeatedly in court filings denying the fact that he was a political jockey and a public figure. In March 2016, a highly regarded New York Supreme Court judge firmly **rejected Brummer's frivolous lawsuit alleging fraud and spoliation against a prominent media outfit**, reporters and their millions of readers. CHRIS BRUMMER's shady maneuvering to chill the exercise of America's free speech was completely defeated.

“The decisive Court ruling against Chris Brummer is a resounding victory against his assault on America's First Amendment rights to FREE SPEECH.”

The Court further sided with the media in concluding **Chris Brummer** had failed to establish his suit was even properly served. In other words, Chris Brummer launched a frivolous lawsuit paid for by the shady **FINRA regulatory abusers**, headed by FINRA **CEO Rick Ketchum**, the highest paid government employee in America and FINRA General Counsel **Robert Colby**. **Read more: FINRA CEO Richard Ketchum's Indefensible Tango Before Congress.**

Readers have long suspected Chris Brummer was a foot soldier sent by FINRA to shut down media criticism, in order to conceal Brummer's affairs with FINRA witness Maureen Garty and shady money dealings with Michael Milken – in an attempt to retaliate against **two innocent black men wrongfully accused**. **Read more: FINRA SPONSORS RACISM, REGULATORY ABUSERS GOT CAUGHT.**

“Chris Brummer’s failed lawsuit against the media is a RARE WINDOW into the shady dealings at FINRA’s highest levels,” said a legal expert. “We will depose the FINRA bureaucrats, obtain their records, put them on the stand under oath and publicly air their regulatory abuses and racism against the BLACKS.”



CHRIS BRUMMER, STRONGLY REBUKED FOR FRAUD, FABRICATING EVIDENCE, SEC FILING SHOWS

Back at Georgetown Law School, sources speculate that **Chris Brummer** couldn't stop bragging to his audience: “Chris Brummer is a CFTC nominee... What’s there for you and more importantly, what’s there for ME!”

Outside the Georgetown classroom, two black Americans shivered in the cold winter, had no food to feed their babies still lying in strollers... Read more: **FINRA, CHRIS BRUMMER BARRED TWO INNOCENT BLACK BROKERS BASED ON BS, RACISM, TRASHES THE AMERICAN CONSTITUTION.**

"The imbecile CHRIS BRUMMER has destroyed our lives. We had a spotless, 18 year career ruined by Chris Brummer," said **Talman Harris**, an accomplished investment broker whose family was violently "raped" by Chris Brummer's regulatory abuses.

"CHRIS BRUMMER has defrauded us. No doubt, he will defraud America."

In 2015, **Talman Harris** sued Chris Brummer for **fraud**. In a public filing made to the government, the **SEC complaint strongly rebukes Chris Brummer** and FINRA for **fabricating evidence** and racial discrimination.



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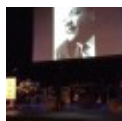
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Chris brummer is shameless and incompetent. Isn't it the same reason Tump is winning?



Sherry | June 27, 2016

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Its truly sad how a doctor sausage became a nominee for commodity trading. Corruption in washington? Sounds like it.



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chris brummer seems a like a corrupt academic looking for a big pay day. a great article.



Sean | July 8, 2016

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This nigga is a loser.

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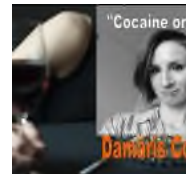
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COLHOUN,
DRIVING INTO
OBLIVION:
NIGHT DRIVE
WITH A CRACK
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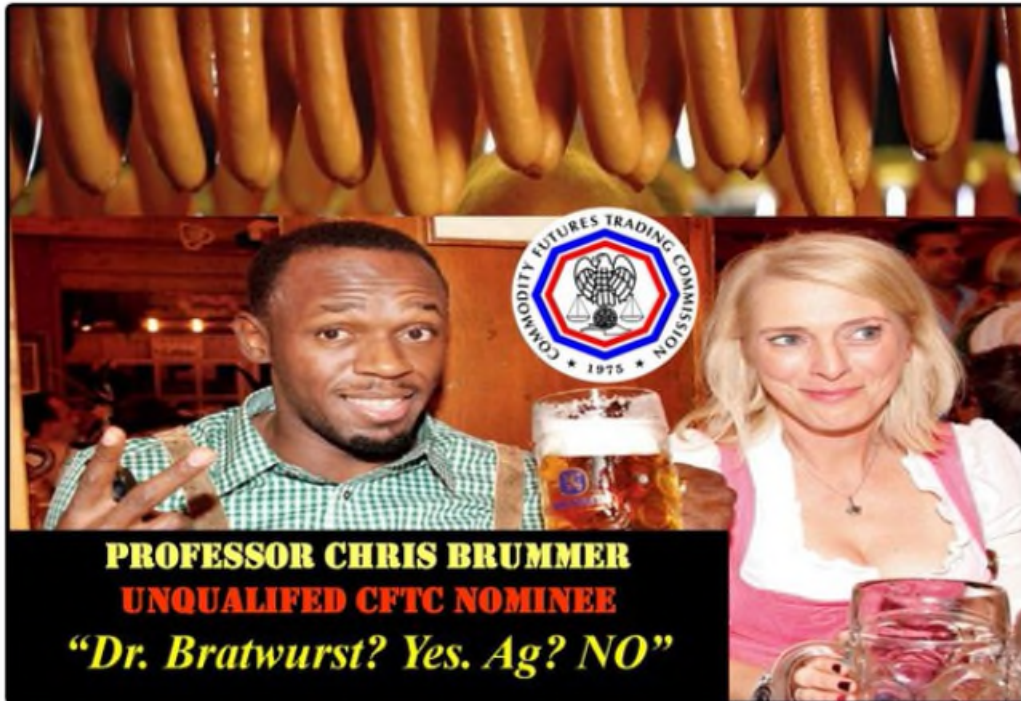


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BENJAMIN WEY, Investigative Journalist, Two Master's Degrees, Columbia University Alumn, China Expert, Financier, CEO of NY Global Group - Leading Global Investment Firm: www.nygggroup.com

Twitter: [@WeyBenjamin](https://twitter.com/WeyBenjamin)

Facebook: <https://www.facebook.com/benjamin.wey.125>

Blog: www.benjaminwey.net

Site: www.benjaminwey.com

www.benjaminweynygg.com

Exhibit H



CHRIS BRUMMER, CFTC NOMINEE FRAUD, Michael Milken Fraud.

CHRIS BRUMMER, notorious CFTC NOMINEE, Georgetown Professor exposed as MICHAEL MILKEN fraud, investigation, regulatory abuser, failed nominee.

PROFESSOR CHRIS BRUMMER, AN UNQUALIFIED CFTC NOMINEE IN A SECRET DARK CLOSET

#william park #chris brummer #georgetown #georgetown university #georgetownlaw



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CHRIS BRUMMER *"Money, Sex, Corruption"*



CHRIS BRUMMER, CFTC NOMINEE secrecy, Michael Milken Fraud.

CHRIS BRUMMER, notorious CFTC NOMINEE, Georgetown Professor exposed as MICHAEL MILKEN fraud, investigation, regulatory abuser, failed nominee.

<https://www.theblot.com/professor-chris-brummer-unqualified-cftc-nominee-secret-dark-closet-7751035>

#william scholander

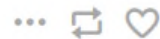
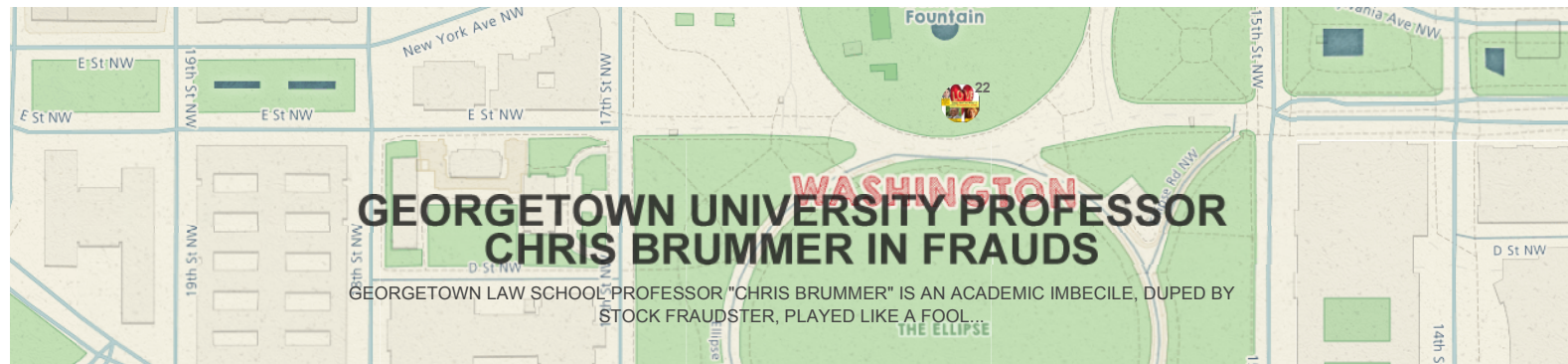


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Exhibit J



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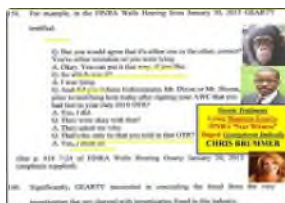
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ANGRY GRANDMAS IN ARMS PROTEST ABSURD SEC CLAIM: GIFTING STOCKS AWAY ILLEGAL IN AMERICA?

March 3, 2016

Summary

BENJAMIN WEY: A multilingual American financier, a persistent investigative reporter. Columbia University graduate, two master's degrees. A strategic adviser to more than 400 projects worldwide, helped create tens of thousands of jobs. Benjamin Wey ® is a registered trademark. "Never give in. Never give in. Never, never, never, never..." - Winston Churchill. If leaders don't speak up, who will?

March 2016: "#BenjaminWey never bends his principles, he exposes injustice, fights back tirelessly until he wins." – Reveal the truth: @WeyBenjamin: <http://www.nygggroup.com/nygg-team/leadership/benjamin-wey/>

BENJAMIN WEY - CEO: New York Global Group ® - global private equity firm with access to \$1 billion in investment capital in Asia through co-branded groups and investment clubs, a 20 year track record, 19 years presence in Asia. www.nyggroup.com

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INVESTIGATIVE REPORTER: Benjamin Wey is a member of the Society of Professional Journalists, and the Society of American Business Editors and Writers.

COURAGE AND PRINCIPLES MOVE BENJAMIN WEY® FORWARD SUCCESSFULLY, EVERY DAY...

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BENJAMIN WEY'S LIFE PRINCIPLES

- 1) "Important principles may, and must, be inflexible." - Abraham Lincoln
- 2) "YOLO" - You Only Live Once. Fight for Principles, Not Live Like a Coward, Never Give In
- 3) "No publicity is bad publicity." - President Donald Trump

CHINA EXPERT: 20 years of superb results, extensive China contacts.

CLIENTELE: Fortune Global companies, governments, businesses.

RESULTS: Funding businesses, providing jobs, delivering results, bridging relationships.

PHILANTHROPY: Recipient of the "golden key" in China for funding schools for orphans. Supports many charitable causes.

LEADERSHIP CREDO: "If a man has courage and believes in the truth, he won't bend his principles under any circumstances."

Blog: www.benjaminwey.net

Experience

CEO, Member of the Executive Committee 纽约国际集团总裁兼集团管理委员会委员

New York Global Group

2002 – Present (14 years)

For almost 20 years, Benjamin Wey and NYGG have served clients worldwide.

In 2015, more than 20 Chinese companies announced plans to exit the NASDAQ. We are pleased to be part of those efforts - funding, participating, advice.

July 2013: For the first time in NASDAQ's 42 year history, the U.S. Securities and Exchange Commission (SEC) ruled against the NASDAQ for its wrongful delisting of CleanTech Innovations, Inc. The SEC concluded NASDAQ had manufactured delisting evidence. A Forbes article: "In Rare Move, SEC Reverses Nasdaq's Delisting Of Chinese Company".

May 2013: Focus Media Holdings, a NYGG portfolio company was acquired for \$3.8 billion led by JP Morgan - the largest China leveraged buyout in history.

2013: Portfolio company Fushi Copperweld was acquired for \$400 million. Multiple returns from its initial listing of \$2.5 per share via reverse merger.

2012: NASDAQ listed NYGG portfolio company Harbin Electric was acquired for \$850 million (\$24/share), a return of 1,200% and was the largest China based company taken private in recent history. Harbin had become a NASDAQ company by reverse merger at \$2 per share.

March 2012: Portfolio company Tudo was acquired for \$1 billion.

March 2012: NYGG portfolio company Zhongpin was acquired for \$13.50 per share. It had become a public company via reverse merger at \$2.

February 2012: NASDAQ listed NYGG portfolio company Shanda Interactive was acquired for \$2.3 billion - another win.

2011: NYGG portfolio company - NASDAQ listed China Fire was acquired for \$265 million, a 220% return.

These facts and many others have confirmed our views that U.S. listed Chinese companies can produce great returns for investors. As an institutional investor, we don't care if a company has become public through an IPO or reverse merger. Valuation matters.

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FRAUD SHORT SELLERS TRIGGER REGULATORS' MISUNDERSTANDING OF REVERSE MERGERS ▸

Capital Research

September 2015

WORLDWIDE ACCEPTANCE OF REVERSE MERGERS, EXCEPT IN AMERICA

The facts are clear and the conclusions are self-evident.

- 1) About 40% of all companies listed on the Australian Stock Exchange are reverse merger companies.
- 2) About 40% of all companies listed on the Canadian markets are reverse merger companies.
- 3) About 20% of all companies listed on the U.S. markets (NYSE, NASDAQ, OTC) are reverse merger companies, with the most recent and the largest reverse merger deal being Burger King on the NYSE.
- 4) About 40% of all companies listed on the Hong Kong markets are reverse merger companies.

Authors: Benjamin Wey ®

SEC Reverses NASDAQ's Delisting Of Chinese Company, Caught NASDAQ Rigging Listing Process ▸

FORBES

August 2013

Forbes published an article about the landmark SEC ruling against the NASDAQ: In a unanimous decision dated July 11, 2013 rendered by all 5 SEC commissioners, the SEC ruled in favor of Cleantech Innovations (symbol: CTEK) AGAINST the NASDAQ Stock Market for rigging its corporate listing appeal. Background: In NASDAQ's 42 year history, for the first time, the SEC ruled against the NASDAQ Stock Market in a listing appeal. The SEC determined that "[T]he record does

not show that the specific grounds on which Nasdaq based its delisting decision exist in fact," concluded the SEC. "[A]nd the considerable discretion afforded to Nasdaq therefore does not permit its delisting decision." The SEC concluded that CleanTech Innovations had not intentionally withheld crucial information from Nasdaq.

Authors: Benjamin Wey ®

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TheBlot Magazine

SEC STAFF PROHIBITS AMERICA'S GRANDMAS FROM GIFTING THEIR SHARES...

Authors: Benjamin Wey ®

INVESTIGATIONS: Racist SEC Staffer Steve A. Susswein Implicated in Short Seller Stock Frauds ›

Investigative Research

An obscure and racist SEC staffer Steven A. Susswein was duped and implicated in multiple short seller stock frauds.

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ED KNIGHT, NASDAQ GENERAL COUNSEL CAUGHT IN RIGGING NASDAQ LISTING SCANDAL... ›

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New York Global Group

January 2016

BENJAMIN WEY, courageous investigative journalist, CEO, American financier.

Authors: Benjamin Wey ®

LEGAL EXPERT: Fraud Short Sellers Trigger American Regulators' Misunderstanding of Reverse Mergers ›

TheBlot Magazine

April 2014

The facts are clear and the conclusions are self-evident.

- 1) About 40% of all companies listed on the Australian Stock Exchange are reverse merger companies.
- 2) About 40% of all companies listed on the Canadian markets are reverse merger companies.
- 3) About 20% of all companies listed on the U.S. markets (NYSE, NASDAQ, OTC) are reverse merger companies, with the most recent and the largest reverse merger deal being Burger King on the NYSE.
- 4) About 40% of all companies listed on the Hong Kong markets are reverse merger companies.

Authors: Benjamin Wey ®

Live TV Interview - Benjamin Wey on CCTV America Discussing U.S. China Investment ›

CCTV America
May 2014

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China expert Benjamin Wey discusses U.S. - China investment and regulatory environment on CCTV -America, May 2014.

