

Exhibit L

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOHN M. FIFE, et al.,

Defendants.

Case No. 1:20-cv-05227

Honorable Robert M. Dow, Jr.

**DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO
PLAINTIFF SECURITIES AND EXCHANGE COMMISSION**

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules of the Northern District of Illinois (the "Local Civil Rules"), Defendants John M. Fife ("Fife"), Chicago Venture Partners, L.P., Iliad Research and Trading, L.P., St. George Investments LLC, Tonaquint, Inc., and Typenex Co-Investment, LLC (collectively, "Defendants"), by and through their undersigned attorneys, hereby request that Plaintiff Securities and Exchange Commission ("Plaintiff") produce the documents, data compilations and tangible things specified below in its possession, custody or control, in accordance with the definitions and instructions set forth below, for inspection and copying at the offices of Gibson, Dunn & Crutcher LLP, 1050 Connecticut Avenue, N.W., Washington District of Columbia 20036 within thirty (30) days of the date of service hereof.

DEFINITION

The definitions and rules of construction set forth in Rule 34 of the Federal Rules of Civil Procedure and the Local Civil Rules are hereby incorporated and apply to this request for the

production of documents. The definitions used herein are chosen for clarification and the convenience of the parties, and should not be construed as admissions.

1. The “ACTION” shall refer to the action pending in the United States District Court for the Northern District of Illinois captioned *Securities and Exchange Commission v. John M. Fife, et al.*, No. 20 Civ. 05227 (N.D. Ill.).

2. “COMPLAINT” shall mean the Complaint filed by Plaintiff on September 3, 2020, in the Action.

3. “Concerning” means relating to, referring to, reflecting, describing, evidencing, constituting, containing, alluding to, germane to, mentioning, analyzing, setting forth, summarizing or characterizing, directly or indirectly, expressly or implicitly, in whole or in part, the subject matter of the document request.

4. “MARKET-ADJUSTABLE CONVERTIBLE NOTE” means any note or other debenture that is convertible into common stock at a discount to the prevailing market price.

5. “COMMUNICATION” or “COMMUNICATIONS” shall mean any oral, written, or electronic correspondence and evidence thereof, no matter how that correspondence or evidence is stored, memorialized, or fixed. They are further intended to include every conceivable manner or means of disclosure, transfer or exchange of oral, electronic, digital or written information between or among one or more persons or entities, including but not limited to, writings, correspondences, meetings, conferences, conversations, dialogues, discussions, interviews, consultations, agreements, inquiries and any other expressions or understandings, whether made face-to-face, by telephone, mail, facsimile, computer or otherwise.

6. “DOCUMENT” is used in its broadest sense and is meant to include all items, including all electronically stored information and electronic or computerized compilations, no

matter how any such documents are stored. As used herein, this term shall include, without limitation, writings, emails, reports, papers, notes, accounts, memoranda, correspondences, communications, worksheets, workpapers, analyses, contracts, charts, spreadsheets, agreements, working papers, corporate records, minutes of meetings, books of account, ledger books, notebooks, desk calendars, photographs, films, slides, audiotape, videotape, appointment books, diaries, drafts, memoranda of meetings or conversations, graphs, telephone records, computer tapes, computer discs, optical discs, laser discs, computer cards and computer printouts and other data compilations from which information can be obtained or translated, all electronic, mechanical, magnetic, optical or electric data, records or representations of any kind (including computer data, computer files, computer programs, hard drives, floppy disks, compact disks, tapes and cards existing on desktop computers, servers, backup tapes or any other medium), and all other electronically store information. The term includes all drafts of a document, the original document, and all copies that differ in any way from the original (including as to any notations, underlinings, or other markings).

7. “PERSON” or “PERSONS” includes any natural person or any legal entity.

8. “Refer,” “relate,” “referring” and “relating” mean to comprise, reflect, record, memorialize, embody, discuss, contradict, evaluate, consider, review or report on the subject matter of the request or to have been created, generated or maintained in connection with or as a result of the subject matter of the request.

9. “Interrogatory” means Defendants’ First Set of Requests for Interrogatories served on April 11, 2022.

