

Exhibit O

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
JOHN M. FIFE, CHICAGO VENTURE)
PARTNERS, L.P., ILIAD RESEARCH AND)
TRADING, L.P., ST. GEORGE)
INVESTMENTS LLC, TONAQUINT, INC.,)
AND TYPENEX CO-INVESTMENT, LLC,)
)
Defendants.)
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Civil Action No. 1:20-cv-05227

Honorable Nancy L. Maldonado
Honorable Heather K. McShain

DECLARATION OF MARTHA MITCHELL

I, Martha Mitchell, pursuant to 28 U.S.C. 1746, do hereby declare as follows:

- 1. I am over 21 years of age and am a natural born citizen of the United States.
- 2. I am employed in the Office of the Chief Information Officer of the U.S.

Securities and Exchange Commission (the “SEC”).

3. This declaration is based upon my personal knowledge and upon information that I have obtained from other SEC staff.

4. I attest that a SEC eDiscovery search identified by trial counsel in this case was conducted and recovered from the SEC Enterprise Vault Journal Archive on November 7, 2022 by SEC employee Valerie Vollmers. The emails recovered from the Journal Archive have not been altered from the date of their receipt by SEC.

5. The search found 261 results for email communications based on the following search parameters requested by trial counsel: from 2015 to the present, emails between any SEC custodian and any of the email addresses:

- mark@thebasilelawfirm.com; or
- eric@thebasilelawfirm.com; or
- cat@thebasilelawfirm.com; or
- gus@thebasilelawfirm.com; or
- marjorie@thebasilelawfirm.com

and which contain any the following search terms:

- convertible and note; or
- convertible and debt; or
- convertible and debenture; or
- convertible and security; or
- convertible and securities; or
- Fife

6. The search found 19 results for email communications based on the following search parameters requested by trial counsel: from 2015 to the present, emails between any SEC custodian and the email address barry@bordetskiylaw.com and which contains any of the following search terms:

- Convertible and note; or
- convertible and debt; or
- convertible and debenture; or

- convertible and security; or
- convertible and securities; or Fife

7. The search found 113 results for email communications based on the following search parameters requested by trial counsel: from 2015 to the present, emails between any SEC custodian and the email address bhamilton@securitieslawyer101.com, and which contains any of the following search terms:

- convertible and note; or
- convertible and debt; or
- convertible and debenture; or
- convertible and security; or
- convertible and securities; or
- Fife

8. The search found 9,318 results for email communications based on the following search parameters requested by trial counsel: from 2015 to the present, emails between any SEC custodian and any custodian with an email address ending in @finra.org, and which contains any the following search terms:

- convertible and note; or
- convertible and debt; or
- convertible and debenture; or
- convertible and security; or
- convertible and securities

9. The search found 31,976 results for email communications based on the following search parameters requested by trial counsel: from 2015 to the present, emails between any SEC custodian and any custodian with an email address ending in @whitehouse.gov

10. The search found 1,204,224 results for email communications based on the following search parameters requested by trial counsel: from 2015 to the present, emails of any SEC custodian in the Division of Trading and Markets or Division of Examinations which contain the following search terms: Alpine and Securities and dealer; Benjamin and Jerold and Brokerage and dealer; Primary and Capital and dealer; Scottsdale and Capital and Advisors and dealer; Viewtrade and Securities and dealer; Westpark and Capital and dealer; Darbie and dealer; Lek and Securities and dealer.

11. The search found 614,366 results for email communications based on the following search parameters requested by trial counsel: from February 2007 through the present, emails of any SEC custodian which contain the following search terms: screen and convertible.

12. The search found 35,078 results for email communications based on the following search parameters requested by trial counsel: for emails of any SEC custodian (a) for the period April 2011 through December 2011, emails which contain the following search terms: Helix and Wind; (b) for the period March 2014 through March 2015, emails which contain the following search terms: Vegas and Railway and Express; (c) for the period April 2013 through December 2013, emails which contain the following search terms: Silver and Falcon and Mining; (d) for the period July 2014 through December 2014, emails which contain the following search terms: Solar and Wind and Energy and Tower.

13. The search found 4,076,959 results for email communications based on the following search parameters requested by trial counsel: from 2008 to the present, emails of any SEC custodian which contain the following search terms:

- John and Fife;
- Chicago and Venture and Partners;
- Iliad and Research and Trading;
- St. and George and Investments; Tonaquint; or Typenex and Co-Investment.

I hereby declare under penalty of perjury, in accordance with 28 U.S.C. § 1746, that the foregoing is true and correct. Executed on the 7th day of November 2022.

MARTHA
MITCHELL

Digitally signed by
MARTHA MITCHELL
Date: 2022.11.07
16:20:55 -05'00'

MARTHA MITCHELL

Management and Program Analyst

Enterprise Infrastructure

eDiscovery Task Lead

Office of the Chief Information Officer

U.S. Securities and Exchange Commission