Authors: Benjamin Wey ®

Chinese Reverse Merger Companies Outperform U.S. Counterparts ›

STANFORD UNIVERSITY RESEARCH - AUGUST 2014

August 2014

Abstract: Stanford University researchers examined the financial health and performance of reverse mergers (RMs) that became active on U.S. stock markets between 2001 and 2010, particularly those from China (around 85% of all foreign RMs). As a group, RMs are early-stage companies that typically trade over-the-counter. Chinese RMs (CRMs), however, tend to be more mature and less speculative than either their U.S. counterparts or a group of exchange-industry-size matched firms. As a group, CRMs outperformed their matched peers from inception through the end of 2013, even after including most of the firms accused of accounting fraud. CRMs that receive private-equity (PIPE) financing from sophisticated investors perform particularly well. Overall, despite the negative publicity, we find little evidence that CRMs are inherently toxic investments. Our results shed light on the risk-performance trade-off for CRMs, as well as the delicate balance between credibility and access in well-functioning markets.

Authors: Benjamin Wey ®

TOP 10 WINNING TIPS FOR ENTREPRENEURS FROM FINANCIER BENJAMIN WEY ›

TheBlot Magazine

Benjamin Wey has an amazing story of entrepreneurial success as an American: from a teenage boy in China to accepting a Valedictorian and full scholarship to study at an American university and only \$62 in his pocket, to earning two master's degrees in business administration. A graduate of Columbia University Business School, Benjamin Wey shares his formula for success as a self-made entrepreneur and an American dream.

Authors: Benjamin Wey ®

TV Interview - THE WALL STREET JOURNAL - New York Global Group CEO Benjamin Wey Correctly Predicted the \$3.8 Billion Acquisition of Smithfield by Chinese Food Company ›

Wall Street Journal Live TV

June 2013

Wall Street Journal Live TV interview 06-06-2013: China Expert, New York Global Group CEO Benjamin Wey discusses U.S.-China Summit. (www.nygggroup.com)

Authors: Benjamin Wey ®

STANFORD UNIVERSITY Research: Chinese Reverse Mergers Are Not Toxic ›

CNBC

2013

Reverse merger is a simple mechanism whereby a private company may seek capital in the public markets. Short sellers and ignorant writers have manipulated this concept and portrayed the approach as negative.

Authors: Benjamin Wey ®

WARNING - Tabloid Writer and Short Seller Roddy Boyd and His Hedge Fund Father Michael Boyd Lost Millions Betting Against Goldman Sachs and a NYGG Client Harbin Electric In An \$850 Million Acquisition ›

PR Newswire

Illegal short seller and tabloid writer Roddy Boyd writes trash about a company to help his hedge fund father Michael Boyd sell short against the same company - an illegal act the SEC terms "short and distort". Harbin Electric was the most heavily shorted China based company in the US markets in 2011. Roddy Boyd, his father Michael Boyd and others lost about \$150 million betting against Harbin which was taken private by Goldman Sachs in an \$850 million acquisition.

Authors: Benjamin Wey ®

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Nailed by Securities Regulators: Short Seller Fraud Jon Carnes, Tabloid Writers Roddy Boyd and Dune Lawrence Implicated ›

REUTERS, FINANCIAL POST

January 2014

The British Columbia Securities Commission has made explosive fraud allegations against short seller Jon Carnes, accusing Jon Carnes of making false claims and fabricating records regarding Silvercorp Metals Inc and many other companies, in various coordinated "short and distort" illegal acts. Bloomberg's sensational writer Dune Lawrence and tabloid writer Roddy Boyd were implicated in the frauds.

Authors: Benjamin Wey ®

CleanTech Innovations, Inc. Announces SEC Decision Setting Aside 2011 NASDAQ Wrongful Delisting of CleanTech Common Stock ›

THE WALL STREET JOURNAL

July 2013

The Securities and Exchange Commission (SEC) ruled against the NASDAQ Stock Market for rigging its listing appeal process in its wrongful delisting of a New York Global Group client CleanTech Innovations, Inc. (symbol: CTEK). The SEC's unanimous decision by all of its 5 commissioners agreed with CleanTech and found there was no evidence in the record to support NASDAQ's delisting of CleanTech in 2011. NASDAQ's General Counsel's office had manufactured the data.

Authors: Benjamin Wey ®

Gushan, First of NYSE-Delisted China Stocks Relists in Hong Kong ›

WALL STREET JOURNAL

February 2014

Two years ago, as Chinese companies listed in the U.S. battled a perception for being weak, or were tainted with fraud, many Chinese companies were taken private by their owners. Now, 15 months after it was bought out by its founder, the former New York-listed Gushan Environmental Energy Ltd. is raising up to US\$96 million in a Hong Kong initial public offering.

Authors: Benjamin Wey ®

Benjamin Wey: U.S. GDP Shrank in First Quarter, But Don't Panic ›

TheBlot Magazine

June 2014

A published article by Benjamin Wey on macro economic trends and GDP growth in the United States.

Authors: Benjamin Wey ®

Jon Carnes Fraud Nailed by Law Enforcement, Fraud Co-Conspirator Roddy Boyd Implicated ›

British Columbia Securities Commission - Canadian Regulators

January 2014

The British Columbia Securities Commission has issued a notice alleging that Jon Richard Carnes, a man who ran a hedge fund and operated the "Alfred Little" financial blog, committed fraud. Press: <http://www.bccsc.bc.ca/release.aspx?id=18774> . Tabloid writer Roddy Boyd implicated.

Authors: Benjamin Wey ®

[What is LinkedIn?](#) [Join Today](#) [Sign In](#)**New York Global Group Portfolio Company Focus Media Acquired for \$3.8 Billion, Dumped the NASDAQ Stock Market** ›

THE WALL STREET JOURNAL, THE BUSINESS REVIEW

May 2013

Focus Media, previously listed on the NASDAQ Stock Market, was one of the investment portfolio companies of New York Global Group. Focus Media ditched the NASDAQ in May 2013 in search of a better market and a fair listing venue.

Authors: Benjamin Wey ®

TV INTERVIEW: New York Global Group Portfolio Company Acquired for \$1 Billion - Interview of Benjamin Wey and NYGG Executives ›

China Central Television (CCTV)

February 2013

A few months after the interview of NYGG executives, the referenced company was acquired for \$1 billion, advised by Goldman Sachs.

Authors: Benjamin Wey ®

FOX TV INTERVIEW - China Expert Benjamin Wey Discusses Job Creation in America ›

FOX TV

February 2013

"Jobs are created through constant innovation and advancement in productivity." - China expert Benjamin Wey discusses economic relations between United States and China on FOX TV.

Authors: Benjamin Wey ®

New York Global Group Chairman James Baxter Named a Leader of The Association of Corporate Counsel ›

PR NEWswire

New York Global Group Executive Chairman James Baxter has more than 30 years of Wall Street and legal experience. A graduate of Yale University and Harvard Law School, NYGG Chairman James Baxter leads New York Global Group.

Authors: Benjamin Wey ®

Benjamin Wey: Here's Everything You Need to Know About Index Funds ›

Institutional Research

March 2014

A research piece about investing in index funds: An 80% chance of a higher profit sounds better than a 20% chance, right? Yes, everyone else in the world thinks so too. This is why index funds...

Authors: Benjamin Wey ®

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SEC - Public Comment Letter to the Securities and Exchange Commission on Rule Changes ›

Jamex Baxter Esq. - New York Global Group Chairman

New York Global Group Chairman James Baxter Esq. responded to a public comment request from the Securities and Exchange Commission related to an SEC rule change about reverse mergers. This is an insightful article packed with facts and data.

Authors: Benjamin Wey ®

Benjamin Wey's Expert View on Options Investment: Don't Be Intimidated! ›

Benjamin Wey's academic piece: Stocks are basically buying a piece of a company. Bonds are loans. Mutual funds are investments in companies that make investments.

Authors: Benjamin Wey ®

Babson College: New York Global Group CEO China Expert Benjamin Wey Keynote Speaker at Babson Entrepreneurship Forum ›

PR Newswire

November 2013

At the invitation of Babson College, the No.1 ranked U.S. university by U.S. News & World Report in the study of entrepreneurship for the past 20 years, Benjamin Wey, the China expert and CEO of global private equity investment firm New York Global Group, was a keynote speaker at the 2013 Babson Asia Entrepreneurship Forum among a standing-room-only audience on Saturday, November 2, 2013 at the Babson College Olin Graduate School of Business.

Authors: Benjamin Wey ®

Benjamin Wey — Top 3 Cultural Lessons on Doing Business in China ›

Research

China expert Benjamin Wey describes top 3 lessons on doing business in China.

Authors: Benjamin Wey ®

Benjamin Wey: The 1% Aren't the (Economic) Problem ›

Institutional Research

The top 1% of Americans generate many job opportunities.

Authors: Benjamin Wey ®

PR NEWSWIRE - U.S. Senator Arlen Specter and CleanTech Innovations, Inc. Sued the NASDAQ Stock Market for Racism and Discrimination ›

PR Newswire

Arlen Specter, Esq., the former United States Senator and former Chairman of the United States Senate Committee on the Judiciary, who represents CleanTech, commented, "As noted in my letters of January 12, 2012 to Secretary of Commerce Bryson and Trade Representative Kirk, I have undertaken representation of CleanTech because of evidence of racist discrimination against the Company because it is Chinese. NASDAQ's delisting of CleanTech has resulted in losses of more than \$200 million in CleanTech's shareholders' value and loss of opportunities to bid on more than \$100 million in contracts for wind energy towers on New Jersey's coast, which would have resulted in U.S. jobs. This matter involves more than a private dispute against two litigants and impacts on U.S. diplomatic relations with China."

Authors: Benjamin Wey ®

[What is LinkedIn?](#) [Join Today](#) [Sign In](#)**INVESTIGATIONS: DISGRACED NASDAQ OFFICIAL MICHAEL EMEN REVEALS NASDAQ AS AN INSTITUTIONAL RACIST, ED KNIGHT IMPLICATED...** ›

TheTruth

@nadsaq official Michael Emen, Ed Knight caught in rigging listing programs, implicated in stock frauds.

Authors: Benjamin Wey ®

VIDEO - China Expert Benjamin Wey Teaches at MIT on Short Sellers and Cross Border M&As ›

MIT - Massachusetts Institute of Technology

China expert and private equity investor New York Global Group Benjamin Wey teaches at MIT.

Authors: Benjamin Wey ®

Benjamin Wey: Epic Cultural Marketing Fails ›

Marketing Research

June 2014

Doing business requires you to know your customer and to market your product to suit his or her needs and desires. Sometimes, the results are hilarious, and sometimes, they are just cringe worthy...

Authors: Benjamin Wey ®

TV INTERVIEW - China Expert Benjamin Wey Discusses Investing Opportunities in China ›

TheStreet.com

Authors: Benjamin Wey ®

Benjamin Wey - A China Expert's Views on Understanding SAIC and SEC Filing Discrepancies for U.S. Listed China Based Companies ›

PR Newswire

Authors: Benjamin Wey ®

Benjamin Wey Answers: What's a Yield Curve and Why Should You Care? ›

Institutional Research

April 2014

Professor Benjamin Wey teaches a basic course on finance and macroeconomics.

Authors: Benjamin Wey ®

Benjamin Wey — The Greatest Rogues in the Wall Street Trading Game ›

TheBlot Magazine

July 2014

The Top 10 Worst Traders on Wall Street that Take Down Firms.

Authors: Benjamin Wey ®

[What is LinkedIn?](#) [Join Today](#) [Sign In](#)**WALL STREET JOURNAL - China Expert Benjamin Wey - A Featured Speaker at MIT ›**

THE WALL STREET JOURNAL

May 2013

At the invitation of the Massachusetts Institute of Technology (MIT), James Baxter, Executive Chairman, and Benjamin Wey, CEO of Wall Street global investment firm New York Global Group were featured speakers on U.S.-China Mergers and Acquisitions among a standing room-only audience Saturday May 18, 2013 at the MIT Sloan School of Management in Boston...

Authors: Benjamin Wey ®

Benjamin Wey on Leadership Lessons – Not Live A Life Like a Coward ! ›

THEBLOT MAGAZINE

August 2014

Benjamin Wey, journalist and financier discusses leadership lessons.

Authors: Benjamin Wey ®

Benjamin Wey: How a Financier Correctly Predicted the Outcome of the Ukrainian Crisis ›

Institutional Research

While I was a graduate student pursuing my second master's degree at the Columbia Business School, I had a professor by the name of Fred Mishkin...

Authors: Benjamin Wey ®

New York Global Group CEO and China Expert Benjamin Wey Present at the Carnegie Mellon University US - China Summit ›

Carnegie Mellon University

New York Global Group's China Expert Benjamin Wey Joins the Advisory Board of Carnegie Mellon University U.S. – China Summit

Authors: Benjamin Wey ®

REUTERS - New York Global Group China Experts James Baxter and Benjamin Wey Featured Speakers at MIT ›

REUTERS

At the invitation of the Massachusetts Institute of Technology (MIT), James Baxter, Executive Chairman, and Benjamin Wey, CEO of Wall Street global investment firm New York Global Group were featured speakers on U.S.-China Mergers and Acquisitions among a standing room-only audience Saturday May 18, 2013 at the MIT Sloan School of Management in Boston.

Authors: Benjamin Wey ®

WALL STREET JOURNAL - Benjamin Wey - U.S. Attracts More IPOs From China ›

THE WALL STREET JOURNAL

Authors: Benjamin Wey ®

Benjamin Wey: Musk's Tesla Patent Giveaway Is Genius ›

Market Research

Tesla is a great American success story. We support job growth in America: www.nyggroup.com
Authors: Benjamin Wey ®, James N. Baxter

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BANKING MAGAZINE - Currency Vs. Productivity by Benjamin Wey ›

Capital Business Magazine - Banking and Finance

Authors: Benjamin Wey ®

BUSINESSWIRE - New York Global Group Signs Strategic Alliance Agreement with the People's Bank of China ›

BusinessWire

Authors: Benjamin Wey ®

CORPORATE COMPLIANCE MAGAZINE - Identifying Sound U.S. Listed, China-Based Companies ›

Corporate Compliance Insights

Authors: Benjamin Wey ®

INVESTORS BUSINESS DAILY - Rising Social Unrest May Upend Top-Down China ›

Investor's Business Daily

Authors: Benjamin Wey ®

BENJAMIN WEY: SORRY, JOURNALISTS, BUT THERE *ARE* STUPID QUESTIONS ›

TheBlot Magazine

October 2014

Authors: Benjamin Wey ®

YOUNG STARTUP MAGAZINE - Benjamin Wey's 10 Tips For Entrepreneurs ›

Young Upstarts Magazine

Authors: Benjamin Wey ®

BENJAMIN WEY: MICROSOFT CEO SATYA NADELLA NEEDS REALITY CHECK ON WOMEN ›

TheBlot Magazine

October 2014

Authors: Benjamin Wey ®

GLOBAL FINANCE MAGAZINE - After the Gold Rush ›

Global Finance Magazine

Authors: Benjamin Wey ®

BENJAMIN WEY: LESSONS ON QUITTING FROM DEREK JETER AND THAT FOUL-MOUTHED ALASKAN REPORTER ›

TheBlot Magazine

October 2014

Authors: Benjamin Wey ®

[What is LinkedIn?](#) [Join Today](#) [Sign In](#)**REUTERS - Chinese IPOs may regain U.S. favor ›**

Reuters

Authors: Benjamin Wey ®

JOURNALIST BENJAMIN WEY, DO THE IG NOBEL AWARDS MAKE FUN OF SCIENCE OR MAKE SCIENCE FUN? ›

TheBlot Magazine Publication

September 2014

Authors: Benjamin Wey ®

REUTERS - Chinese IPO to test U.S. demand after market drop ›

Reuters

Authors: Benjamin Wey ®

MARKETWIRE - China University of Petroleum Names New York Global Group President Benjamin Wey a Distinguished Visiting Professor ›

MarketWire

Authors: Benjamin Wey ®

New York Global Group Warns Against Corporate Identity Theft ›

PR NEWSWIRE

IDENTITY THEFT: In 2011, we became a subject of an identity theft. Read our Press Release. We have since fully cooperated with government inquiries on this matter. We are pleased that in May 2012, the U.S. Securities & Exchange Commission (SEC) agreed with us by including our name on the SEC website as a victim of corporate identity theft. We have been conducting our normal course of business and satisfying the needs of our clients.