10. “YOU” and/or “YOUR” refer to Plaintiff the U.S. Securities and Exchange Commission, as well as any of its present or former agents, commissioners, employees,

representatives, or any other person acting or purporting to act on its behalf or under its direction or control.

11. The masculine gender of any word used herein includes the feminine, and the singular includes the plural, and vice versa. The word “including” means including without limitation. The present tense shall be construed to include the past tense and vice versa. References to employees, officers, commissioners or agents shall include both current and former employees, officers, commissioners and agents.

12. “INVESTIGATION” means and refers to the investigation of DEFENDANTS and any other relevant person or entity conducted by YOU, or any other law enforcement or regulatory agency, regarding the allegations in the COMPLAINT.

13. “INTERVIEW” means and refers to any transcript, recording, or notes of an interview or other statements of an individual in YOUR possession, custody, or control, whether made before or after the filing of the COMPLAINT.

14. “TESTIMONY” means and refers to any transcript, recording, or notes of testimony or other statements provided under oath in YOUR possession, custody, or control, whether before or after the filing of the COMPLAINT.

INSTRUCTIONS

1. This First Request for Production of Documents requires that YOU produce documents in a manner that satisfies the requirements of Rule 34 of the Federal Rules of Civil Procedure and any applicable Local Civil Rules.

2. In answering and responding to these document requests, please furnish each and every Document that is in YOUR possession, custody, or control, or that is in the possession,

custody, or control of YOUR agents, employees, attorneys, accountants, representatives, and any other persons or entities acting on YOUR behalf.

3. Each request herein for a document or documents to be produced contemplates production of the document in its entirety without abbreviations or expurgation, including all exhibits, attachments, or other matters affixed thereto. Documents attached to each other, including, but not limited to, by staple, clip, tape, email attachment, or “Post-It” note, should not be separated. The production must also include, where applicable, any index tabs, file dividers, designations, binder spine labels, or other similar information as to the source and/or location of the Documents.

4. If a document responsive to any request is no longer in YOUR possession, custody or control, state what disposition was made of the document and the date of such disposition, and identify all persons having knowledge of the document’s contents.

5. If a document responsive to any request is no longer in YOUR possession, but a copy of said document has been maintained by YOUR representative, agent or consultant (such as, but not limited to, any of YOUR accountants, auditors, attorneys, or experts), include such document in YOUR production.

6. If any document requested herein was formerly in YOUR possession, custody or control and has been lost, destroyed or otherwise disposed of, furnish a list identifying each such document and stating the following information with respect to each document: the nature of the document and its contents; the person(s) who prepared or authored the document and, if applicable, the person(s) to whom the document was sent or to whom the contents of the document were divulged; the date on which the document was prepared or transmitted; and the date on which the document was lost, destroyed or otherwise disposed of, the conditions of and

reasons for such destruction or other disposition, and the persons requesting and performing the destruction or other disposition.

7. One copy of each document requested is to be produced. Any copy of a document that varies in any way from the original or from any other copy of the document, whether by reason of handwritten or other notation or otherwise, shall constitute a separate document and must be produced, whether or not the original of such document is within Plaintiff's possession, custody, or control.

8. If any document requested herein is withheld from production under a claim of privilege or legal protection against disclosure, Plaintiff shall furnish in writing a response sufficient to (1) identify the nature of the privilege or other ground for protection against disclosure (including work product) which is being claimed and, if the privilege is governed by state law, indicate the state's privilege rule being invoked; and (2) provide the following information: (i) the type of document withheld (e.g., letter or memorandum); (ii) the general subject matter of the document; (iii) the date of the document; and (iv) the author of the document, the addressees of the document, and any other recipients, and, where not apparent, the relationship of the author, addressees, and recipients to each other.

9. If information is redacted from a document produced in response to a request, Plaintiff shall identify the redaction by stamping the word "Redacted" on the document at each place where information has been redacted and separately logging each redaction on a privilege log, or other written statement of the grounds for assertion of privilege or other legal protection against disclosure.

10. If any request or any portion thereof is objected to, state the grounds for objection with specificity and produce Documents to the extent the request is not objected to. All

objections to any category of documents to be produced pursuant to this request must be made in a written response served on counsel for Defendants within the time period for responding to this request.