Authors: Benjamin Wey ®

BENJAMIN WEY — SINCE WHEN IS THE NFL IN CHARGE OF PROTECTING WOMEN? ›

TheBlot

September 2014

Authors: Benjamin Wey ®

BENJAMIN WEY, 7 Myths About Winners and Losers in Business ›

Institutional Research

August 2014

Financier and journalist Benjamin Wey discusses 7 myths of becoming a success.

Authors: Benjamin Wey ®

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BENJAMIN WEY — Four Highly Effective Ways to Get Better Customer Service ›

Institutional Research

August 2014

Financier and journalist Benjamin Wey discusses his thoughts about improving customer service.

Authors: Benjamin Wey ®

BENJAMIN WEY — 9 Must Know Tips Before Traveling to Exotic Places ›

Travel Research

August 2014

Benjamin Wey is a global financier and a prolific reporter. Benjamin Wey is the CEO of New York Global Group (NYGG). He has traveled to more than 50 countries worldwide on business and pleasure.

Authors: Benjamin Wey ®

BENJAMIN WEY ON LEADERSHIP LESSONS – NOT LIVE A LIFE LIKE A COWARD ! ›

Research - Leadership

October 2014

Authors: Benjamin Wey ®

BENJAMIN WEY SAYS, BRANSON GOT RESPONSE TO VIRGIN GALACTIC CRASH RIGHT ›

TheBlot Magazine

November 2014

Authors: Benjamin Wey ®

BENJAMIN WEY: CHINA'S SINGLES DAY BLOWS BLACK FRIDAY AWAY ›

Institutional Research

Asian American expert Benjamin Wey shares his insight about China's economy and a phenomenal marketing event.

Authors: Benjamin Wey ®

BENJAMIN WEY – MARKETING GENIUS, KIM KARDASHIAN MAKES ASSES OF CRITICS ›

TheBlot Magazine

November 2014

Kim Kardashian is a marketing genius!

Authors: Benjamin Wey ®

BENJAMIN WEY: GIRL SCOUTS COOKIES ARE DELICIOUS — AND DIGITAL ›

TheBlot Magazine

Journalist Benjamin Wey has a lot to say about the Girl Scouts...

Authors: Benjamin Wey ®

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BENJAMIN WEY: WHY YOU SHOULD SUPPORT SMALL BUSINESS SATURDAY ▸

TheBlot Magazine

December 2014

America's economic foundation is small businesses. Support them!

Authors: Benjamin Wey ®

BENJAMIN WEY: MY ADVICE FOR FINDING YOUR DREAM JOB IN 2015 ▸

TheBlot Magazine

Authors: Benjamin Wey ®

BENJAMIN WEY: STILL NEED A RESOLUTION? GET A SENSE OF URGENCY ▸

TheBlot Magazine - One of the Fastest Growing Media Publications in America

Authors: Benjamin Wey ®

BENJAMIN WEY: WHY IS CORPORATE CULTURE SO HARD TO CHANGE? ▸

Business Insights

Every organization has a different culture, which we can define as that group's way of doing things. Some firms like to be "buttoned-down" while others see themselves as "innovative." People in one act differently than people in another. Their expectations are different, and their motivations and rewards are usually different as well.

Authors: Benjamin Wey ®

JOURNALIST BENJAMIN WEY RESPONDS TO HANNA BOUVENG BLACKMAIL, \$850 MILLION EXTORTION ▸

TheBlot Magazine

Courageous journalist, proud American financier fights back against extortion and won.

Authors: Benjamin Wey ®

BENJAMIN WEY ASKS: AT WORK, ARE YOU AN ALL-STAR OR CHAMPION — OR BOTH? ▸

Business Management

In business, or in our private lives, there are times when no matter what you do, you aren't getting that championship ring. The company you work for just doesn't have it or the relationship you are in just doesn't work.

Authors: Benjamin Wey ®

BENJAMIN WEY: 7 WAYS TO NETWORK LIKE A BOSS ▸

Marketing Journal

There are great websites like LinkedIn that you can use, but in the end, face-to-face is still the best way to build your network. Yet not everyone is comfortable walking up to total strangers, sticking out their hand and saying, "Hello." I, Benjamin Wey, have built my own network, and I have been networked by others over the years, and I have learned a few tricks.

Authors: Benjamin Wey ®

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7 BIG LIES EMPLOYERS TELL, JOURNALIST BENJAMIN WEY REVEALS ›

Management Science

Benjamin Wey is a well known journalist and financier. He has been in business for almost two decades in various senior leadership positions. Benjamin Wey has met many CEOs in his career. The following is an article reflecting Benjamin Wey's views on employment matters.

Authors: Benjamin Wey ®

BENJAMIN WEY: ARE SUPER BOWL ADS ACTUALLY GOOD FOR BUSINESS? ›

TheBlot Magazine

Expert Benjamin Wey says: For football fans, Super Bowl XLIX lived up to the hype. For those who aren't fans of the game, the event offered the usual diversion: the commercials. There were puppies and horses and the Brady Bunch. Advertisers offered us everything from slapstick comedy to heart-string tugging sappiness, but looked at as pieces of advertising, the big favorites are not the biggest winners.

Authors: Benjamin Wey ®

BREAKING: SEC STAFFER STEVEN SUSSWEIN CAUGHT IN STOCK SHORT SELLER BRIBERY ›

BREAKING NEWS

Authors: Benjamin Wey ®

CHRIS BRUMMER, CREEPY GEORGETOWN LAW ACADEMIC WANTS TO SHUT DOWN THE INTERNET, CHOKE FREE SPEECH ›

TheBlot Magazine - Voice for the Voiceless

Georgetown Law School professor wanted to shut down the internet, academic sleaze
#chrisbrummer got caught.

Authors: Benjamin Wey ®

EXPERT BENJAMIN WEY, WHY I DON'T BELIEVE IN TELECOMMUTING ›

Telecommuting

Expert Benjamin Wey explains why telecommuting is not good for business...

Authors: Benjamin Wey ®

MYLES EDWARDS, DISGRACED CONSTELLATION WEALTH ADVISOR LAWYER IMPLICATED IN RONEN ZAKAI FELONY CONVICTION ›

TheTruth

Myles Edwards, tiny Shufro, Rose compliance officer caught in Ronen Zakai ponzi scheme scandal.

Authors: Benjamin Wey ®

FINANCIER BENJAMIN WEY WONDERS HOW MUCH MONEY IS ENOUGH ›

KISS BAND

Financier Benjamin Wey discusses Gene Simmons's financial wisdom.

Authors: Benjamin Wey ®

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TOP 10 WINNING TIPS FOR ENTREPRENEURS FROM FINANCIER BENJAMIN WEY ›

Financier Benjamin Wey shares his thoughts on entrepreneurship.

Authors: Benjamin Wey ®

FINANCIER LAUNCHES \$10 MILLION LAWSUIT AGAINST TABLOID WRITER ABIGAIL PESTA, COSMOPOLITAN MAGAZINE ›

TheBlot Magazine - Voice for the Voiceless

@abigailpesta is a fake journalist, an endorser of illegal drug user. #abigailpesta was sued for \$10 million, embroiled in multiple frauds.

Authors: Benjamin Wey ®

BURNED: SWEDISH PARTY GIRL HANNA BOUVENG SWIMS IN CRIMINAL HOT WATER ›

TheBlot Magazine - Voice for the Voiceless

American journalist @weybenjamin fights back and won against an extortion.

Authors: Benjamin Wey ®

BENJAMIN WEY: WHY IS CORPORATE CULTURE SO HARD TO CHANGE? ›

Corporate Culture

Journalist Benjamin Wey discusses corporate culture and leadership lessons.

Authors: Benjamin Wey ®

STEVE SUSSWEIN, DIRTY SEC STAFFER ACCUSED OF TAKING BRIBES IN SHORT SELLER BRIBERY SCANDAL ›

Public

Authors: Benjamin Wey ®

USING PERSONAL E-MAIL FOR WORK IS A BAD IDEA, SAYS EXPERT BENJAMIN WEY ›

Management Science

Office and corporate environment can be inflexible.

Authors: Benjamin Wey ®

Steve Susswein, SEC staffer implicated in illegal stock short seller frauds ›

NYGG

Steven Susswein is an obscure SEC "enforcement staff". Research reveals that Steve Susswein is in the pockets of illegal stock short sellers.

Authors: Benjamin Wey ®

I'D WANT DOLCE AND GABBANA'S RESIGNATIONS, WALL STREET FINANCIER BENJAMIN WEY SAYS ▸

Fashion

Authors: Benjamin Wey ®

[What is LinkedIn?](#) [Join Today](#) [Sign In](#)**HANNA BOUVENG, FAILED \$850 MILLION EXTORTION, FAKE SWEDISH "MODEL" FLED AMERICA... ▸**

TheBlot Magazine

An investigative article that exposed a fake Swedish model and a real extortionist Hanna Bouveng...

Authors: Benjamin Wey ®

WHAT COMES AFTER 'AMERICAN IDOL?' ANOTHER GAME-CHANGER, SAYS BENJAMIN WEY ▸

Entertainment Weekly

TV shows and movies, which ones do you like?

Authors: Benjamin Wey ®

CHRIS BRUMMER, GEORGETOWN LAW SCHOOL PROFESSOR IMPLICATED IN MULTIPLE FRAUD, ABUSER GOT CAUGHT ▸

TheBlot Magazine

Georgetown Law School professor #chrisbrummer was caught in multiple frauds...

Authors: Benjamin Wey ®

CHICAGO STOCK EXCHANGE SALE TO CHINA ENDS RACIST NASDAQ MONOPOLY ON LISTINGS ▸

THE TRUTH

CHICAGO STOCK EXCHANGE SALE TO CHINA FINALLY OFFERS A LEVEL PLAYING FIELD AGAINST RACIST NASDAQ MONOPOLY ON LISTINGS.

Authors: Benjamin Wey ®

WILLIAM UCHIMOTO, A COURAGEOUS AMERICAN LAWYER FIGHTS AGAINST SEC ABUSES, GOVERNMENT TYRANNY ▸

TheBlot Magazine - Millions of Readers a year

WILLIAM UCHIMOTO is an accomplished, highly regarded American lawyer. Born to a family of an American war hero, William "Bill" Uchimoto's father is Dan Uchimoto, the most decorated Japanese American soldier in World War II.

Authors: Benjamin Wey ®

Skills

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Capital Markets Entrepreneurship Investor Relations Business Strategy

Valuation Capital Executive Management [See 35+](#)

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Education

Columbia University - Columbia Business School

Master of Science (MS), Columbia Business School, (本杰明卫 - 美国哥伦比亚大学商学院研究生院硕士)

Benjamin Wey obtained his 2nd master's degree. As the business school of Columbia University, Columbia Business School is ranked among the best business schools in the United States and around the world. Columbia University's alumni include 3 U.S. presidents (including Barack Obama), 9 U.S. supreme court Justices, 29 heads of state and investment legends Warren Buffett, Henry Kravis and many others.

University of Central Oklahoma

Master of Business Administration (MBA)

A fan of the UCO Bronchos sports teams!!
UCO: Solid business education and cherished American values learned in America's heartland.

University of Maryland College Park

Guest Lecturer Benjamin Wey - global capital markets and corporate finance, 客座讲师 (国际资本市场上市与融资) - 美国马里兰州立大学商学院研究生院

Benjamin Wey shares insightful knowledge in dual languages with accomplished global executives on the subjects of global capital markets, venture capital, private equity investments, investment banking and corporate finance. Executive Program, Graduate School of Business.

Zhejiang University

Guest Professor Benjamin Wey - Leadership strategies and global capital markets, Zhejiang University School of Management, 特邀教授 (国际资本市场与融资) - 浙江大学管理学院, 中国杭州

RANKED NO. 3 among China's top universities (2011), Benjamin Wey is a guest professor at Zhejiang University School of Management. Zhejiang University: founded 1897: <http://www.china-university-ranking.com/China>. University website: <http://www.zju.edu.cn/english/> Zhejiang University: 44,000 students, 37 colleges/schools. According to Essential Science Indicator (ESI) ranking about 22 disciplines, Zhejiang University ranks among the top 1% in 14 disciplines, in 4 of which it is listed in the top 100 of the world's academic institutions.

Specialties: Benjamin Wey at Zhejiang University - bridging real economy and global capital markets. Teaching insightful knowledge in dual languages to accomplished senior executives in many industries and regions across China and other Asian countries.

University of Petroleum (East China)

Visiting Professor of Finance, Investment banking and global capital markets, 客座教授 (国际金融) - 中国石油大学, 中国山东

Benjamin Wey Visiting Professor of Finance since 2006.

Benjamin Wey at the China University of Petroleum - Huadong and Beijing campuses (student population: about 50,000) is a top ranked national university in China. Many in leadership positions in China's oil industry are graduates of the China University of Petroleum, including two of China's recent Vice Premiers.

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Oklahoma Baptist University

Bachelor of Business Administration (BBA), Valedictorian and Full Scholarship

A fan of the OBU Bison sports teams!

OBU: An ideal educational institution to gain solid academic experience and conservative American values.

Benjamin Wey's life principle learned from Abraham Lincoln "Important principles may, and must, be inflexible."

Interests

management consulting culinary arts (Mr. Benjamin Wey is a certified chef) sports

United States strategies astronomy geology philosophy

international relations clean technology ecology economics environment

China leadership [See 6+](#)

Recommendations

A preview of what LinkedIn members have to say about Benjamin:

“ Benjamin's life story is amazing and so is he. He personifies what we see in China today - an entrepreneur at heart, and a finance geek, I will always remember my [See more](#)

“ Benjamin is an incredible person. We know each other since school days and he continues to make a positive impact where he goes. I am proud to recommend him [See more](#)

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Groups

Venture Capital – Pu... Alternative Financin... Columbia Business... Asset TV - U.S. Group

Directory of investors Private Equity and E... Finance Club New York [See 7 more](#)

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Exhibit L

| | |
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| <p>F6GMBOU1 Page 122</p> <p>1 UNITED STATES DISTRICT COURT 2 SOUTHERN DISTRICT OF NEW YORK 3 -----x 4 HANNA BOUVENG, 5 Plaintiff, 6 v. 14 CV 5474 (PGG) 7 NYG CAPITAL LLG, ET AL., 8 Defendants. 9 -----x 10 New York, N.Y. 11 June 16, 2015 12 9:20 a.m. 13 Before: 14 HON. PAUL G. GARDEPHE 15 District Judge 16 APPEARANCES 17 MORELLI ALTERS RATNER 18 Attorneys for Plaintiff 19 BY: DAVID S. RATNER 20 MARTHA MCBRAYER 21 DENTONS US LLP 22 Attorneys for Defendants 23 BY: GLENN CHARLES COLTON 24 GARY MEYERHOFF 25</p> | <p>F6GMBOU1 Page 124</p> <p>1 possible on the list of search results from a search engine. 2 3. Neither side will inquire into or put before the 3 jury the text and substance of the comments. 4 There is also a footnote, your Honor, that says the 5 following: Unless Mr. Wey either himself during testimony, or 6 through counsel, denies the facts stipulated hereto, 7 plaintiff's counsel will not examine him or any other witness 8 regarding the comments to the article on The Blot.com 9 referenced in this stipulation. This stipulation resolves the 10 issue of what comments get blacked out and the parties have 11 agreed that all comments to all six of the exhibits being 12 placed before the jury from The Blot will be without comments. 13 And there is no reason to make the substance in any way or text 14 of those comments an issue in the trial. 15 THE COURT: I take it that the issues that are set 16 forth in the brief that defendants filed yesterday, docket 17 number 205, with the exception of comments, the rest of those 18 issues remain in play? 19 MR. RATNER: That's correct, your Honor. 20 THE COURT: I'm prepared to address those now. As I 21 said, the defendants filed their brief yesterday, which is 22 docket number 205, raising issues about principally material 23 that they believe should be redacted from articles, Blot 24 articles that will be introduced at the trial. So I am going 25 to address those issues now.</p> |
| <p>F6GMBOU1 Page 123</p> <p>1 (Trial resumed; jury not present) 2 THE COURT: Mr. Ratner, something you want to say? 3 MR. RATNER: Yes, your Honor. Before your Honor 4 begins, Mr. Colton and I have worked out a stipulation 5 concerning the comments. So we don't feel it necessary for the 6 Court to rule on that issue. 7 THE COURT: What does the stipulation say? 8 MR. COLTON: Your Honor, unfortunately, we made some 9 handwritten notes. I can read it for the record, if the Court 10 would like that. 11 THE COURT: Yes. 12 MR. COLTON: It is hereby stipulated by and between 13 the parties hereto that in order to simplify the trial of the 14 above-captioned matter, the following facts shall be deemed 15 established for the purposes of the trial: 16 1. Defendants caused comments to be added to some or 17 all of the articles on The Blot.com regarding plaintiff which 18 (a) appeared under the names of people associated with 19 plaintiff, such as her attorneys, friends, or family or under 20 the names of well-known people and (b) were not actually 21 authored by the listed people associated with plaintiff or 22 well-known people. 23 2. The comments referenced in paragraph 1 above were 24 caused to be added to the articles about plaintiff in an 25 attempt to have the links to the articles appear as high as</p> | <p>F6GMBOU1 Page 125</p> <p>1 The first exhibit at issue is Plaintiff's Exhibit 61. 2 On the page that's Bates stamped DEFS002586 the plaintiffs wish 3 to introduce the paragraph at the top of that page which refers 4 to Hanna Bouveng's alleged willingness to pose nude as well as 5 statements about her relationship with James Chauvet. The 6 first statement I've already ruled on, the statement about 7 modeling. I've already ruled that that doesn't constitute 8 defamation per se. 9 The second statement, my understanding was that the 10 plaintiff had withdrawn. In any event, the second statement in 11 that paragraph does not constitute defamation per se. It 12 doesn't accuse Ms. Bouveng of having committed a serious crime 13 nor does it fit with any of the other categories of defamation 14 per se. Accordingly, that paragraph on the top of the page 15 marked DEFS002586 is not admissible. I believe that that's the 16 only statement other than comments that are at issue in 17 Plaintiff's Exhibit 61, so I am going to turn to the next 18 exhibit. 19 The next exhibit is Plaintiff's Exhibit 63. According 20 to my notes, the only issues with respect to Plaintiff's 21 Exhibit 63 are comments, so there appears to be nothing left to 22 address with respect to Plaintiff's Exhibit 63. 23 Plaintiff's Exhibit 64 is an issue about the page 24 that's Bates stamped DEFS002442. There is nothing on this page 25 that constitutes defamation per se. There is nothing on the</p> |