11. Each request herein requires that Plaintiff produces any and all files from personal computers, notebook or laptop computers, file servers, cellular phones, minicomputers, mainframe computers, Web servers, Internet servers, or other storage devices including but not limited to web pages, hard disk drives, floppy disks, databases, and backup or archival tapes, containing the requested documents.

12. Electronically stored information, including but not limited to email, web pages and .html files, shall be produced in the form or forms in which it is ordinarily maintained or in a form that is reasonably usable.

13. If YOU cannot fully respond to a document request, after a diligent attempt to obtain the requested information, YOU must answer the Document request to the extent possible, specify the portion of the Document request YOU are unable to answer, and provide whatever information YOU have regarding the unanswered portion.

14. Any capitalized terms used in these Requests and not otherwise defined herein shall have the meaning(s) set forth in the Complaint.

15. These Requests are continuing in nature. If, after responding to these Requests, YOU obtain or become aware of any further responsive documents, YOU are required to make a supplemental production of those documents.

16. Documents should be produced in the following format: As single-page TIFF images, at 300 dot-per-inch ("dpi"), with an iPRO LFP image load file and a Concordance delimited dataload file (*.DAT) with the following fields: BEGNO, ENDNO, BEGATTACH,

ENDATTACH, PAGES, VOLUME, RECORDTYPE, SENTDATE, SENTONETIME, CREATEDATE, CREATETIME, LASTMODDATE, LASTMODTIME, RECEIVEDDATE, RECEIVEDTIME, PARENTFOLDER, AUTHOR, TO, CC, BCC, SUBJECT/TITLE (fields combined), ORIGSOURCE, CUSTODIAN, NATIVEPATH, ATTACHOUNT, FILEEXT, FILENAME, FILETYPE, FILESIZE, APPLICATION, MD5HASH, and FULL TEXT. All spreadsheets, powerpoints, documents containing other embedded documents, and documents containing hidden information, responsive to these requests that are maintained in the usual course of business in electronic format shall be produced in their native format (along with the TIFF images, linked using NATIVEPATH field).

RELEVANT TIME PERIOD

The relevant time period, unless otherwise indicated, shall be from 2015 through the present and shall include all Documents and information which relate in whole or in part to such period, or to events or circumstances during such period, even though dated, prepared, generated, or received prior to that period. Requests 18-23, 25-27, 32-33, 41-47, and 52-63 call for the production of all relevant Documents regardless of date.

DOCUMENTS TO BE PRODUCED

1. All DOCUMENTS and COMMUNICATIONS that might be considered part of the Commission's "Investigative Files," as that term is used in the Enforcement Manual, in the INVESTIGATION, including:

- a. All DOCUMENTS and other materials obtained by or shared with the Commission from other regulatory or law enforcement or regulatory agencies, individuals, and entities;
- b. All DOCUMENTS and other materials received from any individual,

entity, or third party;

- c. All subpoenas or formal or informal requests for DOCUMENTS, TESTIMONY, materials, or information issued by the Commission or its law enforcement partners in connection with this INVESTIGATION, including any cover letters and responses to those subpoenas or requests;
- d. All DOCUMENTS and materials reflecting any COMMUNICATIONS with any other individual, entity, third party, or government regulator or agency, or any attorney or agent for such individual, entity, third party, or government regulator or agency;
- e. All declarations and affidavits received by or created by YOU in connection with YOUR INVESTIGATION, including those shown or provided to any individual, entity, third party, or government regulator; and
- f. All DOCUMENTS that constitute or refer to any COMMUNICATION with a whistleblower in connection with YOUR INVESTIGATION.

2. All DOCUMENTS and COMMUNICATIONS relating to the COMPLAINT or the INVESTIGATION.

3. All notes, written summaries, reports, transcripts, recordings, or other DOCUMENTS reflecting statements, TESTIMONY, or INTERVIEWS conducted by the Commission, or any other law enforcement or regulatory agency, including any exhibits to that TESTIMONY and those INTERVIEWS, regarding the allegations in the COMPLAINT or the INVESTIGATION.

4. All DOCUMENTS marked as exhibits or otherwise used in connection with any

INTERVIEW or TESTIMONY regarding the allegations in the COMPLAINT or the INVESTIGATION.