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| <p>F6G9BOU2 Lu - direct Page 142</p> <p>1 Q. What did you do after that?</p> <p>2 A. Then I worked at TheBlot.</p> <p>3 Q. And how long did you work at TheBlot?</p> <p>4 A. From September 2013 to April 2014.</p> <p>5 Q. Did you work -- when you left TheBlot did you leave</p> <p>6 voluntarily or were you let go?</p> <p>7 A. I left voluntarily.</p> <p>8 Q. Are you employed at the present time?</p> <p>9 A. Yes.</p> <p>10 Q. What do you do now?</p> <p>11 A. I'm a news writer at Bustle.com and I also work on several</p> <p>12 freelance projects.</p> <p>13 Q. Now, how did it come about that you got a job at TheBlot?</p> <p>14 A. After I left POPSUGAR I was trying to be a freelance writer</p> <p>15 and write more full time because I was copy editing at</p> <p>16 POPSUGAR. And I saw a listing on craigslist for a new website</p> <p>17 looking for a celebrity and entertainment news writer. So I</p> <p>18 decided to apply. And then I was hired.</p> <p>19 Q. Were you interviewed?</p> <p>20 A. I was interviewed on the phone -- over the phone by the</p> <p>21 previous editor in chief, Mr. Alex Geana.</p> <p>22 Q. And after you were interviewed on the phone by Mr. Geana,</p> <p>23 were you interviewed in person by anyone?</p> <p>24 A. Then I met with Mr. Geana and Mr. Wey, Mr. Baxter, in</p> <p>25 person.</p> | <p>F6G9BOU2 Lu - direct Page 144</p> <p>1 MR. MEYERHOFF: What Mr. Geana said?</p> <p>2 THE COURT: Why isn't this hearsay.</p> <p>3 MR. RATNER: I withdraw the question, your Honor.</p> <p>4 BY MR. RATNER:</p> <p>5 Q. When did you start working at TheBlot?</p> <p>6 A. September 2013.</p> <p>7 Q. And when you started what was your position?</p> <p>8 A. I was a freelance writer.</p> <p>9 Q. Did you go to TheBlot offices or work some place else?</p> <p>10 A. I started by working from home and then we started working</p> <p>11 in the offices in October, I believe.</p> <p>12 Q. Where were TheBlot offices at that time?</p> <p>13 A. Forty Wall Street.</p> <p>14 Q. And when you started at TheBlot -- in TheBlot offices, did</p> <p>15 your position change at all?</p> <p>16 A. Yes. I became associate editor.</p> <p>17 Q. As associate editor, what were your duties and</p> <p>18 responsibilities?</p> <p>19 A. I had to liaise with the freelance writers and coordinate</p> <p>20 articles and publication of articles, and I edited all the</p> <p>21 articles before they were published.</p> <p>22 Q. When you started at TheBlot was Hanna Bouveng employed at</p> <p>23 40 Wall Street?</p> <p>24 A. Yes.</p> <p>25 Q. And during your tenure at TheBlot did you see Ms. Bouveng</p> |
| <p>F6G9BOU2 Lu - direct Page 143</p> <p>1 Q. Where did that take place?</p> <p>2 A. On Stone Street in the financial district.</p> <p>3 Q. Was it -- where on Stone Street? Was it in an office, in a</p> <p>4 restaurant?</p> <p>5 A. It was at a restaurant.</p> <p>6 Q. At that time did Mr. Wey tell you anything about TheBlot?</p> <p>7 A. He said that he -- you know, it was a very serious online</p> <p>8 publication. He wanted to get as much traffic as possible and</p> <p>9 get as much readership -- and I'm trying to think what else.</p> <p>10 He told me what kind of topics they wanted to cover.</p> <p>11 And -- I'm trying to think if at that time if he told me about</p> <p>12 the specific articles that he wanted to publish.</p> <p>13 Q. Okay. Did he tell you anything about his relationship to</p> <p>14 TheBlot?</p> <p>15 A. Yes.</p> <p>16 Q. What did he say?</p> <p>17 A. He said he was the owner of TheBlot basically.</p> <p>18 Q. Did he tell you anything at that time about any articles he</p> <p>19 writes for TheBlot?</p> <p>20 A. I was aware of them from Mr. Geana. I can't remember if</p> <p>21 Mr. Wey told me anything himself.</p> <p>22 Q. What did Mr. Geana tell you about Mr. Wey's involvement</p> <p>23 with TheBlot?</p> <p>24 MR. MEYERHOFF: Objection, your Honor.</p> <p>25 THE COURT: Why isn't this hearsay?</p> | <p>F6G9BOU2 Lu - direct Page 145</p> <p>1 regularly in the offices there?</p> <p>2 A. Yes. Pretty regularly.</p> <p>3 Q. When you were introduced -- were you introduced to</p> <p>4 Ms. Bouveng?</p> <p>5 A. Yes.</p> <p>6 Q. How were you introduced to Ms. Bouveng?</p> <p>7 A. It was during a meeting and Mr. Wey introduced her as his</p> <p>8 director of communications.</p> <p>9 Q. Did he tell -- at that meeting did he say anything else</p> <p>10 about Ms. Bouveng?</p> <p>11 A. Just that she was the director of communications and I</p> <p>12 think that she was from Sweden. I can't remember anything</p> <p>13 else.</p> <p>14 Q. Now, as associate editor of TheBlot did you have any</p> <p>15 interaction with Mr. Wey?</p> <p>16 A. Yes.</p> <p>17 Q. How often would that occur?</p> <p>18 A. Very regularly, pretty much everyday.</p> <p>19 Q. And can you describe for the jury what that interaction</p> <p>20 consisted of.</p> <p>21 A. We would discuss everything from articles, to writers, to</p> <p>22 hiring new writers, to the budget, to ideas on how to market.</p> <p>23 And he would give me certain articles he wanted me to publish.</p> <p>24 And I had to edit them -- just everything basically.</p> <p>25 Q. Can you please describe for us the articles that Mr. Wey</p> |

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| F6G9BOU2 | Lu - direct | Page 146 | F6G9BOU2 | Lu - direct | Page 148 |
| 1 | gave you to publish. | | 1 | Dorri Olds. D-O-R-R-I. Olds O-L-D-S. | |
| 2 | A. They were, I would call them attack articles on certain | | 2 | Matthew Clary. C-L-A-R-Y. | |
| 3 | people -- individuals that he considered his enemies. | | 3 | Matthew Keys. K-E-Y-S. | |
| 4 | Q. How would he give you these articles? | | 4 | Q. Okay. | |
| 5 | A. Usually on a USB drive. | | 5 | A. I'm sorry. | |
| 6 | Q. What would he say to you when he handed you this USB drive? | | 6 | Q. All right. And these were real people? | |
| 7 | A. He would say: Please get this published as soon as | | 7 | A. Yes. | |
| 8 | possible. This is very important. Make it, you know, make it | | 8 | Q. Was there an author by the name of Sam Patterson that you | |
| 9 | as strong as possible. | | 9 | were aware of? | |
| 10 | Q. How did you as associate editor view these articles? | | 10 | A. That was a pseudonym. | |
| 11 | A. I thought that they were pretty unethical, possibly | | 11 | Q. When you say a pseudonym, what do you mean? | |
| 12 | libelous, poorly written. | | 12 | A. That was Mr. Wey's pseudonym for when he wrote some of the | |
| 13 | MR. MEYERHOFF: Objection, your Honor. | | 13 | attack articles. He had several pseudonyms and that was one of | |
| 14 | THE COURT: Grounds. | | 14 | them. | |
| 15 | MR. MEYERHOFF: Legal opinion. | | 15 | Q. What about Thomas Greenfeld? | |
| 16 | THE COURT: I'll sustain the objection as to the word | | 16 | A. That was also one of them. | |
| 17 | "libelous." | | 17 | Q. Another pseudonym for Mr. Wey? | |
| 18 | MR. MEYERHOFF: Move to strike it. | | 18 | A. Yes. | |
| 19 | THE COURT: And that motion is granted. | | 19 | Q. Now, after you edited some -- and we're talking now when | |
| 20 | So the jury will ignore the reference to libelous. | | 20 | you're associate editor of TheBlot. | |
| 21 | That is a legal conclusion. So the objection is sustained and | | 21 | After you edited some of these what you called attack | |
| 22 | the reference to libelous is stricken from the record. | | 22 | articles would you discuss them further with Mr. Wey? | |
| 23 | Go ahead, Mr. Ratner. | | 23 | A. Yes. | |
| 24 | BY MR. RATNER: | | 24 | MR. MEYERHOFF: Objection, your Honor. | |
| 25 | Q. How else did you view these articles? | | 25 | THE COURT: Just a moment. | |
| F6G9BOU2 | Lu - direct | Page 147 | F6G9BOU2 | Lu - direct | Page 149 |
| 1 | A. I thought that they were just -- I personally did not want | | 1 | What are the grounds? | |
| 2 | to publish them because they made the website seem less serious | | 2 | MR. MEYERHOFF: He's saying "would." Seems | |
| 3 | and it was just very -- seemed very personal and not | | 3 | hypothetical. He hasn't asked about anything specifically. | |
| 4 | professional, in my opinion. | | 4 | THE COURT: Overruled. | |
| 5 | Q. Did Mr. Wey ever tell you what, if anything, he had to do | | 5 | You can answer the question. | |
| 6 | with writing these articles? | | 6 | THE WITNESS: Yes, your Honor. Yes, I did talk to | |
| 7 | A. He would say this is another one from, you know, one of my | | 7 | Mr. Wey after editing them. | |
| 8 | guys. But I never knew who his people were. I never met them. | | 8 | Q. And this would be -- would this be on a regular basis? | |
| 9 | Q. Did you ever have any interaction with writers who did | | 9 | A. Semiregularly. | |
| 10 | write for TheBlot? | | 10 | Q. And what would you say to him? What would he say to you? | |
| 11 | A. Yes. | | 11 | A. I would say I really strongly advise not publishing this. | |
| 12 | Q. And who were they? | | 12 | But here's what I did to make it a little more ethical, put in, | |
| 13 | A. We had about 30 freelance writers. From all different | | 13 | you know, sources instead of just stating things as fact | |
| 14 | backgrounds. | | 14 | because oftentimes it would call people racist or say that they | |
| 15 | Do you want me to list their names? | | 15 | certified certain things and I would say "reportedly" or | |
| 16 | Q. Sure. | | 16 | "according to sources" just to make it a little more ethical, I | |
| 17 | A. There was Ned Hepburn. | | 17 | guess, and more publishable. | |
| 18 | THE COURT: You'll have to spell the names for us. | | 18 | And then he would sometimes fight back and resist and | |
| 19 | A. N-E-D H-E-P-B-U-R-N. | | 19 | say: No, just make it as strong as possible. We want to paint | |
| 20 | Do you want me to list all 30, like all of them? | | 20 | this person to be bad. You know, that was the point. | |
| 21 | Q. Yes. | | 21 | Q. Did Mr. Wey -- what, if anything, did Mr. Tell you -- | |
| 22 | A. There was a girl named Julie Andrews. A-N-D-R-E-W-S. | | 22 | excuse me. | |
| 23 | There was -- I'm starting to forget their names now. | | 23 | What, if anything, did Mr. Wey tell you about his | |
| 24 | Jeff Myers, I think. | | 24 | relationship to TheBlot and these particular articles? | |
| 25 | There was Kristen Koza. K-O-Z-A, I think. | | 25 | A. He said that this was basically the reason why he bought | |

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| F6G9BOU2 | Lu - direct | Page 150 | F6G9BOU2 | Lu - direct | Page 152 |
| 1 | TheBlot, bought a media company, because this was his mission, | | 1 | we enter the articles and edit the articles there is a specific | |
| 2 | to, in his words, get justice basically for what they had done | | 2 | SEO widget in different fields where you enter key words and | |
| 3 | to him in his career. | | 3 | metadata and things like that to make it more relevant to | |
| 4 | Q. And do you remember the names of any of the people that | | 4 | Google and help it rank higher in Google. | |
| 5 | these attack articles were written about? | | 5 | Q. What's a widget? | |
| 6 | A. Yes. | | 6 | A. I'm sorry. It's something that's like a field that the | |
| 7 | Q. Who were they? | | 7 | developer builds into the system that helps -- it helps you to | |
| 8 | A. It was Dune Lawrence. | | 8 | increase your article. And it's basically how Google | |
| 9 | THE COURT: You'll have to spell the name. | | 9 | communicates with your article behind the scenes. | |
| 10 | A. D-U-N-E. L-A-W-R-E-N-C-E. | | 10 | Q. And what's a key word? | |
| 11 | Roddy Boyd R-O-D-D-Y. B-O-Y-D. | | 11 | A. A key word is a relevant word in the article that either | |
| 12 | Maureen Gearty. M-A-U-R-E-E-N. G-E-A-R-T-Y. | | 12 | describes the article, sums up the article, or appears several | |
| 13 | Ronan Zakai. R-O-N-A-N. Z-A-K-A-I. | | 13 | times in the article. | |
| 14 | Jeffrey Bloom. BLOOM. | | 14 | Q. So, what would be done in connection with key words and | |
| 15 | Michael Emen. E-M-I-N, I believe or E-M-E-N. I don't | | 15 | widgets? How does that whole thing work? | |
| 16 | remember. I'm sorry. | | 16 | A. Basically just enter the key words into the widget, as many | |
| 17 | Jon Carnes. J-O-N. C-A-R-N-E-S. | | 17 | relevant key words as you can. And then -- before you publish | |
| 18 | Francine McKenna. F-R-A-N-C-I-N-E. M-C-K-E-N-N-A. | | 18 | it. And then that's the data that Google will read. | |
| 19 | Q. Ms. Lu, do you know why these individuals became the | | 19 | Q. So, if, for example, Mr. Wey -- you said he wrote an attack | |
| 20 | subject of these particular attack articles? | | 20 | article on someone by the name of Jon Carnes. What types of | |
| 21 | A. Yes. | | 21 | information would go -- what key -- types of key words would go | |
| 22 | Q. Tell us. | | 22 | into the widget that would get this high ranking in Google? | |
| 23 | A. They had all hurt Mr. Wey's career in some way or hurt his | | 23 | A. First of all his name and any information from the | |
| 24 | reputation in some way over the years. | | 24 | article -- well the article specifically was saying that he was | |
| 25 | Q. Now, was there anything that was done at TheBlot to -- | | 25 | a fraud. So, we would say fraud. We would say, you know, it | |
| F6G9BOU2 | Lu - direct | Page 151 | F6G9BOU2 | Lu - direct | Page 153 |
| 1 | well, let me withdraw that. | | 1 | was also about short selling. So we -- short selling would be | |
| 2 | What was, to your knowledge back in October, November, | | 2 | another key word. It can be like a phrase. And, you know, | |
| 3 | December 2013, the readership of TheBlot? | | 3 | finance. And things like that. | |
| 4 | A. I'm sorry. Can you repeat the dates. | | 4 | Q. So things that would be relevant to the topic of the Jon | |
| 5 | Q. In October -- in 2013, when you were there, what was the | | 5 | Carnes article? | |
| 6 | readership of TheBlot? | | 6 | A. Yes. | |
| 7 | A. It hovered around an average of maybe 50,000 viewers a | | 7 | Q. Did, to your knowledge, TheBlot and Mr. Wey hire anyone to | |
| 8 | month, I believe. | | 8 | help with search engine optimization? | |
| 9 | Q. And how do you know that? | | 9 | A. Yes. | |
| 10 | A. Through Google Analytics. | | 10 | Q. Who was that? | |
| 11 | Q. What are Google Analytics? | | 11 | A. A man by the you name of Charles Highsmith, I believe. | |
| 12 | A. It's an online tool used to track statistics and your | | 12 | Q. How do you know that he was hired for that purpose? | |
| 13 | readership and traffic to your site. | | 13 | A. Mr. Wey told me and then I had a phone conference with | |
| 14 | Q. Did TheBlot do anything to either increase readership or | | 14 | Mr. Highsmith. | |
| 15 | increase exposure for the particular attack articles that | | 15 | Q. And what was the topic of that phone conference -- | |
| 16 | Mr. Wey wrote? | | 16 | conversation. Don't tell us what Mr. Highsmith said. But what | |
| 17 | A. Yes. | | 17 | was the topic of the conversation? | |
| 18 | Q. What did it do? | | 18 | A. How to improve our SEO for TheBlot. | |
| 19 | A. We tried to increase the SEO, just make them as search | | 19 | Q. And after that conversation did you have some sort of | |
| 20 | engine optimized as possible. | | 20 | information that would help you improve the SEO? | |
| 21 | THE COURT: So when you say SEO that means search | | 21 | A. Yes. | |
| 22 | engine optimization? | | 22 | Q. Did you use that information to improve the SEO? | |
| 23 | THE WITNESS: Yes. | | 23 | A. Yes. | |
| 24 | THE COURT: Go ahead. | | 24 | Q. How long were you associate at editor of TheBlot? | |
| 25 | THE WITNESS: So in the back end of our system where | | 25 | A. About October 2013 to very beginning of January 2014. | |

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| F6G9BOU2 | Lu - direct | Page 158 | F6G9BOU2 | Lu - direct | Page 160 |
| 1 | something along the lines -- I'm sorry, Mr. Ratner. | | 1 | (In open court) | |
| 2 | MR. RATNER: I'm sorry. | | 2 | BY MR. RATNER: | |
| 3 | THE COURT: I think it's something along the lines of | | 3 | Q. The question was, Ms. Lu, what, if anything, would Mr. Wey | |
| 4 | did Mr. Wey do anything else to increase search engine | | 4 | do to increase the visibility of these articles through search | |
| 5 | optimization. | | 5 | engine optimization? Other than the key words and widgets? | |
| 6 | MR. RATNER: Correct. | | 6 | THE COURT: And this is in relationship to the attack | |
| 7 | THE COURT: And then she's going to say that there was | | 7 | articles, right? | |
| 8 | a pattern and practice of sticking in phony comments, right? | | 8 | MR. RATNER: Correct. | |
| 9 | MR. RATNER: Yes. That's it. | | 9 | THE COURT: You may answer the question. | |
| 10 | THE COURT: All right. Do you want to say anything | | 10 | THE WITNESS: Mr. Wey would write comments for the | |
| 11 | else before I rule? | | 11 | articles under different names because the more comments a | |
| 12 | (Pause) | | 12 | story has, the more relevant it seems to Google and it ranks | |
| 13 | MR. MEYERHOFF: We thought we had a stipulation that | | 13 | higher. And I would sometimes edit these comments because they | |
| 14 | neither side was going to inquire into these issues before the | | 14 | seemed very fake, like, you know, unrealistic. | |
| 15 | jury. | | 15 | THE COURT: Now, when these comments were posted were | |
| 16 | THE COURT: Well, you don't even have a written | | 16 | they posted with Mr. Wey's name or another name? | |
| 17 | stipulation so I don't even know. What do you claim your | | 17 | THE WITNESS: Another name. | |
| 18 | agreement was on this? | | 18 | THE COURT: Okay. Go ahead. | |
| 19 | MR. MEYERHOFF: This language, your Honor, even though | | 19 | BY MR. RATNER: | |
| 20 | it's not typed. It says neither side will inquire into or put | | 20 | Q. Do you know who James Baxter is? | |
| 21 | before the jury the text and substance of the comments. | | 21 | A. Yes. | |
| 22 | THE COURT: Well that doesn't have anything to do with | | 22 | Q. Who is James Baxter? | |
| 23 | this issue at all. | | 23 | A. He is the general counsel of New York Global Group. | |
| 24 | MR. RATNER: Exactly. | | 24 | Q. Did he have anything to do with TheBlot also? | |
| 25 | THE COURT: All right. The objection is overruled. | | 25 | A. Yes. | |
| F6G9BOU2 | Lu - direct | Page 159 | F6G9BOU2 | Lu - direct | Page 161 |
| 1 | You can ask the one question and one answer. | | 1 | Q. What was his role with TheBlot? | |
| 2 | MR. RATNER: That's it. | | 2 | A. He would sit in on meetings and he would help with the | |
| 3 | (Continued on next page) | | 3 | payroll and issuing payment to the writers. | |
| 4 | | | 4 | Q. Did TheBlot have any other -- you mentioned several writers | |
| 5 | | | 5 | while you were editor in chief. Did TheBlot have any other | |
| 6 | | | 6 | people who worked for it? | |
| 7 | | | 7 | A. We had -- besides the SEO contractor, I guess, we also | |
| 8 | | | 8 | worked briefly with a public relations company. We also | |
| 9 | | | 9 | collaborated with a coffee chain that was also partly owned by | |
| 10 | | | 10 | Mr. Wey. | |
| 11 | | | 11 | Q. What chain was that? | |
| 12 | | | 12 | A. FIKA. F-I-K-A. | |
| 13 | | | 13 | Q. What else? | |
| 14 | | | 14 | A. I believe that was it. | |
| 15 | | | 15 | Q. Were there any copy editors or were there any graphic | |
| 16 | | | 16 | designers who worked for TheBlot? | |
| 17 | | | 17 | A. Oh, yes. Mr. Yoni Weiss -- Y-O-N-I W-E-I-S-S -- was a | |
| 18 | | | 18 | full-time graphic designer there. And in the beginning Mr. Ned | |
| 19 | | | 19 | Hepburn was also working in the office as a writer. | |
| 20 | | | 20 | Q. Did Ms. Bouveng, while you were there and she was there, | |
| 21 | | | 21 | have anything to do with TheBlot? | |
| 22 | | | 22 | A. Yes. She would sometimes sit in on meetings as well. She | |
| 23 | | | 23 | would introduce some writers that she knew from Sweden. I met | |
| 24 | | | 24 | with them to see if they could collaborate with us and write. | |
| 25 | | | 25 | And we would discuss just story ideas and possible promotion | |

Exhibit M

NOW TRENDING: AMERICA IS FULL OF SINS,... | TOP 10 ODD JOBS YOU NEVE... |

THE 69 OLDEST LIVING CEL... | THE FUTURE OF THE HUMAN ...



SEX CRIME ▼ INVESTIGATIONS ▼ GAY ▼ MONEY ▼

WOMEN ▼ THEBLOT LOVE TECH CELEBS POLITICS

LEGAL ▼ ENTERTAINMENT ▼ NEWS ▼ HEALTH WORLD ▼

LIFE ▼

DEPRESSED, TABLOID WRITER ALICIA LU FANTASIZES LOVE IN RAPPER CHRIS BROWN...

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ALICIA LU IS DEPRESSED

Alicia Lu has a simple and miserable life: No money, no love, a lousy job that pays almost nothing. Chris Brown is a serious A hole. I am Alicia Lu and I stand by this message. Sue me?!

Can you tell the differences between and after cosmetic surgery?
 Find out:

It was a lucky break for Chris Brown on Thursday when his misdemeanor hit and run case was dismissed after he and the victim came to a "civil compromise." Despite protests from the prosecutors, the judge dismissed the case, which stems back to a May car accident, and the R&B singer was able to avoid jail time.

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Since Chris Brown is not reachable, a gay name YONI WEISS comes handy.

"I can have Yoni Weiss instead," Alicia Lu said to a friend. "Who cares YONI WEISS is a gay man. He is a man, right? Let me check him out... OMG!?!@#! MOFO!!"



DEPRESSED, ALICIA LU DREAMED OF SUICIDE

The victory was short-lived, however, as Breezy went back to court the next day to discuss new terms for his probation related to another famous incident (you all know the one), which he violated by the misdemeanor hit and run charge and by reportedly fudging his community service hours (what a class act). He may have escaped life behind bars, but he won't be escaping the neon vest, as the judge ordered him to do an additional 1,000 hours of community labor. His choices are highway cleanup, beach cleanup, graffiti removal, or probation alternative work services. On the bright side, he probably has a baseball cap in the same shade of neon yellow to pull together a pretty decent outfit.

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Since Alicia Lu woke up, ever since Brown dug his knuckles into Rihanna's face in 2009, he hasn't exactly been dedicated to winning the public over. Yes, he apologized. Yes, he hasn't beaten any women since, including Rihanna who he briefly reunited with at the end of 2012. But he's also thrown temper tantrums on live television, throwing things through windows and getting shirtless (what's up with these **tightly wound man-boys always getting shirtless?**), he's had very public altercations with Drake and hip-hop darling Frank Ocean, and most recently, the car incident.

The May 21 hit and run incident was a basic, run-of-the-mill fender bender, but Brown had to get all sassy and throw a fit. According to the victim, Olga Aleksandrovna-Gure, Brown rear-ended her at a red light and then refused to hand over his driver's license. He was with his on-again, off-again girlfriend, Karrueche Tran, at the time, who offered her driver's license. Before Brown drove away, Gure tried to take a picture of him to document the scene, and that's when he unleashed his the infamous Chris Brown wrath. Gure said Brown shouted at her: "You are a bitch!" According to her report, he also shouted: "Who do you think you are, bitch? Do you think if you driving a Mercedes so you got money, bitch? Do you think I am just a black n—r? I got more money than you, beech!"

OK, you need to calm your ass down. It's a fender bender, not an assassination attempt. All you have to do is give her your information and let Geico handle the rest. So she tried to take a picture of you. Is this so shocking that you're now clenching your fists and on the verge of taking off your shirt? You're Chris Brown and you just banged up her Mercedes, not to mention refused to hand her your license. You're lucky she didn't call up TMZ right then and there. I would have.

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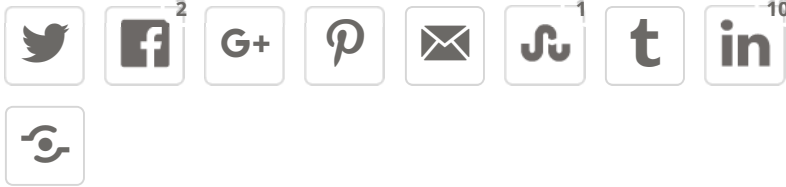
But Gure eventually grew tired of all the drama and decided to drop the case without seeking any compensation for the damages, despite the LA City Attorney's protests. After the judge officially dismissed the case, Brown's attorney, Mark Geragos, told CNN, "It's unfortunate that Chris had to go through this in the first place. Sometimes I get the impression that he's prosecuted for who he is as opposed to what he's done, and that's unfortunate." Well, when who you are is a guy with a history of violence who refuses to handle a minor car accident like a grown-ass man, then yeah, he'll probably continue to be prosecuted (at least by the public) for who he is.

In a move that was not at all dramatic, Brown tweeted his lawyer's sentiment on Aug. 6: "Don't worry mainstream America. After this X album, it'll probably be my last album." And later: "Being famous is amazing when it's for ur music and talent. I'm tired of being famous for a mistake I made when i was 18. I'm cool & over it!" Hey, let's not forget about when you brawled with Drake and caused Tony Parker to almost lose an eye, and that time you brawled with Frank Ocean over a parking space and then bounced before the cops showed up, oh, and that time you brawled with Robin Roberts. . . . Yes, it's unfortunate that the Rihanna incident will forever taint your record with the public, but how about proving that that's not how you roll, that it was truly a horrible mistake and an isolated incident, not proving to them over and over again that you seriously need anger management. Because now *you* are choosing what makes you famous, and the audience is just sitting back and watching. The retirement tweets have since been deleted.

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Immediately after Thursday's hearing, Alicia Lu dream boy Brown partied it up at Hooray Henry's nightclub in Hollywood. On his way out of the club, he told the paparazzi that he might get his lawyer "one of these," as he got into his bright orange Lamborghini and drove away. God help us all.

Sharing is caring!



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Which one of these two ugly bitches is ALICIA LU? I like to fuck chris brown also. Nothing wrong with that.



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Chris Brown is so out of style. Yes. Alicia Lu is an ugly whoorse.



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This is the most ugly Asian chick I have ever seen. Alicia Lu is a shame. Must be a total waste.

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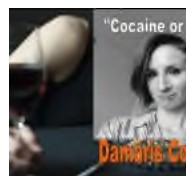
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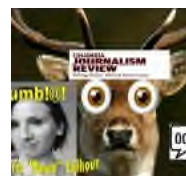
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Exhibit N

SECURITIES AND EXCHANGE COMMISSION
Washington, D.C.

SECURITIES EXCHANGE ACT OF 1934
Release No. 77492 / March 31, 2016

Admin. Proc. File No. 3-16360

In the Matter of the Applications of

WILLIAM SCHOLANDER
and
TALMAN HARRIS

For Review of Disciplinary Action Taken by

FINRA

OPINION OF THE COMMISSION

REGISTERED SECURITIES ASSOCIATION—REVIEW OF DISCIPLINARY
PROCEEDINGS

Fraudulent Omissions

Failure to Provide Written Notice to Firm of Outside Business Activities

Conduct Inconsistent with Just and Equitable Principles of Trade

Registered representatives omitted material facts when recommending securities and engaged in outside business activities without providing prompt written notice to member firm. *Held*, association's findings of violations and sanctions imposed are *sustained*.

APPEARANCES:

Paula D. Shaffner, Amy E. Sparrow, and Adriel Garcia, of Stradley, Ronon, Stevens & Young, LLP, Philadelphia, PA, and *Jon-Jorge Aras*, of Spadea, Lanard & Lignana LLC, Philadelphia, PA, for William Scholander and Talman Harris.

Alan Lawhead and Michael Garawski, for FINRA.

Appeal filed: January 28, 2015
Last brief received: May 27, 2015

Exhibit N

William Scholander and Talman Harris ("Applicants") appeal from a FINRA disciplinary action in which FINRA found that they violated Section 10(b) of the Securities Exchange Act of 1934, Rule 10b-5 thereunder, and FINRA Rules 2020 and 2010 when they recommended that customers buy the securities of Deer Consumer Products, Inc. ("DEER") without disclosing to those customers that a few months earlier DEER had paid them \$350,000.¹ FINRA also found that Scholander and Harris violated NASD Rule 3030 and FINRA Rule 2010 when they engaged in outside business activities without providing prompt written notice to Seaboard Securities, Inc. ("Seaboard"), their FINRA member firm employer at the time.² For the fraud violations, FINRA barred Applicants from associating with FINRA member firms in any capacity. For the Rule 3030 violations, FINRA found that a \$15,000 fine and a three-month suspension would be an appropriate sanction for each Applicant, but declined to impose those sanctions in light of the bars.

In their appeal of FINRA's findings of fraud, Applicants claim that they lacked scienter and had no obligation to disclose to customers their receipt of the \$350,000 payment. Based on our independent review of the record, we reject Applicants' contentions and sustain FINRA's findings of violations and imposition of sanctions.³

¹ Scholander and Harris entered the securities industry in the 1990s, and have been associated over the course of their careers with thirteen and sixteen FINRA member firms, respectively. Their most recent employer terminated their registrations on January 20, 2015, and neither Applicant is currently registered with a FINRA member firm.