5. All DOCUMENTS relied upon by PLAINTIFF in drafting the COMPLAINT or otherwise referenced in the COMPLAINT.

6. All DOCUMENTS and COMMUNICATIONS concerning DEFENDANTS.

7. All DOCUMENTS and COMMUNICATIONS concerning any accounting or other analysis performed, commissioned, or requested by YOU relating to the INVESTIGATION or the allegations of the COMPLAINT.

8. All non-disclosure agreements, non-waiver agreements, confidentiality agreements, tolling agreements, or other agreements between YOU and any other individual or entity, including but not limited to any agreement permitting YOU to review, copy, read or otherwise view any materials created or collected during the course of the INVESTIGATION.

9. All COMMUNICATIONS, and all DOCUMENTS reflecting any COMMUNICATIONS, concerning the INVESTIGATION or the ACTION with any other government regulator, law enforcement agency, or self-regulatory organization.

10. All requests for voluntary INTERVIEWS or meetings to any person concerning the INVESTIGATION, including, but not limited to, any COMMUNICATIONS concerning the scope of the voluntary INTERVIEWS or meetings.

11. All DOCUMENTS and COMMUNICATIONS between or among the SEC Commissioners regarding the INVESTIGATION and the authorization to commence this lawsuit.

12. All final examination or inspection reports prepared by the Division of Examinations (including the former Office of Compliance Inspections and Examinations), the

Division of Trading and Markets, the Division of Corporation Finance, or the Division of Economic and Risk Analysis relating to the INVESTIGATION or this ACTION.

13. DOCUMENTS sufficient to show the identity of any experts you relied upon or consulted as part of the INVESTIGATION.

14. All DOCUMENTS, materials, and work product shared with or generated by any expert with whom YOU consulted regarding the INVESTIGATION or this litigation.

15. All DOCUMENTS and COMMUNICATIONS reviewed or relied on by any expert that YOU intend to offer as a witness in this litigation.

16. All DOCUMENTS YOU would be obligated to produce to Defendants pursuant to SEC Rule of Practice 230, including any evidence that may contain exculpatory evidence consistent with the doctrines set forth in *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972).

17. All DOCUMENTS that YOU would be obligated to produce to Defendants pursuant to SEC Rule of Practice 231, including any and all statements of any person to be called as a witness by PLAINTIFF that would be required to be produced pursuant to the Jencks Act, 18 U.S.C. § 3500.

18. All DOCUMENTS concerning analyses (including, but not limited to, any cost-benefit, regression, correlation, or event study analysis) whether done by YOU or on YOUR behalf relating to:

- a. YOUR proposal to eliminate “tacking” for purposes of calculating the holding period for securities acquired upon the conversion of MARKET-ADJUSTABLE CONVERTIBLE SECURITIES, *see Rule 144 Holding Period and Form 144 Filings*, 86 Fed. Reg. 5063 (Jan. 19, 2021);

- b. The amendment to Rule 144(d)(3)(ii) to codify the position of the Division of Corporation Finance in the letter regarding Planning Research Corporation, *see Revisions to Rules 144 and 145*, 72 Fed. Reg. 71,546, 71,555-56 & n.143 (Dec. 17, 2007);
- c. Shortening the holding period for the resale of restricted securities, *see Revisions to Rules 144 and 145*, 72 Fed. Reg. 71,546 (Dec. 17, 2007).

19. All DOCUMENTS relating to the September 29, 2020 statements by former Commissioner Elad L. Roisman (available at <https://www.sec.gov/news/speech/roisman-us-treasury-conference-2020-09-29>) regarding whether to designate principal trading firms as dealers for purposes of YOUR rules. Such DOCUMENTS include but are not limited to:

- a. All DOCUMENTS, including internal COMMUNICATIONS, analyses, and other materials, that were prepared or relied upon by Commissioner Roisman or YOUR staff in reaching the determination “that most PTFs are not SEC-registered dealers.”

20. All DOCUMENTS relating to the November 17, 2021 statements by Chair Gary Gensler (available at <https://www.sec.gov/news/speech/gensler-us-treasury-market-conference-20211117>) regarding whether to require principal trading firms to register as dealers. Such DOCUMENTS include but are not limited to:

- a. All DOCUMENTS, including internal COMMUNICATIONS, analyses, and other materials, that were prepared or relied upon by Chair Gensler or YOUR staff in reaching the determination that requiring principal trading firms to register as dealers would “close the regulatory gap.”

21. All DOCUMENTS relating to the June 5, 2014 statements by former Chair Mary

Jo White (available at <https://www.sec.gov/news/speech/2014-spch060514mjw>) regarding the status of unregistered active proprietary traders. Such DOCUMENTS include but are not limited to:

- a. All DOCUMENTS, including internal COMMUNICATIONS, analyses, and other materials, that were prepared or relied upon by Chair White or YOUR staff in reaching the determination that a “rule” was needed to “subject” “active proprietary traders” “to our rules as dealers.”

22. All DOCUMENTS relating to the April 19, 2013 statements by former Commissioner Luis Aguilar (available at <https://www.sec.gov/news/speech/2013-spch041913laahtm>) regarding the regulatory requirements applicable to institutional investors. Such DOCUMENTS include but are not limited to:

- a. All DOCUMENTS, including internal COMMUNICATIONS, analyses, and other materials, that were prepared or relied upon by Commissioner Aguilar or YOUR staff in reaching the determination “many” “hedge funds and managed accounts” are “unregulated.”

23. All DOCUMENTS concerning, supporting, or contradicting the allegation in paragraph 2 of YOUR COMPLAINT that John Fife “is a recidivist violator of the federal securities laws.”

24. All DOCUMENTS concerning, supporting, or contradicting the allegation in paragraph 20 of YOUR COMPLAINT that “Defendants held themselves out to the public as being willing to buy convertible notes at a regular place of business.”

25. All DOCUMENTS concerning, supporting, or contradicting the allegation in paragraph 25 of YOUR COMPLAINT that “Selling large quantities of newly-issued shares into

the market is a common attribute of a securities dealer.”

26. All DOCUMENTS concerning, supporting, or contradicting the allegation in paragraph 28 of YOUR COMPLAINT that the use of “This mechanism, which gave Defendants a spread or markup on the stock that they sold, is a common attribute of a securities dealer.”

27. The “207 disclosures regarding convertible securities” YOU referenced in Securities Act Release No. 10,911. *Rule 144 Holding Period and Form 144 Filings*, 86 Fed. Reg. 5063, 5073 (Jan. 19, 2021).

28. All COMMUNICATIONS with the Basile Law Firm (including with the emails mark@thebasilelawfirm.com; eric@thebasilelawfirm.com; cat@thebasilelawfirm.com; gus@thebasilelawfirm.com; and marjorie@thebasilelawfirm.com) concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES. Such COMMUNICATIONS include but are not limited to:

- a. COMMUNICATIONS concerning the ACTION;
- b. COMMUNICATIONS concerning other litigation or potential litigation concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES.

29. All COMMUNICATIONS with Barry Bordetsky (including with the email barry@bordetskiy.com) concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES. Such COMMUNICATIONS include but are not limited to:

- a. COMMUNICATIONS concerning the ACTION;
- b. COMMUNICATIONS concerning other litigation or potential litigation concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES.

30. All COMMUNICATIONS with Brenda Hamilton (including with the email bhamilton@securitieslawyer101.com) concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES. Such COMMUNICATIONS include but are not limited to:

- a. COMMUNICATIONS concerning the ACTION;
- b. COMMUNICATIONS concerning other litigation or potential litigation concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES.

31. All COMMUNICATIONS with FINRA concerning MARKET-ADJUSTABLE CONVERTIBLE SECURITIES.

32. The Guide to Broker-Dealer Registration published on YOUR website states: “If you are doing, or may do, any of the activities of a broker or dealer, you should find out whether you need to register. Information on the broker-dealer registration process is provided below. If you are not certain, you may want to review SEC interpretations, consult with private counsel, or ask for advice from the SEC’s Division of Trading and Markets by calling (202) 551-5777 or by sending an e-mail to tradingandmarkets@sec.gov.” Produce all DOCUMENTS and COMMUNICATIONS from April 1, 2008 to present concerning questions to, or responses from, the Division of Trading and Markets concerning:

- a. whether a PERSON may need to register as a dealer; and
- b. activities that may be indicative of dealer activity.

33. DOCUMENTS from 2008 to present sufficient to show all versions of the Guide to Broker-Dealer Registration published on YOUR website.

34. ALL DOCUMENTS or COMMUNICATIONS concerning any disagreement or dispute with the President of the United States or the Executive Office of the President concerning YOU or any Commissioner, including but not limited to: (a) DOCUMENTS or

COMMUNICATIONS concerning disagreements or disputes concerning YOUR enforcement priorities or actions; (b) DOCUMENTS OR COMMUNICATIONS concerning disagreements or disputes concerning YOUR interpretation of any federal securities law; (c) DOCUMENTS OR COMMUNICATIONS concerning disagreements or disputes concerning any of YOUR proposed or final rules; (d) DOCUMENTS OR COMMUNICATIONS concerning any effort or attempt to replace or remove any Commissioner; and (e) DOCUMENTS OR COMMUNICATIONS concerning any suggestion that any Commissioner should be replaced or removed.

35. All DOCUMENTS or COMMUNICATIONS received by a Commissioner or a Commissioner's staff concerning restrictions on the President's ability to remove a Commissioner.

36. All DOCUMENTS concerning the President of the Securities Investor Protection Corporation. Such DOCUMENTS include but are not limited to:

- a. DOCUMENTS concerning the appointment of the President of the Securities Investor Protection Corporation;
- b. DOCUMENTS concerning the responsibilities of the President of the Securities Investor Protection Corporation.

37. All COMMUNICATIONS with the President of the Securities Investor Protection Corporation.

38. All COMMUNICATIONS, or DOCUMENTS concerning COMMUNICATIONS, with third-parties concerning the holders of convertible notes being characterized as dealers. Such COMMUNICATIONS and DOCUMENTS include but are not limited to:

- a. All DOCUMENTS concerning the call referenced in a May 26, 2020 email exchange between Jennifer Zepralka (SEC), Brian Lebrechth, Keith Woodwell, and Kody Condos, with the subject line “Small Business Concern.”
- b. COMMUNICATIONS between the Division of Trading and Markets or Division of Examinations, on the one hand, and Alpine Securities Corp., Benjamin & Jerold Brokerage, Primary Capital, Scottsdale Capital Advisors, Viewtrade Securities, Westpark Capital, J.H. Darbie & Co., or Lek Securities Corp., on the other.

39. All memoranda concerning whether holders of convertible notes must register as dealers.

40. All COMMUNICATIONS, or DOCUMENTS reflecting COMMUNICATIONS, concerning the Commissioners’ authorization to file the enforcement actions in this ACTION, *SEC v. Keener*, No. 20-cv-21254 (S.D. Fla.), *SEC v. Fierro*, No. 3:20-cv-2104 (D.N.J.), *SEC v. River North*, No. 19-cv-1711 (N.D. Ill.), *SEC v. Almagarby*, No. 17-cv-62255 (S.D. Fla.), *SEC v. Carebourn Capital*, No. 21-cv-2114 (D. Minn.), and *SEC v. GPL Ventures LLC*, No. 21-cv-6814 (S.D.N.Y.). This request is limited to DOCUMENTS or COMMUNICATIONS that were produced or that occurred within seven calendar days after the Commissioners authorized the filing of each action.

41. All DOCUMENTS concerning the “screening process” referenced in John W. White’s February 23, 2007 remarks (available at <https://www.sec.gov/news/speech/2007/spch022307jww.htm>) concerning “convertible securities

where the securities are convertible into a large number of shares of common stock relative to the issuer's outstanding shares.”

42. All DOCUMENTS sufficient to show the identify of all YOUR current or former officials, staff, or employees who participated in any formal or informal working group or task force that has considered whether holders of convertible debt need to register as dealers.

43. DOCUMENTS sufficient to show the identity of all PERSONS who registered as dealers with YOU between 1934 and 1941.

44. All DOCUMENTS concerning:

- a. the document Bates-stamped CHI-000071-CHI-000074;
- b. the document Bates-stamped CHI-000075-CHI-000078;
- c. the document Bates-stamped CHI-000079-CHI-000083; and
- d. the document Bates-stamped CHI-000084-CHI-000091.

45. All Schedule 13Gs filed by any DEFENDANT.

46. All DOCUMENTS concerning a Schedule 13G filed by any DEFENDANT.

47. All DOCUMENTS concerning the Division of Corporation Finance's filing review of any filing that references any DEFENDANT.

48. All DOCUMENTS concerning the Division of Corporation Finance's filing review of any filing that references a MARKET-ADJUSTABLE CONVERTIBLE NOTE.

49. All policies, processes, procedures, memos, instructions, guidelines, manuals, or alerts for staff in the Division of Corporation Finance concerning the filing review process for filings that discuss or reference MARKET-ADJUSTABLE CONVERTIBLE NOTES.

50. All DOCUMENTS concerning questions, comments, or complaints received by the Office of Investor Education and Advocacy concerning MARKET-ADJUSTABLE

CONVERTIBLE NOTES. Such DOCUMENTS include but are not limited to any responses to such questions, comments, or complaints.

51. All COMMUNICATIONS between the Division of Examinations and a registered broker or dealer concerning the sale or deposit of shares obtained from the conversion of a MARKET-ADJUSTABLE CONVERTIBLE NOTE. Such COMMUNICATIONS include but are not limited to COMMUNICATIONS with Alpine Securities Corp., Benjamin & Jerold Brokerage, Primary Capital, Scottsdale Capital Advisors, Viewtrade Securities, Westpark Capital, J.H. Darbie & Co., and Lek Securities Corp.

52. Documents sufficient to show all prior versions of the “Convertible Securities” page currently available at <https://www.investor.gov/introduction-investing/investing-basics/glossary/convertible-securities>.

53. All DOCUMENTS, including internal COMMUNICATIONS, analyses, and other materials, that were prepared or relied upon by YOU in reaching the determination at <https://www.investor.gov/introduction-investing/investing-basics/glossary/convertible-securities> that “the company and the purchaser normally agree that the company will register the underlying common stock for the purchaser’s resale prior to conversion.”

54. In Exchange Act Release No. 54,048, YOU found that “During the first quarter of 2000, PowerLinx issued convertible debentures, raising cash proceeds of over \$2.5 million.” *In re Accounting Consultants, Inc.*, 2006 WL 1765159 (June 27, 2006). Produce those convertible debentures and DOCUMENTS sufficient to identify the holders of those convertible debentures.

55. In Securities Act Release No. 8968, YOU found that “As of December 23, 2004, AERO had seven convertible debentures outstanding.” *In re Aero Performance Products, Inc.*,

2008 WL 4394239 (Sept. 29, 2008). Produce those convertible debentures and DOCUMENTS sufficient to identify the holders of those convertible debentures.

56. In Securities Act Release No. 8964, YOU found that “From January 1, 2004 to March 31, 2004, StarInvest issued \$325,000 in 8% to 12% convertible debentures, with varying terms from six to twelve months, convertible at a discount of 25%-50% of the closing bid price.” *In re StarInvest*, 2008 WL 4394232 (Sept. 29, 2008). Produce those convertible debentures and DOCUMENTS sufficient to identify the holders of those convertible debentures.

57. In Securities Act Release No. 8985, YOU found that “On September 22, 2004, 5G Wireless issued two convertible notes to private investors in exchange for \$2 million,” and that “On March 22, 2005, 5G Wireless issued convertible notes to three private investors in exchange for \$1 million.” *In re 5G Wireless Communications, Inc.*, 2008 WL 4999110 (Nov. 25, 2008). Produce those convertible notes and DOCUMENTS sufficient to identify the holders of those convertible notes.

58. All comments received in File No. S7-32-87 (Expedited Publication of Interpretative, No-Action and Certain Exemption Letters).

59. All DOCUMENTS cited in YOUR response to Interrogatory No. 2.

60. All procedures, policies, or manuals referenced in YOUR response to Interrogatory No. 5.

61. All priority memos, risk alerts, staff letters, special studies and reports, speeches, or other resources referenced in YOUR response to Interrogatory No. 6.

62. All interpretations referenced in YOUR response to Interrogatory No. 7.

Dated: April 11, 2022

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Respectfully submitted,

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