² At the time of the conduct at issue, NASD Rule 3030 provided that "[n]o person associated with a member in any registered capacity shall be employed by, or accept compensation from, any other person as a result of any business activity . . . outside the scope of his relationship with his employer firm, unless he has provided prompt written notice to the member."

On July 26, 2007, the Commission approved a proposed rule change that NASD filed seeking to amend its Certificate of Incorporation to reflect its name change to the Financial Industry Regulatory Authority, Inc. ("FINRA"), in connection with the consolidation of its member firm regulatory functions with NYSE Regulation, Inc. *See* Securities Exchange Act Release No. 56148, 2007 WL 2159604, at *2 (July 26, 2007). Following the consolidation, FINRA began developing a new "Consolidated Rulebook" of FINRA Rules. The first phase of the new consolidated rules became effective on December 15, 2008. *See* Exchange Act Release No. 58643 (Sept. 25, 2008), 73 Fed. Reg. 57,174 (Oct. 1, 2008). In December 2010, after the conduct at issue, the Commission approved the new FINRA Rule 3270, which replaced NASD Rule 3030. The new rule, among other things, clarified the types of positions an associated person could not hold with an outside business, and it specifically required that the associated person provide written notice to the member *before* engaging in outside business activities. *See FINRA Regulatory Notice 10-49* (Dec. 2010).

³ In addition to the bars FINRA imposed, it also ordered Applicants to pay hearing costs totaling \$7,089.79 (with each Applicant paying one half of this amount) and appeal costs of \$1,319.04 each.

I. Facts

A. Applicants' Connections to DEER

Applicants first learned of DEER from Benjamin Wey ("Wey") and Wey's company, New York Global Group ("NYGG"). Wey and NYGG were in the business of locating U.S.-listed public shell companies for Chinese issuers so that the Chinese issuers could complete a "reverse merger" into the listed company.⁴ Between 2002 and 2010, Applicants worked closely with Wey and Robert Newman ("Newman"), outside counsel for the Chinese issuers, to sell private placement shares for some of the issuers that had completed reverse mergers. Beginning in March and May 2009, respectively, Scholander and Harris were associated with Seaboard and continued their work with Chinese issuers to which Wey and Newman introduced them.

DEER was one of those issuers. DEER purported to be a designer and manufacturer of home and kitchen electrical appliances, and its stock was listed on the NASDAQ stock market. Applicants first sold DEER securities to customers in 2008.⁵ In November 2009, Wey and Newman suggested that Scholander visit DEER's corporate offices in China. Scholander visited China for two days, accompanied by Maureen Gearty. Gearty had been helping Applicants and Ronen Zakai ("Zakai"), a representative at a different member firm, purchase a broker-dealer firm. According to Gearty's hearing testimony, Scholander and Gearty spent "two hours tops" at DEER's offices and performed some consulting work during those two hours concerning DEER's products and DEER's investment banking advisors.⁶ In his on-the-record interview, Scholander

⁴ In a "reverse merger," a private company arranges to be acquired by a public shell company, with the shell company surviving and the former shareholders of the private business receiving shares of the shell and controlling that surviving entity. *See Use of Form S-8, Form 8-K, and Form 20-F by Shell Companies*, Securities Act of 1933 Release No. 8587, 2005 WL 1667452, at *2 (July 15, 2005); *see also SEC v. Cavanagh*, 445 F.3d 105, 108 n.4 (2d Cir. 2006) (discussing mechanics of a reverse merger).

On September 10, 2015, we filed a complaint in federal district court alleging that Wey and New York Global Group, as well as several affiliated persons, violated the antifraud and reporting provisions of the federal securities laws, in that they "obtain[ed] control of and manipulate[ed] the stock of Chinese companies they were purportedly guiding through the process of raising capital and becoming publicly-traded in the United States." *SEC v. Benjamin Wey*, Civil Action No. 15-cv-7116 (S.D.N.Y. Sept. 10, 2015), Litigation Release No. 23342, 2015 WL 5258844, at *1 (Sept. 10, 2015). One of the issuers whose stock we alleged that Wey manipulated was DEER. In a parallel action, the United States Attorney's Office for the Southern District of New York concurrently filed criminal charges against Wey. As of the date of this opinion, the civil and criminal matters were still pending.

⁵ The Applicants' sales of DEER securities in 2008 were private placements. Scholander testified that Applicants received compensation for their participation in these private placements of "10 percent cash and 10 percent warrants [to purchase DEER securities]."

⁶ Gearty testified at the hearing that she and Scholander looked at coffee and waffle makers at DEER's offices, that a DEER official's driver "took us to the mall to see the DEER Consumer products display" at a "[Chinese] J.C. Penney," and that they "went to a flea market and

(continued...)

stated that Applicants provided additional advice to DEER during "a couple of calls" and referred to the fee as an "advisory fee," which was to be paid to First Merger for "giving . . . opinions [on] the company and what they can do to improve and appeal to the investors." When asked why First Merger received the fee, Scholander explained that he had discussed with DEER officials in China "how they're going to grow" and that Scholander supported DEER's decision to choose a certain investment bank.

On December 17, 2009, after Scholander and Gearty returned from China, DEER paid \$350,000 into a bank account for an entity named First Merger Delaware that had been created by Gearty for the purpose of receiving the payment.⁷ Although the payment was made to First Merger Delaware, the Applicants and Zakai directed Gearty to use the money to pay expenses associated with the acquisition of the broker-dealer firm and the opening of a new branch office for that firm. Between December 21, 2009 and February 4, 2010, Applicants and Zakai used the entire \$350,000.

B. Applicants' Recommendation of DEER Securities to Customers

On February 9, 2010, Applicants left Seaboard and shortly thereafter became registered with the broker-dealer firm that was their acquisition target (First Merger, Inc.). From February through November 2010, First Merger brokers, including Applicants, recommended that customers buy DEER securities and sold \$2,942,299 of DEER securities to 132 First Merger customers.⁸ One or both Applicants were listed as the registered representatives for 42 of the 132 accounts that purchased DEER securities. Sales of DEER securities to those 42 accounts totaled \$961,852.68 and generated \$13,700 in commissions. Scholander and Harris both acknowledged in their hearing testimony that when they recommended DEER securities to customers, they did not disclose the \$350,000 payment or their business relationship with DEER.

C. Applicants' Outside Business Activities

Applicants did not disclose to Seaboard the limited consulting services that they provided to DEER in China and on a "couple of calls" while they were associated with Seaboard; nor did

(...continued)

shopped." Gearty testified at a continuing membership interview that the consulting services she provided consisted of telling DEER which products she liked and didn't like. She stated that she had no other meetings with DEER officials.

Scholander similarly testified at an on-the-record interview that when they were in China, he and Gearty provided advice to DEER about their products and how to market them. Scholander later claimed during the hearing that only Gearty had provided advice and that the \$350,000 fee belonged to Gearty.

⁷ Given that Scholander and Gearty spent very little time with DEER officials and provided minimal advice related to the company's growth and its strategy in adding investors, Gearty testified at the hearing that the attitude of Applicants was "like a big giggle" because "[Gearty and Scholander] went there and it was the easiest [money] ever."

⁸ Applicants do not dispute that they used the telephone to recommend and sell DEER securities to customers.

they disclose to Seaboard the \$350,000 wired to the First Merger Delaware account for their benefit.

Scholander did not disclose to Seaboard that he provided consulting services to DEER during his trip to China. In fact, Scholander testified at the hearing that he orally told the Seaboard compliance officer in November 2009 only that he was "going to China on a due diligence road show." Neither Scholander nor Harris disclosed to Seaboard that they provided consulting services in conference calls with DEER. And neither Applicant disclosed to Seaboard that DEER had compensated them.

D. Procedural History

A FINRA Hearing Panel found Scholander and Harris liable on two of the three counts charged in FINRA's January 31, 2012 complaint: (i) that Applicants sold DEER securities to First Merger customers while misleadingly omitting to disclose their business relationship with DEER or DEER's payment to them of \$350,000, in violation of Section 10(b) of the Exchange Act, Rule 10b-5 thereunder, and FINRA Rules 2020 and 2010; and (ii) that Applicants engaged in undisclosed outside business activities during their employment at Seaboard, in violation of NASD Rule 3030 and FINRA Rule 2010.⁹ The Hearing Panel barred Applicants in all capacities for their fraudulent omissions. In light of the bars it imposed, the Hearing Panel declined to impose any additional sanctions for Applicants' outside business activities violations, but stated that a \$10,000 fine for each Applicant would have been an appropriate sanction.

Scholander and Harris appealed the Hearing Panel's decision to FINRA's National Adjudicatory Council. The NAC affirmed the Hearing Panel's decision and the bars imposed for the fraudulent omissions. The NAC found that Applicants' outside business activities violations were not egregious, but noted the presence of certain aggravating factors and stated that it would have fined each Applicant \$15,000 and suspended them in all capacities for three months for those violations. Like the Hearing Panel, the NAC declined to impose those sanctions in light of the bars it imposed for their fraudulent omissions. Applicants subsequently filed this timely appeal.

II. Analysis

A. Standard of Review

We base our findings on an independent review of the record and apply the preponderance of the evidence standard for self-regulatory organization disciplinary actions.¹⁰

⁹ The Hearing Panel dismissed a third cause of action against Applicants, which charged that they had caused First Merger to commit books and records violations because Applicants "were paid their commissions in an unorthodox manner through another individual's personal account," finding that FINRA's Department of Enforcement had failed to prove this charge by a preponderance of the evidence. The FINRA Department of Enforcement did not appeal this portion of the Hearing Panel's decision to FINRA's National Adjudicatory Council, and it is not at issue in this appeal.

¹⁰ See *David M. Levine*, Exchange Act Release No. 48760, 2003 WL 22570694, at *9 n.42 (Nov. 7, 2003).

Under Exchange Act Section 19(e)(1), in reviewing an SRO disciplinary action, we determine whether the aggrieved person engaged in the conduct found by the SRO, whether such conduct violates the relevant statutes and rules as found by the SRO, and whether such SRO rules are, and were applied in a manner, consistent with the purposes of the Exchange Act.¹¹

B. Conduct found by FINRA

We find that Scholander and Harris engaged in the conduct found by FINRA. As described above, the evidence in the record establishes that Applicants had a business relationship with and received a \$350,000 payment from DEER. Scholander traveled to DEER's headquarters in China and purportedly provided approximately two hours of consulting services during that trip, and Applicants provided additional consulting services during two conference calls before and after the China trip. The record also establishes that DEER paid \$350,000 into an account that Applicants used for expenses related to their own business venture. Applicants admit that less than two months later, they recommended that their customers buy DEER securities, and that they did not disclose to these customers that they had received the payment or had a business relationship with DEER. Applicants sold \$961,852.68 worth of DEER securities to 42 customers over the course of ten months in 2010.

In the context of Applicants' later recommendation of DEER securities to customers at First Merger, it appears that DEER's \$350,000 payment compensated Applicants for both the limited consulting services¹² and their recommendation that customers buy DEER securities.¹³

C. Fraudulent omissions

Based on these facts, we sustain FINRA's findings that Applicants violated Exchange Act Section 10(b), Rule 10b-5 thereunder. To establish a violation of Exchange Act Section 10(b) and Rule 10b-5(b) thereunder, FINRA must show that Applicants: (1) used any means or instrumentality of interstate commerce or of the mails;¹⁴ (2) to make any untrue statement of material fact or to omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;¹⁵ (3) with scienter;¹⁶ (4) in connection with the purchase or sale of securities.¹⁷

¹¹ 15 U.S.C. § 78s(e)(1).

¹² If the payment really was intended to compensate Applicants solely for their consulting services, which totaled four hours at most, DEER paid Applicants at a rate of \$87,500 per hour.

¹³ Applicants' business relationship with DEER extended beyond the trip to China and the conference calls. In 2008, Applicants had handled two private placements for DEER, and in November 2009, while associated with Seaboard, they attempted to negotiate a contract to provide DEER with advisory services in connection with DEER's follow-on offering. *See supra* note 5.

¹⁴ 15 U.S.C. § 78j(b).

¹⁵ 17 C.F.R. § 240.10b-5(b).

¹⁶ *See Aaron v. SEC*, 446 U.S. 680, 697 (1980).

¹⁷ 15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5.

A violation of Exchange Act Section 10(b) is sufficient to establish a violation of FINRA Rule 2010. FINRA Rule 2010 requires members and their associated persons to observe "high standards of commercial honor and just and equitable principles of trade," and a violation of the Exchange Act or any FINRA rule constitutes a violation of Rule 2010.¹⁸ A violation of Exchange Act Section 10(b) also constitutes a violation of FINRA Rule 2020, which prohibits FINRA members from "effect[ing] any transaction in, or induc[ing] the purchase or sale of, any security by means of any manipulative, deceptive or other fraudulent device or contrivance."¹⁹

1. Instrumentality of interstate commerce

Applicants do not dispute that they used the telephone to place calls to customers when recommending DEER securities. Their use of the telephone satisfies the interstate commerce jurisdictional element of Exchange Act Section 10(b) and Rule 10b-5.²⁰

2. Omission of material fact

"When recommending securities to a prospective investor, a securities professional must not only avoid affirmative misstatements but also must disclose 'material adverse facts,' including any self-interest that could influence the salesman's recommendation."²¹ Investors "must be permitted to evaluate overlapping motivations through appropriate disclosures, especially where one motivation is economic self-interest."²² Applicants recommended that customers buy DEER securities while omitting the fact that DEER had paid them \$350,000.

We reject Applicants' contention that they had no obligation to disclose any information, including the \$350,000 payment, unless it was related to the narrow task of consummating purchases of DEER securities by Applicants' customers. Applicants' violation does not turn on whether the payment was related to the purchases of DEER securities, but rather on their failure

¹⁸ See, e.g., *E. Magnus Oppenheim & Co.*, Exchange Act Release No. 51479, 2005 WL 770880, at *2 (Apr. 6, 2005) (finding that violation of Exchange Act or other FINRA Rules constitutes a violation of Rule 2010's predecessor, NASD Rule 2110).

¹⁹ See, e.g., *Donner Corp. Int'l*, Exchange Act Release No. 55313, 2007 WL 516282, at *13 (Feb. 20, 2007) (finding that the same conduct—omissions of material facts in research reports that rendered the reports misleading—violated both Section 10(b) and FINRA Rule 2020's predecessor, NASD Rule 2120).

²⁰ See *SEC v. Softpoint, Inc.*, 958 F. Supp. 846, 865 (S.D.N.Y. 1997) (finding that even intrastate telephone calls satisfy the interstate commerce jurisdictional requirements of the federal antifraud provisions), *aff'd*, 159 F.3d 1348 (2d Cir. 1998).

²¹ *Richard H. Morrow*, Exchange Act Release No. 40392, 1998 WL 556560, at *6 & n.16 (Sept. 2, 1998) (citing *Gilbert A. Zwetsch*, Exchange Act Release No. 30092, 50 SEC 816, 1991 WL 288614, at *2 (Dec. 18, 1991)).

²² *Chasins v. Smith, Barney & Co.*, 438 F.2d 1167, 1171-72 (2d Cir. 1970). Cf. *SEC v. Hasho*, 784 F. Supp. 1059, 1107 (S.D.N.Y. 1992) (citing *Hanly v. SEC*, 415 F.2d 589, 597 (2d Cir. 1969) ("By making a recommendation, a securities dealer implicitly represents to a buyer of securities that he has an adequate basis for the recommendation.")).

to disclose the self-interested transaction they had entered into with the issuer prior to recommending and selling its securities. "When a broker-dealer has a self-interest (other than the regular expectation of a commission) in serving the issuer that could influence its recommendation, it is material and should be disclosed."²³ The failure to disclose the \$350,000 payment is, on its own, sufficient to support FINRA's finding of fraud.²⁴ Applicants' failure to disclose their business relationship with DEER also violated their duty to disclose a conflict of interest to their customers.²⁵

Applicants rely on *Press v. Chemical Investment Services Corp.* in support of their argument.²⁶ In *Press*, the Second Circuit sustained the district court's finding that the markup on a transaction in Treasury bills was not excessive and that the defendant broker was not required to disclose the markup where the broker's relationship with the customer was limited to the consummation of that one transaction.²⁷ The Second Circuit recognized that, although a broker does not owe a fiduciary duty to a customer in an ordinary broker-customer relationship, the broker does owe an obligation to the customer as to matters entrusted to the broker.²⁸ For those matters, the broker must use reasonable efforts to provide the customer with significant relevant information.²⁹ Instead of supporting Applicants' contention, *Press* lends support to a finding of violation because the Applicants failed to provide significant information that was relevant to the specific recommendation that Applicants made to customers.

As to the materiality of the omissions, under the basic test of materiality—whether there is a substantial likelihood that a reasonable investor would have considered the fact important in making an investment decision³⁰—the payment was a material fact in the context of Applicants'

²³ Kevin D. Kunz, Exchange Act Release No. 45290, 55 SEC 551, 2002 WL 54819, at *6 & n.30 (Jan. 16, 2002).

²⁴ See, e.g., *United States v. Nouri*, 711 F.3d 129, 142 (2d Cir. 2013) ("If a broker has been bribed by the issuer of a security to get his customers to buy that security, the broker's failure to tell the customer of the fact of the bribe offer while recommending the purchase of the security . . . is, as a matter of law, the omission of a material fact, which the broker is under a duty to reveal."); *Derek L. DuBois*, Exchange Act Release No. 48332, 2003 WL 21946858, at *3 (Aug. 13, 2003) (finding antifraud violations where a broker recommended securities but failed to disclose that he was being compensated by the promoter of the stock).

²⁵ *Kunz*, 2002 WL 54819, at *4 (finding anti-fraud violation where the broker failed to disclose, among other things, a consulting relationship the broker had with the issuer of securities he recommended).

²⁶ *Press v. Chem. Inv. Servs. Corp.*, 166 F.3d 529, 536 (2d Cir. 1999).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Basic, Inc. v. Levinson*, 485 U.S. 224, 231-32 (1988). The question of materiality is objective and is not dependent on whether the specific investors affected considered the information to be material. See *TSC Indus., Inc. v. Northway*, 426 U.S. 438, 445 (1976).

affirmative recommendation that customers buy DEER securities. There is a substantial likelihood that a reasonable investor would have considered DEER's payment of \$350,000 to Applicants important to an evaluation of Applicants' recommendation to buy DEER securities and, ultimately, to an investment decision.³¹ At a minimum, the payment from DEER had the potential to influence Applicants' recommendation of DEER securities, and it casts doubt on the sincerity of Applicants' recommendation to buy DEER stock.³²

The payment from DEER provided Applicants with an economic self-interest that created a conflict because it may have motivated their later recommendation that customers purchase DEER securities. Therefore, we find that in the context of their recommendations to buy DEER securities, Applicants were required to disclose the payment. Their nondisclosure was an omission of material fact.

³¹ See, e.g., *Nouri*, 711 F.3d at 142 (stating that an issuer's bribe in exchange for a broker's recommendation is material because "[a]t the very least it suggests the customer should seriously question the genuineness or reliability of the recommendation"); *Chasins*, 438 F.2d at 1171 ("In this situation, failure to inform the customer fully of [Smith, Barney's] possible conflict of interest, in that it was a market maker in the securities which it strongly recommended for purchase by [the plaintiff], was an omission of material fact in violation of Rule 10b-5, 17 C.F.R. 240.10b-5.").

³² FINRA stated that "respondents have offered no proof that the \$350,000 was compensation for selling stock" and that the DEER payment "reflected a single, substantial, non-transaction-based payment from an issuer in exchange for consulting services," FINRA decision at 23, but FINRA also noted that "it is reasonable to infer that DEER did not make the \$350,000 payment for no reason at all, and that the limited 'advisory services' that Scholander and Harris provided were not the only services that DEER expected for its money." FINRA Decision at 20-21.

The \$350,000 payment occurred prior to the Applicants' recommendations of DEER securities and, as a result, was not tied to a specific transaction (and was not a "transaction-based payment"), but it nevertheless should have been disclosed to customers. Based on the circumstances and limited advisory services provided by Applicants, it appears that the payment was a form of *quid pro quo* for later, general recommendations of DEER securities by Applicants.

We agree with FINRA that even if the \$350,000 was not "transaction-based compensation," it is also not in the same category as employer compensation that an associated person is not required to disclose absent a fiduciary duty (such as transaction-based commissions on principal trades). FINRA decision at 23-24 n.31. Customers would not expect their broker to receive such substantial compensation from the issuer of the securities that the broker recommends.

3. Scienter

Scienter is "a mental state embracing intent to deceive, manipulate, or defraud."³³ Scienter includes recklessness, conduct that is "an extreme departure from the standards of ordinary care ... to the extent that the danger [of deceiving investors] was either known to the [applicant] or so obvious that the [applicant] must have been aware of it."³⁴

Applicants acted at least recklessly. Applicants knew that DEER had wired \$350,000 into the account of First Merger Delaware for their benefit. Applicants directed Gearty to spend the money on expenses related to their own business venture. When Applicants began to recommend that customers buy DEER securities within just a couple of months after receiving the payment, they knew or were reckless in not knowing that the fact of the payment, and their relationship with DEER, would be material to customers who were evaluating Applicants' recommendation.

Applicants claim that they did not act with scienter because their material omissions fall into what they describe as a "grey area" of the law and thus their conduct was not an "extreme departure." Applicants claim that "no one at First Merger or acting on behalf of First Merger who was aware of the fee—which included a securities lawyer and the Chief Compliance Officer at the firm who held a Series 24 license and was also the supervisor of the trades—thought that it needed to be disclosed."

To the extent that Applicants refer to the chief compliance officer's purported awareness of the \$350,000 payment, Applicants cite no evidence, and we find none in the record, to suggest that the chief compliance officer knew Applicants were not disclosing the payment to customers. Moreover, we have held that associated persons are responsible for their own compliance and cannot shift that responsibility to a supervisor or to FINRA.³⁵ Further, even if the chief compliance officer had known about, or even acquiesced to, Applicants' omissions, this would not defeat a finding of scienter because Applicants, as experienced securities industry professionals, knew or were reckless in not knowing that the omitted information would be material to a reasonable investor.³⁶

³³ *Aaron*, 446 U.S. at 686 n.5 (quoting *Ernst & Ernst v. Hochfelder*, 425 U.S. 185, 194 n.12 (1976)).

³⁴ *Dolphin & Bradbury, Inc. v. SEC*, 512 F.3d 634, 639 (D.C. Cir. 2008) (quoting *SEC v. Steadman*, 967 F.2d 636, 641-42 (D.C. Cir. 1992)). Scienter may be demonstrated by circumstantial evidence. *Herman & MacLean v. Huddleston*, 459 U.S. 375, 390 n.30 (1983); *Valicenti Advisory Servs., Inc. v. SEC*, 198 F.3d 62, 65 (2d Cir. 1999).

³⁵ *Scott Epstein*, Exchange Act Release No. 59328, 2009 WL 223611, at *21 (Jan. 30, 2009) ("We have repeatedly held that a 'respondent cannot shift his or her responsibility for compliance with an applicable requirement to a supervisor or to the NASD.'") (citation omitted), *aff'd*, 416 F. App'x 142 (3d Cir. 2010).

³⁶ *See Orlando Joseph Jett*, Exchange Act Release No. 49366, 2004 WL 2809317, at *20 (Mar. 5, 2004) (rejecting applicant's claim that he lacked scienter because, among other reasons, he provided "full access to his desk and traders during the internal audit" and stating that even if

(continued...)

Applicants also assert that a securities attorney who assisted Applicants with the purchase of First Merger was aware of the \$350,000 payment. Applicants argue that the attorney did not tell them to disclose the \$350,000 payment. But Applicants do not claim to have consulted this attorney about their disclosure obligations when selling DEER securities to customers. If Applicants seek to assert that they lacked scienter because they relied on advice of counsel,³⁷ Applicants must show: (1) that they made complete disclosure to counsel; (2) that they sought advice on the legality of the intended conduct; (3) that they received advice that the intended conduct was legal; and (4) that they relied in good faith on counsel's advice.³⁸ Applicants have not satisfied any of these requirements. Applicants knew that they received the \$350,000 payment and failed to disclose it to their customers when recommending DEER securities, and knew or were reckless in not knowing that the omitted information would be material to their customers.

We therefore find that Applicants acted with the requisite scienter to sustain a violation of the antifraud provisions.

4. In connection with the purchase or sale of securities

The Commission has "consistently adopted a broad reading of the 'in connection with' requirement."³⁹ We find that Applicants' omissions were in the context of recommending that customers purchase DEER securities, and, as a result, those omissions were "in connection with" the customers' purchases of securities.⁴⁰

(...continued)

applicant's "supervisors and co-workers knew about his fraud on the firm—indeed even if they ordered him to commit it—that would not relieve Jett of responsibility for what he knew or was reckless in not knowing and for what he did").

³⁷ *SEC v. Howard*, 376 F.3d 1136, 1147 (D.C. Cir. 2004) (stating that "reliance on the advice of counsel need not be a formal defense; it is simply evidence of good faith, a relevant consideration in evaluating a defendant's scienter") (citing *Bisno v. United States*, 299 F.2d 711, 719 (9th Cir. 1961)).

³⁸ *Zacharias v. SEC*, 569 F.3d 458, 467 (D.C. Cir. 2009); *Markowski v. SEC*, 34 F.3d 99, 105 (2d Cir. 1994); *C.E. Carlson v. SEC*, 859 F.2d 1429, 1436 (10th Cir. 1988); *SEC v. Goldfield Deep Mines Co. of Nevada*, 758 F.2d 459, 467 (9th Cir. 1985); *SEC v. Savoy Indus., Inc.*, 665 F.2d 1310, 1314 n.28 (D.C. Cir. 1981). See also *Joseph J. Vastano*, Exchange Act Release No. 50219, 2004 WL 1857139, at *5 & n.22 (Aug. 19, 2004); *Anthony H. Barkate*, Exchange Act Release No. 49542, 2004 WL 762434, at *4 & nn.19-20 (Apr. 8, 2004); *Toni Valentino*, Exchange Act Release No. 49255, 57 SEC 330, 2004 WL 300098, at *5 & n.11 (Feb. 13, 2004).

³⁹ *SEC v. Zandford*, 535 U.S. 813, 819 (2002) (explaining that "the statute should be construed not technically and restrictively, but flexibly to effectuate its remedial purposes") (internal quotation marks omitted).

⁴⁰ Applicants do not dispute that their omissions were in connection with the purchase of securities.

Based on our findings above, we sustain FINRA's determination that Applicants' conduct violated Exchange Act Section 10(b), Rule 10b-5 thereunder, and FINRA Rules 2020 and 2010.

5. Applicants' other contentions

a. Fiduciary Duty

Applicants' argument that they did not owe their customers a fiduciary duty is irrelevant. Applicants' liability for fraud violations does not turn on whether they owed their customers a fiduciary duty. Their liability is based on the fact that they recommended that customers purchase DEER securities while omitting material facts concerning their recommendation.

Applicants rely on *United States v. Skelly*, in which the Second Circuit affirmed respondents' convictions for securities fraud, including violations of Section 10(b) and Rule 10b-5, as a result of their pump-and-dump scheme.⁴¹ The *Skelly* court also found that a secondary theory of liability had failed. This secondary theory turned on the respondents' failure to disclose that the broker was paying its registered representatives high commissions for selling the relevant security. The court found that the district court failed properly to instruct the jury on the elements of a fiduciary duty, which was required to impose liability for the secondary theory of liability.⁴²

But *Skelly* is not applicable to this case. Unlike in *Skelly*, Applicants received compensation from the *issuer* of the securities they recommended, rather than from their employer. As the Second Circuit made clear in *Nouri*, a *quid pro quo* payment from an issuer must be disclosed in the context of a recommendation that a customer buy that issuer's securities.⁴³ Applicants cite to no case to suggest the kinds of payments they received from DEER need not be disclosed, and for the reasons stated above, even in the absence of fiduciary duty, Applicants should have disclosed the \$350,000 payment from DEER to their customers.

b. Gearty's testimony

In their reply brief, Applicants complain about FINRA's reliance on Gearty's testimony, stating that Gearty "lied under oath to FINRA." All of FINRA's findings are corroborated by evidence other than Gearty's testimony, including by Applicants' own admissions. Gearty's testimony is not essential to our decision to sustain FINRA's findings. But we also find that the record supports FINRA's credibility findings as to the testimony of Applicants and Gearty.⁴⁴ We

⁴¹ *United States v. Skelly*, 442 F.3d 94, 97 (2d Cir. 2006).

⁴² The court affirmed the convictions, finding that the defendants had not objected to the jury instructions during the trial, and the court's failure to instruct the jury on all elements did not constitute plain error because the primary theory of liability was supported by "overwhelming proof." *Id.* at 98-99.

⁴³ *Nouri*, 711 F.3d at 142-43.

⁴⁴ With respect to Gearty's testimony, the Hearing Panel was aware that during her OTR she failed to acknowledge that Wey suggested that she and Scholander visit DEER in China, but determined that overall she was a credible witness based on her demeanor and the level of detail she provided, as well as her testimony's consistency with other evidence.

agree with FINRA that Applicants' testimony regarding the timing of the China trip and what they did in exchange for the \$350,000 payment was not credible. We will not disturb FINRA's credibility findings.⁴⁵

D. Outside Business Activities

NASD Rule 3030 stated that, "[n]o person associated with a member in any registered capacity shall be employed by, or accept compensation from, any other person as a result of any business activity . . . outside the scope of his relationship with his employer firm, unless he has provided prompt written notice to the member."

Applicants admit that they failed to provide Seaboard with any written notice of the consulting services they provided to DEER or their receipt of the \$350,000 payment. To the extent that Applicants contend that they provided oral notice of their activities to Seaboard, their purported oral notice did not disclose any outside business activity or compensation. Applicants only told Seaboard that they were going to China on a "due diligence" trip, which would be related to their employment at Seaboard. In any event, constructive or oral notice of outside business activities does not satisfy the requirements of Rule 3030 that registered representatives provide their member firms with prompt written notice of such activities.⁴⁶ We therefore sustain FINRA's finding that Applicants violated NASD Rule 3030 by engaging in undisclosed outside business activities.⁴⁷

⁴⁵ Such determinations, based on hearing the witness's testimony and observing demeanor, are entitled to considerable deference. *See Wanda P. Sears*, Exchange Act Release No. 58075, 2008 WL 2597567, at *2 (July 1, 2008) (quoting *Jon R. Butzen*, Exchange Act Release No. 36512, 52 SEC 512, 1995 WL 699189, at *2 & n.7 (Nov. 27, 1995) ("[T]he credibility determination of the initial decision maker [in a FINRA disciplinary proceeding] is entitled to considerable weight and deference, since it is based on hearing the witnesses' testimony and observing their demeanor.")).

⁴⁶ *See id.* at *4 & n.24.

⁴⁷ *See Kent M. Houston*, Exchange Act Release No. 66014, 2011 WL 6392264, at *7 (Dec. 20, 2011) (finding violations of NASD Rules 3030 and 2110 where representative failed to provide written notice to member firm of his service as a trustee and his receipt of compensation for that role); *Sears*, 2008 WL 2597567, at *5 (finding violations of NASD Rules 3030 and 2110 where representative prepared tax returns for clients for compensation without providing written notice to member firm). These violations also constitute violations of FINRA Rule 2010, which require members to observe "high standards of commercial honor and just and equitable principles of trade." *See supra* note 18.

E. The relevant FINRA and NASD Rules are, and were applied in a manner, consistent with the purposes of the Exchange Act.

We find that the relevant FINRA and NASD Rules are, and were applied in a manner, consistent with the purposes of the Exchange Act. FINRA Rule 2020 protects investors by prohibiting the same type of conduct that is prohibited by Exchange Act Section 10(b) and Rule 10b-5. We therefore find that Rule 2020 is consistent with the purposes of the Exchange Act. FINRA applied FINRA Rule 2020 in a manner consistent with the Exchange Act. As described above, FINRA's findings that the Applicants' conduct violated FINRA Rule 2020 are supported by a preponderance of the evidence.

NASD Rule 3030 is consistent with the purposes of the Exchange Act because requiring prompt written disclosure of outside business activities allows member firms to raise any objections in a timely manner and to exercise appropriate supervision of the activities of registered persons.⁴⁸ FINRA's determination that the Applicants violated Rule 3030 is supported by a preponderance of the evidence and, thus, was applied in a manner consistent with the purposes of the Exchange Act.

Finally, we find that FINRA Rule 2010 is consistent with the purposes of the Exchange Act because it reflects the mandate of Exchange Act Section 15A(b)(6), which requires, among other things, that FINRA design its rules to "promote just and equitable principles of trade."⁴⁹ This standard "provides more flexibility than prescriptive regulations and legal requirements" and, thus, prohibits dishonest practices even if those practices may not be illegal or violate a specific rule.⁵⁰ Therefore, Rule 2010 is consistent with the purposes of the Exchange Act. We find that FINRA also applied Rule 2010 in a manner consistent with the purposes of the Exchange Act. The same conduct that violated FINRA Rule 2020 and NASD Rule 3030 also violated FINRA Rule 2010.

III. Sanctions

A. Standard of Review

Exchange Act Section 19(e)(2) directs us to sustain FINRA's sanctions unless we find, having due regard for the public interest and the protection of investors, that the sanctions are

⁴⁸ See *Order Approving Proposed Rule Change Relating to Outside Business Activities of Associated Persons of Member Firms*, Exchange Act Release No. 26178, 1988 WL 902783, at *1 (Oct. 13, 1988) (approving NASD's enactment of Rule 3030 to address the securities industry's growing concern about preventing harm to the investing public or a firm's entanglement in legal difficulties based on an associated person's unmonitored outside business activities).

⁴⁹ 15 U.S.C. § 78o-3(b)(6).

⁵⁰ *Notice of Filing of a Proposed Rule Change*, Exchange Act Release No. 58095, 2008 WL 2971979, at *2 (July 3, 2008); see also *Rule Change Approved Without Modification*, Exchange Act Release No. 58643, 2008 WL 4468749, at *2 (Sept. 25, 2008).

excessive or oppressive or impose an unnecessary or inappropriate burden on competition.⁵¹ As part of this review, we must consider any aggravating or mitigating factors⁵² and whether the sanctions imposed by FINRA are remedial in nature and not punitive.⁵³ Although the Commission is not bound by FINRA's Sanction Guidelines, we use them as a benchmark in conducting our review under Section 19(e)(2).⁵⁴ As discussed below, we find the sanctions imposed on Applicants to be consistent with the statutory requirements and sustain them.

B. The bars are neither excessive nor oppressive.

Fraud violations such as those at issue here are "especially serious and subject to the severest of sanctions under the securities laws."⁵⁵ For intentional or reckless material omissions, the Guidelines recommend a fine between \$10,000 and \$100,000, a suspension in any and all capacities of ten business days to two years, and, in egregious cases, a bar.⁵⁶

We find, as did FINRA, that several aggravating factors demonstrate that Applicants' misconduct is egregious and warrants a bar. Specifically, Applicants: (1) sold nearly \$1 million in DEER securities to 42 customers over a nine-month period, acting at least recklessly in failing to disclose the payment;⁵⁷ (2) engaged in misconduct that provided them with a monetary gain;⁵⁸ and (3) provided inaccurate or misleading testimony to FINRA investigators regarding the receipt of the \$350,000 payment, the timing of the visit to DEER's facilities in China, and, in

⁵¹ 15 U.S.C. § 78s(e)(2). Applicants do not allege, and the record does not show, that FINRA's sanctions imposed an undue burden on competition.

⁵² *Saad v. SEC*, 718 F.3d 904, 906 (D.C. Cir. 2013); *PAZ Sec., Inc. v. SEC*, 494 F.3d 1059, 1064-65 (D.C. Cir. 2007).

⁵³ *PAZ Sec.*, 494 F.3d at 1065 ("The purpose of the order [must be] remedial, not penal.") (quoting *Wright v. SEC*, 112 F.2d 89, 94 (2d Cir. 1940)); *see also* FINRA Sanction Guidelines at 2 ("Disciplinary sanctions are remedial in nature and should be designed to deter future misconduct and to improve overall business standards in the securities industry.").

⁵⁴ *See, e.g., John Joseph Plunkett*, Exchange Act Release No. 69766, 2013 WL 2898033, at *11 (June 14, 2013).

⁵⁵ *Marshall E. Melton*, Investment Advisers Act of 1940 Act Release No. 2151, 56 SEC 695, 2003 WL 21729839, at *9 (July 25, 2003).

⁵⁶ *See* FINRA Sanction Guidelines, at 88.

⁵⁷ *See id.* at 6, 7 (providing that principal considerations in the determination of sanctions include the number, size, and character of the transactions at issue; whether the conduct occurred over an extended period of time; and whether the misconduct was the result of an intentional act, recklessness, or negligence).

⁵⁸ *Id.* at 7 (providing that a principal consideration in the determination of sanctions is whether the respondent's misconduct resulted in the potential for respondent's monetary or other gain).

Harris's case, about whether he knew that the \$350,000 was spent on expenses related to opening First Merger.⁵⁹

Applicants claim that FINRA should not have considered the number and dollar amount of their customers' purchases of DEER securities as an aggravating factor, arguing that FINRA should have treated their misconduct as a "single, isolated incident." As Applicants note, the Sanction Guidelines authorize the aggregation or "batching" of violations for purposes of determining sanctions if, among other things, the violations result from a single systemic problem or cause.⁶⁰ But by imposing a unitary sanction, FINRA did in fact batch Applicants' violations, rather than imposing a separate sanction for each fraudulent sale of DEER securities.

Applicants argue that FINRA failed to consider certain factors they claim are mitigating, including their claims that: (1) they lack prior disciplinary history; (2) the violations stem from a single incident (the \$350,000 DEER payment); (3) although they did not disclose the \$350,000 payment to their customers, they did not actively conceal the DEER payment from anyone; (4) no customers were harmed by their failure to disclose the information; (5) their conduct was not reckless; and (6) they had not ignored warnings from FINRA or another regulator that they were obligated to disclose the information. Applicants additionally claim that FINRA imposed considerably lesser sanctions in *Kunz* and in its settlement agreement with First Merger's chief compliance officer for similar violations.

We find that each of Applicants' arguments is without merit. As we have held consistently in our review of FINRA proceedings, a lack of disciplinary history is not mitigating for sanctions purposes.⁶¹ And the violations do not stem from a single incident because Applicants engaged in a large number of separate transactions over a nine-month period. We find that, contrary to Applicants' claim that they did not conceal the \$350,000 payment from anyone, Applicants concealed the payment from the most important persons, their customers, who had no reason to expect that their broker had received a \$350,000 payment from an issuer shortly before recommending that issuer's securities. Further, Applicants concealed their misconduct by providing inaccurate and misleading information to FINRA investigators about the timing of the China trip, the receipt of the \$350,000, and whether they benefited from the use of those funds.⁶² Even if Applicants' assertion about the alleged lack of customer harm is correct

⁵⁹ *Id.* at 7 (providing that a principal consideration in determining sanctions is whether respondent "attempted to conceal information from FINRA, or to provide inaccurate or misleading testimony . . . to FINRA").

⁶⁰ *See id.* at 4 (General Principles Applicable to All Sanctions Determinations, No. 4).

⁶¹ *See, e.g., John B. Busacca III*, Exchange Act Release No. 63312, 2010 WL 5092726, at *16 & n.77 (Nov. 12, 2010) (citing *Rooms v. SEC*, 444 F.3d 1208, 1214 (10th Cir. 2006); and *Philippe N. Keyes*, Exchange Act Release No. 54723, 2006 WL 3313843, at *6 (Nov. 8, 2006) ("[L]ack of disciplinary history is not mitigating for purposes of sanctions because an associated person should not be rewarded for acting in accordance with his duties as a securities professional.")).

⁶² *See supra* note 59 and accompanying text.

(a question on which the record is silent), such a finding would not be mitigating.⁶³ Finally, we reject Applicants' contention that the failure of FINRA or compliance officers at Seaboard or First Merger to advise them of their duty to disclose the \$350,000 payment is mitigating. We have held that associated persons are responsible for their own compliance with FINRA Rules and cannot shift that responsibility to another individual or to FINRA.⁶⁴

Applicants' comparisons of their sanctions to sanctions imposed in other cases are unavailing. "[T]he appropriateness of the sanctions imposed depends on the facts and circumstances of the particular case and cannot be determined precisely by comparison with action taken in other cases."⁶⁵ Here, FINRA determined Applicants' sanctions based on the presence of the aggravating factors and the absence of mitigating factors with respect to Applicants' specific misconduct.

Separately, Applicants' reliance on the lesser sanctions imposed in a settled proceeding against First Merger's compliance officer is misplaced. The Commission has observed that "comparisons to sanctions in settled cases are inappropriate" because pragmatic considerations "such as the avoidance of time-and-manpower-consuming adversary proceedings" justify imposing lower sanctions in negotiating a settlement.⁶⁶ Further, "[l]itigated cases typically present a fuller, more developed record of facts and circumstances for purposes of assessing appropriate sanctions than do settled matters."⁶⁷

⁶³ *Edward S. Brokaw*, Exchange Act Release No. 70883, 2013 WL 6044123, at *18 & n.137 (Nov. 15, 2013) ("[T]he absence of . . . customer harm is not mitigating, as our public interest analysis focus[es] . . . on the welfare of investors generally.") (citing *Howard Braff*, Exchange Act Release No. 66467, 2012 WL 601003, at *7 & n.25 (Feb. 24, 2012) (internal quotations omitted); *PAZ Sec., Inc.*, Exchange Act Release No. 57656, 2008 WL 1697153, at *5 (Apr. 11, 2008) (holding that applicants' failures to comply with NASD rules "are not mitigated because those failures did not, in themselves, produce a monetary benefit to Applicants or result in injury to the investing public"), *petition denied*, 566 F.3d 1172 (D.C. Cir. 2009); *Coastline Fin., Inc.*, Exchange Act Release No. 41989, 54 SEC 388, 1999 WL 798874, at *5 (Oct. 7, 1999) (rejecting absence of customer harm as a mitigating factor for sanctions)).

⁶⁴ *See supra* note 35.

⁶⁵ *Dennis S. Kaminski*, Exchange Act Release No. 65347, 2011 WL 4336702, at *13 (Sept. 16, 2011); *see also Butz v. Glover Livestock Comm'n Co., Inc.*, 411 U.S. 182, 187 (1973) (holding that "[t]he employment of a sanction within the authority of an administrative agency is . . . not rendered invalid in a particular case because it is more severe than sanctions imposed in other cases"); *Geiger v. SEC*, 363 F.3d 481, 488 (D.C. Cir. 2004) (holding that, because the "Commission is not obligated to make its sanctions uniform," court would not compare sanction imposed in case to those imposed in previous case).

⁶⁶ *Kent M. Houston*, Exchange Act Release No. 71589, 2014 WL 651953, at *7 (Feb. 20, 2014).

⁶⁷ *Id.*

For the reasons discussed above, we sustain FINRA's imposition of bars in all capacities against both Applicants for their antifraud violations. The bars FINRA imposed on Applicants are remedial because they will protect the investing public by encouraging brokers to disclose all material adverse facts and conflicts of interest when they recommend securities to their customers. The bars also will deter others from selling securities to investors without disclosing all information necessary to avoid misleading those customers regarding the soundness and objectivity of their recommendations. We find the sanctions imposed on Scholander and Harris to be neither excessive nor oppressive.⁶⁸

An appropriate order will issue.⁶⁹

By the Commission (Chair WHITE and Commissioners STEIN and PIWOWAR).

Brent J. Fields
Secretary

⁶⁸ Because we find that the sanctions FINRA imposed were appropriately tailored to the violations at issue, we likewise sustain its imposition of costs.

FINRA stated that it would have fined each Applicant \$15,000 and suspended them in all capacities for three months for their Rule 3030 violations, but FINRA did not impose these sanctions in light of the bars it imposed for Applicants' antifraud violations. Applicants challenged these findings in their opening brief "to the extent the SEC imposes any sanction" for the Rule 3030 violations. Under Exchange Act Section 19(e)(2), our review of sanctions is limited to whether the sanctions imposed are excessive or oppressive. Because FINRA did not impose sanctions for the Rule 3030 violations, we do not make findings as to whether the sanctions FINRA would have imposed (absent the bars) were excessive or oppressive.

⁶⁹ We have considered all of the parties' contentions. We have rejected or sustained them to the extent that they are inconsistent or in accord with the views expressed in this opinion.

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 77492 / March 31, 2016

Admin. Proc. File No. 3-16360

In the Matter of the Applications of

WILLIAM SCHOLANDER
and
TALMAN HARRIS

For Review of Disciplinary Action Taken by

FINRA

ORDER SUSTAINING DISCIPLINARY ACTION TAKEN BY FINRA

On the basis of the Commission's opinion issued this day, it is
ORDERED that the disciplinary action taken by FINRA against William Scholander and
Talman Harris be, and it hereby is, sustained.
By the Commission.

Brent J. Fields
Secretary

Exhibit O

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | CASE NO. 1:15-CR-335-1 |
| Plaintiff, |) | |
| |) | |
| v. |) | JUDGE BENITA Y. PEARSON |
| |) | |
| WILLIAM SCHOLANDER, |) | |
| |) | |
| Defendant. |) | <u>ORDER</u> |

This matter is before the Court upon Magistrate Judge Kathleen B. Burke's Report and Recommendation ("R&R") that the Court accept Defendant William Scholander's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. [ECF No. 114](#).

On September 9, 2015, the Government filed an Indictment against Defendant alleging violations of 18 U.S.C. § 1349, 18 U.S.C. § 1348 and 18 U.S.C. § 1343, conspiracy to commit securities and wire fraud, securities fraud and wire fraud, respectively. [ECF No. 3](#). Thereafter, Defendant notified the Court of Defendant's intent to enter a plea of guilty. [ECF No. 101](#). The Court issued an order referring the matter to Magistrate Judge Burke for the purpose of receiving Defendant's guilty plea. [ECF No. 102](#).

On April 20, 2016, Magistrate Judge Burke held a hearing during which Defendant consented to the order of referral ([ECF No. 109](#)) and entered a plea of guilty as to Counts 1 and 2 of the Indictment. Magistrate Judge Burke received Defendant's guilty plea and issued a Report recommending that this Court accept Defendant William Scholander's plea and enter a finding of

Exhibit O

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guilty. [ECF No. 114](#).

The time limitation to file objections to the Magistrate Judge's Report and Recommendation has expired and neither party has filed objections or requested an extension of time.

Fed. R. Crim. P. 11(b) states:

Before the court accepts a plea of guilty or nolo contendere, the defendant may be placed under oath, and the court must address the defendant personally in open court. During this address, the court must inform the defendant of, and determine that the defendant understands, the following: (A) the government's right, in a prosecution for perjury or false statement, to use against the defendant any statement that the defendant gives under oath; (B) the right to plead not guilty, or having already so pleaded, to persist in that plea; (C) the right to a jury trial; (D) the right to be represented by counsel—and if necessary have the court appoint counsel—at trial and at every other stage of the proceeding; (E) the right at trial to confront and cross-examine adverse witnesses, to be protected from compelled self-incrimination, to testify and present evidence, and to compel the attendance of witnesses; (F) the defendant's waiver of these trial rights if the court accepts a plea of guilty or nolo contendere; (G) the nature of each charge to which the defendant is pleading; (H) any maximum possible penalty, including imprisonment, fine, and term of supervised release; (I) any mandatory minimum penalty; (J) any applicable forfeiture; (K) the court's authority to order restitution; (L) the court's obligation to impose a special assessment; (M) in determining a sentence, the court's obligation to calculate the applicable sentencing-guideline range and to consider that range, possible departures under the Sentencing Guidelines, and other sentencing factors under 18 U.S.C. §3553(a); and (N) the terms of any plea-agreement provision waiving the right to appeal or to collaterally attack the sentence.

The undersigned has reviewed the transcript and the Magistrate Judge's R&R and finds, that in her careful and thorough proceeding, Magistrate Judge Burke satisfied the requirements of Fed. R. Crim. P. 11 and the United States Constitution. Defendant was placed under oath and determined to be competent to enter a plea of guilty. Defendant was made aware of the charges

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and consequences of conviction and his rights and waiver thereof. Magistrate Judge Burke also correctly determined that Defendant had consented to proceed before the magistrate judge and tendered his plea of guilty knowingly, intelligently and voluntarily. Furthermore, the magistrate judge also correctly found that there was an adequate factual basis for the plea.

Upon *de novo* review of the record, the Report and Recommendation is adopted. Therefore, Defendant William Scholander is adjudged guilty of Counts 1 and 2 of the Indictment, conspiracy to commit securities and wire fraud, securities fraud and wire fraud, in violation of 18 U.S.C. § 1349, 18 U.S.C. § 1348 and 18 U.S.C. § 1343, respectively.

IT IS SO ORDERED.

May 23, 2016
Date

s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge