

**CARY LEE PETERSON  
BOP REGID: 23401-111 SENATE LOBBY ID: 401103650 FCI SHERIDAN  
PRISON CAMP P.O. BOX 6000, U5  
SHERIDAN, OR 97378**

/

**AUGUST 15, 2019**

/

**ATTENTION TO:**

**HON. CHIEF JUDGE D. BROOKS SMITH; AND  
HON. JUDGE F. RESTREPO**

**/@/ U.S. COURT OF APPEALS IN THE THIRD CIRCUIT (PHILADELPHIA,  
PA)**

**[In re: USA v. Peterson, Appeal No. 19-1093; and In re: Disability Petition filed  
by Cary Lee Peterson (July 2019)]**

**; AND**

**HON. CHIEF JUDGE FREDA WOLFSON; AND  
HON JUDGE MICHAEL HAMMER**

**/@/ U.S. DISTRICT COURT IN THE NEW JERSEY DISTRICT (TRENTON,  
NJ)**

**[In re: SEC v. RVPlus, Inc., et al, 2:16-cv-01428; Peterson v. Garvey, 3:18-cv-  
14649; and USA v. Peterson, 3:16- 230-AET];**

**CC:**

**ASSOCIATE JUSTICE HON. SAMUEL ALITO [THIRD CIRCUIT JUSTICE] -  
U.S. SUPREME COURT (WASHINGTON, D.C.) [CC-1] [In re: Notice of  
Petition for Judicial Comity of Prerogative Writ under S. Ct. Rule 22];**

**NEW JERSEY ATTORNEY GENERAL GREWAL - STATE OF NEW  
JERSEY, LAW DIVISION (TRENTON, NJ) [CC-2], [In re: Petition for  
Injunction or Peace Warrant on Public Nuisance for Public Interest];**

**CHAIRMAN SEN. JOHNNY ISAKSON - SENATE SELECT COMMITTEE ON ETHICS (WASHINGTON, D.C.) [CC-3], [In re: Letter from Senate Committee Staff Director - Censure Petition on Senator Sanders (8/8/2019)];**

**CHAIRMAN SEN. LINDSAY GRAHAM - SENATE JUDICIARY COMMITTEE (WASHINGTON D.C.) [CC-4], [In re: Sen. Sanders Censure Petition to Senate Ethics Committee];**

**ATTORNEY GENERAL WILLIAM BARR - EXECUTIVE OFFICE OF U.S. ATTORNEYS, U.S. JUSTICE DEPARTMENT (WASHINGTON, D.C.) [CC-5];**

**MARK WATSON, ESQ. - ATTORNEY ETHICS COMMITTEE, NEW JERSEY SUPREME COURT (CLARKSBURG, NJ) [CC-6];**

**HON. CHIEF JUDGE MICHAEL MOSSMAN - U.S. DISTRICT COURT IN THE OREGON DISTRICT (EUGENE, OR) [CC-7], [In re: Peterson v. Federal Public Defender of New Jersey, Garvey Schubert Barer, et al., 19-cv- 00436-MC];**

**Page 1 of 3 8/16/2019**

**ATTORNEY GENERAL WILLIAM BARR - EXECUTIVE OFFICE OF U.S. ATTORNEYS, U.S. JUSTICE DEPARTMENT (WASHINGTON, D.C.) [CC-5];**

**MARK WATSON, ESQ. - ATTORNEY ETHICS COMMITTEE, NEW JERSEY SUPREME COURT (CLARKSBURG, NJ) [CC-6];**

**HON. CHIEF JUDGE MICHAEL MOSSMAN - U.S. DISTRICT COURT IN THE OREGON DISTRICT (EUGENE, OR) [CC-7], [In re: Peterson v. Federal Public Defender of New Jersey, Garvey Schubert Barer, et al., 19-cv- 00436-MC];**

**CHIEF JUDGE HON. SIDNEY THOMAS - U.S. COURT OF APPEALS IN THE NINTH CIRCUIT (SAN FRANCISCO, CA) [CC-8], [In re: Judicial Disability Petition from Cary Lee Peterson (July 2019)];**

**HON. JUDGE LEONARD STARK - U.S. DISTRICT COURT IN THE DELAWARE DISTRICT (WILMINGTON, DE) [CC-9], [In re: Peterson v. RVPlus, Inc., et al., 1:18-cv-00704-LPS]**

**[“CC-1” through “CC-9” represent Federal tribunals or judicial officials that have pertinent interest or relative proceedings pursuant to the legal matter of this court submission (“Garvey-Peterson Ordeal”; or “GPO”); hereafter referred to as “TRIBUNALS”]**

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IN RE: UNITED STATES V. PETERSON, APPEAL NO. 19-1093 (3RD CIR.);  
SEC V. RVPLUS, INC., ET AL., C.C. NO. 2:16-CV-01428; PETERSON V.  
GARVEY SHUBERT BARER, C.A. NO. 14649 --- CERTIFICATION OF  
APPELLANT'S NOTICE(S) TO THE COURT PURSUANT TO FED. R. EVID.  
201 AND 902, RCFC 40.2, AND S. CT. RULE 22, AND ADOPTION OF  
NONPARTY FILINGS OF AFFIDAVIT(S) OR DECLARATION(S)

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Dear Circuit Chief Judge Smith, Circuit Judge Restrepo, and District Chief  
Judge Woldson:

I, Cary Lee Peterson ["Appellant"; Petitioner; Pro Se], a prisoner in the Bureau  
of Prisons at FCI Sheridan, Oregon, whom is a Senate lobbying registrant  
(Senate Lobby ID: 401103650), hereby certify and submit this

"Letter Brief" in lieu of a formal legal memorandum and brief, in efforts to  
expeditiously, effectively, and respectfully move the court on Judicial Notice to  
the Court on Adjudicative Facts for Public Interest, as of 8/11/2019, for  
Related Cases pursuant to to RCFC 40.2; whereby the aforesaid direct and  
copied recipients of this Letter Brief, and have a legal interest in the legal  
matter of the instant case(s) of the court of appeals and district court(s) in The  
Third Circuit matters disclosed herein below.

THEREBY, Appellant asks that the court and recipients of Letter Brief  
acknowledge the judicial comity pursuant to the order granted for Appellant's  
Petition for Prerogative Writ for Extraordinary (Interlocutory) Relief on  
Uncontested Motions and Consideration for Appellant's Motion for Bail  
Pending Appeal, granted by the court of appeals on or about 6/13/2019.

IN ADDITION, Appellant request that the court grant his adoption (and  
incorporation with the instant case) of former open letters, affidavits, or  
declaration filed with the court or Tribunals between 7/1/2019 and 8/31/2019  
by [Nonparty] Amanda Liu [Appellant's public relations representative under  
Limited Power-of-Attorney Agreement granted by Appellant]. And, wherefore,  
shall any Nonparty filing pursuant to Fed. R. Evid. P. 201 and 902 be  
admissible for submission to the court on behalf of Appellant as Accelerated  
Disclosure, in efforts to provide transparency for public interest, and Tribunals  
who may require the self-authenticating evidence for pending or future

proceedings in respect to Garvey-Peterson Ordeal, or the instant case(s) specifically.

FURTHER, Appellant makes notice to the court and Tribunals of the ex-parte communication (an argument attacking Appellant's former motion for dismissal) with the U.S. District Court of New Jersey in SEC v. RVPlus, Inc., et al., notwithstanding the court's order for "Joint Status Report" to be filed by 8/8/2019, which did not occur. In addition, the SEC attorney failed to duly execute Process of Service to Appellant (who is a co-defendant in SEC v. RVPlus, Inc.). More importantly, Exhibit 32-3 of SEC v. RVPlus includes a letter from the Supreme Court of New Jersey, whereby states that the SEC attorney(s) and special U.S. attorneys (under 28 U.S.C. 543) were at no time licensed to practice law in the State of New Jersey; whereby voids any litigation or special privilege or immunity in an official capacity, if there is a notice of impropriety or federal [particularly 18 U.S.C. 4, and 245; 42 U.S.C. 2000aa; and 18 U.S.C.S. Appx. 2X1.1], , or state provisions [particularly N.J.S. 2C-5-2, 2C:13-2, and 2C: 2-2); N.J.S.C. RPC 3.4(g), 4.2, 5.5, and 8.4 ] violated (or the appearance thereof), as a virtual representative, accomplice witness under vicarious liability, or direct perpetrator or solicitor of tort or conspiracy against Appellant [i.e., Kaye and Sholer LLP; Sen. Bernie Sanders; Brad C. Deutsch; Thomas Klein; Paul J. Fishman].

IN CONCLUSION, Appellant reiterates that, in the nonce, the JUDICIAL COMITY from the U.S. Third Circuit

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Court (the highest judicial authority that has decreed relief or adjudication in all proceedings of Garvey-Peterson Page 2 of 3 8/16/2019

Ordeal) has not been duly honored or acknowledged by the lower courts or court administration. Hence,

no time licensed to practice law in the State of New Jersey; whereby voids any litigation or special privilege or

immunity in an official capacity, if there is a notice of impropriety or federal [particularly 18 U.S.C. 4, and 245; 42 U.S.C. 2000aa; and 18 U.S.C.S. Appx. 2X1.1], , or state provisions [particularly N.J.S. 2C-5-2, 2C:13-2, and 2C: 2-2); N.J.S.C. RPC 3.4(g), 4.2, 5.5, and 8.4 ] violated (or the appearance thereof), as a virtual representative, accomplice witness under vicarious liability, or direct perpetrator or solicitor of tort or conspiracy against Appellant [i.e., Kaye and Sholer LLP; Sen. Bernie Sanders; Brad C. Deutsch; Thomas Klein; Paul J. Fishman].

**IN CONCLUSION, Appellant reiterates that, in the nonce, the JUDICIAL COMITY from the U.S. Third Circuit Court (the highest judicial authority that has decreed relief or adjudication in all proceedings of Garvey-Peterson Ordeal) has not been duly honored or acknowledged by the lower courts or court administration. Hence, Appellant's appeal proceedings and relative cases in Tribunals are precluded from effective and expeditious adjudication; i.e., on 5/14/2018, U.S.D.J. Stark of Delaware District stated that legal matters of Appellant's federal criminal case in Trenton, New Jersey and [Stark's] civil case against RVPlus, Inc., [RVPlus CEO-President] Christopher Day, and [RVPlus Stock Transfer Agent] ARTCO "overlap," and he would administratively close Appellant's civil case in Delaware until New Jersey matters were resolved. "Ad hoc," judicial and equitable estoppels from privies and virtual representatives within the private sector, and government and court administration of "Garvey" and "Doe" [as identified in U.S.D.J. McShane (Oregon) and U.S.D.J. Martinotti (N.J.) cases]. Hence, two judges have been recused and reassigned, two judicial disability petitions have been filed, and Censure Petition Against U.S. Senator Bernard Sanders of Vermont was filed by Appellant under his [active] Senate lobbying registrant identification number [401103650] with U.S. Senate Select Committee on Ethics.**

**Thus, derogation from the public nuisances of the aforementioned intervening forces that have interfered with the administration of justice, and ultrahazardous activity commissioned or solicited by Garvey Schubert Barer, Garvey (law firm) owner Braden ("Brad") Deutsch, and other principals, partners, or associates of Garvey (law firm) (referred to as "John Doe" in related cases) at an unsound risk, pursuant to ["Gotcha Evidence"] SEC v. RVPlus, Inc. (2:16-cv-01428, 3rd Cir. U.S.D.N.J.), ECF Doc. No. 32-1 [Exhibit A]; whereby corroborates "factum probans" of "culpa lata" among ECF Doc. No(s). 32-2, 32-3 (Exhibits C-H), that Garvey (law firm), Deutsch, Doe, and [Garvey's client] Sen. Bernard Sanders are partially or wholly responsible miscarriage of justice and interference with administration of justice with the instant case (incl. conspiracy under criminal negligence and conspiracy; N.J.S. 2C:5-2), whereby resulted in a a \$61 million lawsuit settlement demand for damage and liability filed by Appellant against "Garvey" and pertinent nonparties that have a nexus to Garvey (law firm) and John Doe, fault liability, and Appellant had filed joinder motions to add as codefendants in Peterson v. Garvey Shubert Barer, et al., 3:18-cv-14649-BRM (3rd Cir. U.S.D.N.J.).**


**Additionally, on or about 8/6/2019, the SEC has moved in an ex-parte action with the district court for a summary judgment for collateral estoppel on securities fraud and false certification claims against Appellant (whereby**

concur or stipulate with Appellant's former motions for dismissal of SEC charges that are parallel to Day-ARTCO Administrative Proceeding of 5/26/2016, and USA v. Peterson Criminal Judgment of Conviction of 12/20/2018).

Additionally, [special] AUSA Fontecchio, an associate at Kaye and Sholer LLP (whom allegedly compensated Mr. Fontecchio as a private attorney for private investigation or prosecution against Appellant while he was serving as a special attorney for the United States government) has filed a request to cancel detainer or recognizance order from district for the clandestine criminal case USA v. [organization] "Bet on Bernie (Carey Lee Peterson) [see USA v. Peterson, ECF Doc. No. 171]. Whereby, ECF Doc. No. 171 "res cips," thereby should be incorporated to the instant case under Fed. R. Evid. 902, as clear and convincing (self-authenticating) evidence that the arbitrary arrest of Appellant on 3/13/2016 at SFO Int'l Airport, U.S.M.J. Dickson's Order for Arrest Warrant on 3/10/2016, and Judgment of Conviction of 12/20/2018 was a pretextual, private, and malicious prosecution, as Appellant had formerly pleaded throughout all proceedings of Tribunals between 2017 and the present. (Thus, the district court shows that Date of Arrest of Appellant was on 4/13/2016 and Criminal Complaint of 3/10/2016 and Indictment of 5/10/2016 do not state any Organizational party or charges related to a political organization, as disclosed in ECF Doc. No. 171, filed by AUSA Fontecchio in July 2019.

NOTE: Appellant's Power-of-Attorney Agent shall submit a physical copy of this Letter Brief upon his submission via the BOP mail system.

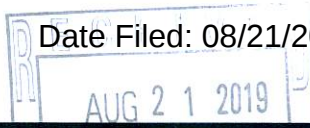
Respectfully submitted,

s/  Date: 8/16/2019  
Cary Lee Peterson - Appellant

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Page 3 of 3

8/16/2019



# U.S. Securities and Exchange Commission

## U.S. SECURITIES AND EXCHANGE COMMISSION

Litigation Release No. 23489 / March 16, 2016

*Securities and Exchange Commission v. Cary Lee Peterson, et al.*, Civil Action No. 2:16-cv-01428-WHW-CLW (D.N.J., filed March 14, 2016)

### SEC Charges CEO of Microcap Company for Touting Bogus "Clean Energy" Contracts with Foreign Governments

The Securities and Exchange Commission charged a microcap company CEO for falsely claiming to have a lucrative relationship with the United Nations and billions of dollars in clean energy contracts with foreign governments.

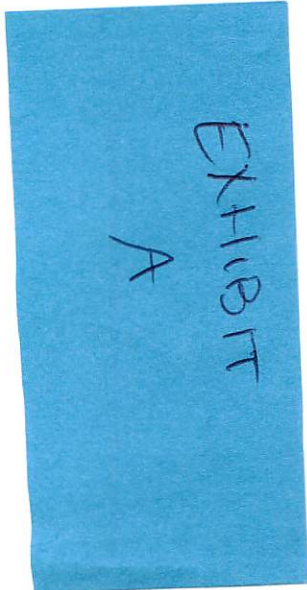
The SEC alleges that RVPlus Inc. CEO Cary Lee Peterson made bogus claims in the company's public filings and in statements to private investors, and that he and RVPlus participated in an unlawful distribution of RVPlus's stock. The SEC temporarily suspended trading in RVPlus securities in July 2013, citing "material deficiencies" in the company's financial statements.

According to the SEC's complaint filed in U.S. District Court for the District of New Jersey:

- Starting in May 2012, Peterson filed periodic reports with the SEC claiming that RVPlus had a lucrative relationship with the United Nations and clean energy agreements with governmental bodies in Nigeria, Haiti, and Liberia worth \$2.8 billion. RVPlus had no relationship with the U.N. and the contracts were fictitious.
- Peterson repeatedly claimed in RVPlus's SEC filings that RVPlus had issued invoices and was owed millions of dollars in accounts receivable on the bogus contracts.
- RVPlus and Peterson gained control of more than 90 percent of RVPlus's free trading shares and gave them to individuals who unlawfully sold them into the market.

The SEC's complaint charges Peterson and RVPlus with violating the antifraud provisions of the securities laws, including Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934, and Exchange Act Rule 10b-5 and the registration provisions of the securities laws, Section 5(a) and 5(c) of the Securities Act. The SEC's complaint further charges Peterson with aiding and abetting RVPlus's violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934, and Exchange Act Rule 10b5.

In a parallel action, the U.S. Attorney's Office for the District of New Jersey



announced criminal charges against Peterson.

The SEC's investigation was conducted by Megan R. Genet, Bennett Ellenbogen, Jordan Baker and Adam Grace of the New York office. The SEC's litigation will be conducted by Preethi Krishnamurthy and Megan R. Genet and supervised by Lara Shalov Mehraban. The SEC appreciates the assistance of the U.S. Attorney's Office for the District of New Jersey, the Federal Bureau of Investigation, the Financial Industry Regulatory Authority, and the British Columbia Securities Commission.

► [SEC Complaint](#)

<http://www.sec.gov/litigation/litreleases/2016/lr23489.htm>

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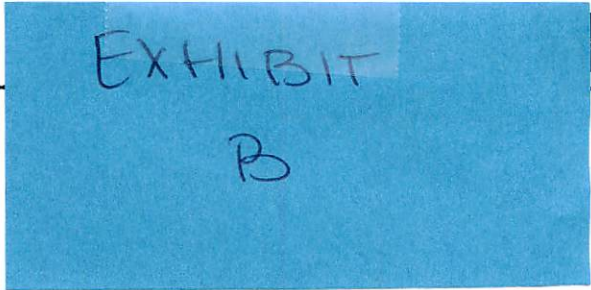
Modified: 03/16/2016



Exhibit B

United States Department of Justice

s Attorneys



THE UNITED STATES ATTORNEYS OFFICE  
DISTRICT *of* NEW JERSEY

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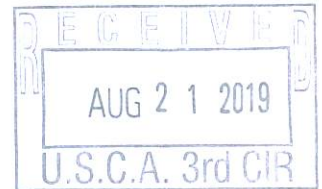
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Department of Justice  
U.S. Attorney's Office  
District of New Jersey



FOR IMMEDIATE RELEASE

Monday, March 14, 2016

## CEO Of Microcap Company Charged With Securities Fraud For Falsely Claiming Millions In Revenue From Contracts With Nigeria And Other Foreign Countries

NEWARK, N.J. – The chief executive officer of a publicly traded microcap company made his initial court appearance in San Francisco today on charges he allegedly filed false reports with the U.S. Securities and Exchange Commission and made false statements in press releases and blog posts, U.S. Attorney Paul J. Fishman announced.

Cary Lee Peterson, 36, of Texas and Arizona, is charged by complaint with two counts of false certification and one count of securities fraud. FBI agents arrested Peterson March 13, 2016, at San Francisco International Airport when he arrived on an international flight. He is scheduled to appear this afternoon before U.S. Magistrate Judge Joseph C. Spero in San Francisco federal court.

According to the complaint:

Peterson, as CEO of RVPlus Inc., filed numerous false reports with the SEC, including:

- On Aug. 21, 2012, Peterson falsely certified on SEC Form 8-K that RVPlus had entered into a contract worth \$1.8 billion with the "Ministry of Environment for Katsina State Within the Federal Republic of Nigeria" to provide unspecified green energy products and services (the "Nigeria Agreement");
- On Nov. 16, 2013, Peterson falsely certified on SEC Form 8-K that RVPlus had entered into a contract worth \$90 million with the "Commission of the Foreign Affairs to the Senate for the Republic of Haiti" (the "Haiti Agreement").

- On Dec. 21, 2012, Peterson falsely certified on Form 10-Q for the quarter that ended Oct. 31, 2012 that RVPlus held \$8,653,846 in short-term accounts receivable for services rendered under the Nigeria Agreement. He did so despite prior warnings from RVPlus' auditors that reporting these receivables as revenue was improper;
- On Dec. 27, 2012, Peterson falsely certified on SEC Form 8-K that RVPlus had entered into a contract worth \$10.5 million with the Federal Ministry of Planning & Economic Affairs for the Republic of Liberia (the "Liberia Agreement");
- On March 28, 2013, Peterson falsely certified on SEC Form 10-Q for the quarter that ended on Jan. 31, 2013, that RVPlus held \$17,590,837 in short-term accounts receivable from, among other sources, the Haiti and Liberia agreements.

The SEC suspended trading in RVPlus on July 19, 2013, due to questions concerning the accuracy of RVPlus' periodic financial filings, including reported accounts receivable, assets, and operations.

In addition to the false SEC reports, Peterson also published false and misleading press releases and drafted blog posts under a phony name in which he touted the benefits of the Nigeria, Haiti, and Liberia agreements.

Peterson also claimed that ECCO2 Corp., a not-for-profit owned by Peterson, had licensed certain intellectual property to RVPlus and that ECCO2 Corp. was an "affiliate organization" of the United Nations Convention on Climate Change. Peterson claimed that "[t]his status held with the sectors of the United Nations opens many windows of opportunity to over \$100 billion in financial aid to fund ECCO2 projects." ECCO2 was never an "affiliate" of the U.N. Convention on Climate Change. In fact, the U.N. wrote to Peterson on two separate occasions demanding that ECCO2 stop claiming that it was.

Each count with which Peterson is charged carries a maximum penalty of 20 years in prison and a maximum fine of \$5 million. The SEC also filed a civil complaint against Peterson today in New Jersey federal court in Newark alleging multiple counts of securities fraud.

U.S. Attorney Fishman credited special agents of the FBI, under the direction of Acting Special Agent in Charge Andrew Campi in Newark, with the investigation leading to today's charges. Mr. Fishman thanked special agents of the FBI, under the direction of Special Agent in Charge David J. Johnson, in San Francisco, and for their assistance with Mr. Peterson's arrest. He also thanked the Securities and Exchange Commission New York Regional office under the direction of Andrew M. Calamari, Regional Director.

The government is represented by Assistant U.S. Attorney Jonathan M. Peck of the U.S. Attorney's Office General Crimes Unit in Newark and Assistant U.S. Attorney Lloyd Farnham in San Francisco.

The charges and allegations contained in the complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

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**Attachment(s):**

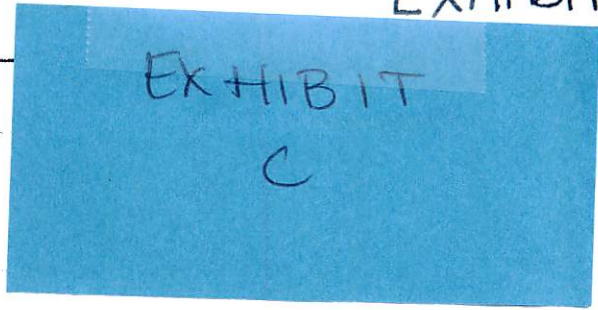
[Download peterson cary lee complaint.pdf](#)

**Topic(s):**

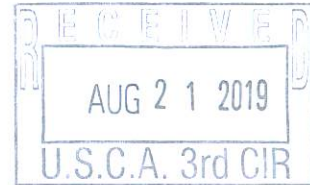
Securities, Commodities, & Investment Fraud

Exhibit C

Search



# Pro-Bernie Sanders super PAC leader charged with fraud



Michael Beckel, Center for Public Integrity - March 15, 2016

Cary Lee Peterson — the creator of a purportedly pro-Bernie Sanders super PAC that collected nearly \$50,000 from “James Bond” actor Daniel Craig — was arrested Sunday in San Francisco by the FBI and charged with securities fraud, Department of Justice officials announced.

Peterson “defrauded investors by issuing false filings and press releases touting its purportedly lucrative — but wholly fictitious — business deals,” according to one of the government’s complaints against him.

In all, the U.S. Attorney’s Office criminally charged Peterson with one count of securities fraud and two of false certification.

Each count carries a maximum penalty of 20 years in prison and a maximum fine of \$5 million.

The Securities and Exchange Commission also filed a civil complaint against Peterson in federal court in New Jersey alleging multiple counts of securities fraud.

Government officials say Peterson, who could not immediately be reached for comment, obtained more than \$100,000 from his actions.

Peterson is currently in federal custody, scheduled to appear in federal court in San Francisco on Wednesday for a detention hearing, said Matthew Reilly, a

Popular in the Community

**Bernie Sanders says midterm elections show progressives can win the presidency**

5% 76% 19%

**Denzel's Announcement Leaves Family Speechless**

Fit Minded Me Sponsored

spokesman for the U.S. Attorney's Office in New Jersey.

Peterson's latest run-in with law enforcement — he has a previous arrest and two active arrest warrants in Arizona — stems from activities that predate his involvement in 2016 presidential politics.

**Former WFAN radio host Craig Carton convicted of fraud**

Reached by the Center for Public Integrity, Brad Deutsch, general counsel of Sanders' presidential campaign, said he was "not at all surprised" by the news of Peterson's arrest.

Last year, Sanders' campaign twice sent Peterson cease-and-desist letters, arguing that his super PAC was "illegal" and "causing harmful confusion for supporters of Senator Sanders' campaign," as the Center for Public Integrity previously reported.

**Ineffective Assistance of Counsel, Virtual Currency Fraud, and Bank Immunity**

Peterson has largely ignored the letters' demands, which include taking down his websites and social media pages.

**Minnesota's Ilhan Omar projected to be 1st Somali-American to win seat in Congress**

8% 83% 11%

Peterson's foray into the 2016 White House race came in February 2015, when he launched his super PAC, then called Ready for Bernie Sanders 2016. He later renamed it "Americans Socially United" to comply with federal rules barring supportive political committees from using candidates' names without authorization.

**Wall Street Legend Issues Strong BUY Alert**  
Banyan Hill Sponsored \*

As a super PAC, Americans Socially United can collect donations in unlimited amounts from individuals, corporations and labor unions to spend — independently — in support of Sanders' campaign.

As of June 30, 2015, Americans Socially United was about \$50,000 in debt, according to its most recent campaign finance report. That's after it reported raising about \$100,000 from dozens of donors, including some who told the Center for Public Integrity they thought they were donating to Sanders' own campaign.

**Lucy McBeth's Win Puts the New Georgia on Full Display**

Americans Socially United failed to file a report, due in January, that would have detailed its fundraising and expenses during the second half of 2015.

**Rick Scott Claims Fraud, Seeks Florida Law Enforcement Probe Of Election Officials**

A donation of \$47,300 from Craig, who has portrayed

Exhibit D

**FEDERAL COMMUNITY DEFENDER OFFICE  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FEDERAL COURT DIVISION DEFENDER ASSOCIATION OF PHILADELPHIA

SUITE 540 WEST -- THE CURTIS CENTER  
601 WALNUT STREET  
PHILADELPHIA, PA 19106

**LEIGH M. SKIPPER**  
CHIEF FEDERAL DEFENDER

PHONE NUMBER (215) 928-1100  
FAX NUMBER (215) 928-1112  
FAX NUMBER (215) 928-0822  
FAX NUMBER (215) 861-3159

**HELEN A. MARINO**  
FIRST ASSISTANT FEDERAL DEFENDER

April 3, 2019

Cary Lee Peterson, Reg. #23401-111  
FCI Sheridan  
Federal Correctional Institution  
P.O. Box 5000  
Sheridan, OR 97378

**RE: United States v. Cary Lee Peterson**  
**Appeal No.**

Dear Mr. Peterson:

Pursuant to our discussion yesterday, enclosed is the motion to withdraw as counsel that I filed in the Court of Appeals for the Third Circuit. I will let you know when Court rules on the motion.

Very truly yours,



**ROBERT EPSTEIN**  
Assistant Federal Defender

RE/vc  
Enclosure

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

**UNITED STATES OF AMERICA :**

**V. : APPEAL NO. 19-1093**

**CARY LEE PETERSON, :  
Appellant**

**MOTION TO WITHDRAW**

Cary Lee Peterson, Appellant in the above-captioned action, by his counsel, Robert Epstein, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests that the Court allow him to withdraw as appellate counsel and in support of this request states:

1. Appellant Cary Lee Peterson was charged by indictment at Criminal Case No. 16-cr-00230 in the District of New Jersey with two counts of false certification, in violation of 18 U.S.C. § 1350; and one count of securities fraud, in violation of 15 U.S.C. §§ 78j(b) and 78ff and 17 C.F.R. § 240.10b-5.

2. After a jury trial, Mr. Peterson was found guilty of these charges and was sentenced on December 28, 2018 by the Honorable Anne E. Thompson to a total term of imprisonment of fifty-two (52) months, a term of supervised release of three (3) years, restitution, and a special assessment.

3. On January 9, 2019, Mr. Peterson filed a timely notice of appeal.

4. Additionally, Mr. Peterson filed several motions *pro se*, including a motion for bail pending appeal, a letter indicating his desire to proceed *pro se*, and a motion for waiver of counsel.

5. On March 19, 2019, the Federal Community Defender Organization (FCDO) for the Eastern District of Pennsylvania was appointed to represent Mr. Peterson. Undersigned counsel entered his appearance on April 2, 2019.

6. Counsel has consulted with Mr. Peterson and he has unequivocally stated his desire to unconditionally waive his right to counsel and proceed *pro se* in this appeal. Mr. Peterson has further instructed counsel to file the instant motion to withdraw as his attorney so that he may represent himself.

**WHEREFORE**, Cary Lee Peterson, by his counsel respectfully requests the Court allow undersigned counsel to withdraw as appellate counsel.

Respectfully submitted,

/s/ Robert Epstein

ROBERT EPSTEIN

Assistant Federal Defender

**CERTIFICATE OF SERVICE**

I, Robert Epstein, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have electronically filed and served a copy of the *Motion to Withdraw* upon Filing User, Mark E. Cone, Assistant United States Attorney, through the Third Circuit Court of Appeals' Electronic Case Filing (NextGen CM/ECF) system, and upon appellant, Cary Lee Peterson, Registration Number 23401-111, by first class U.S. mail to FCI Sheridan, P.O. Box 5000, Sheridan, OR 97378.

/s/ Robert Epstein  
ROBERT EPSTEIN

DATE: April 2, 2019



Supreme Court of New Jersey  
DISTRICT ETHICS COMMITTEE  
For Monmouth County  
DISTRICT IX

Exhibit E

F. PATRICK ACCISANO, *Chair*  
CLAIRE SCULLY, *Vice Chair*  
SCOTT J. BASEN  
MICHAEL G. CELLI, JR.  
BRIAN J. CHABAREK  
I. MARK COHEN  
WILLIAM E. DENVER  
MICHAEL DETZKY  
JUSTIN M. ENGLISH  
G. AARON JAMES  
MATTHEW JORDAN  
LISA KRENKEL  
LORYN M. LAWSON  
THOMAS MADDEN  
VINCENT MANNING  
ROBERT K. MARCHESE  
JOSEPH A. PETRILLO  
LAURENCE I. ROTHSTEIN  
LAWRENCE H. SHAPIRO  
MARGARET SPAZIANI  
M. SCOTT TASHJY  
JOHN R. TATULLI  
TARA WALSH  
LISA MICELI WATERS

MARK B. WATSON, ESQ.  
Secretary, District IX  
SAHIN & WATSON, PC  
15 Carts Tavern Road  
P.O. Box 838  
Clarksburg, New Jersey 08510



January 7, 2019

PUBLIC MEMBERS

PHILICIA BLACKNALL  
LAURA BRINKERHOFF  
JENNIFER SIROIS  
ROBERT TENDLER  
JOHN W. TOBIA  
THOMAS WHITE

PERSONAL AND CONFIDENTIAL

Cary Lee Peterson  
One Waterworks Road, #1-43903  
Freehold, New Jersey 07728

Dear Mr. Peterson:

I write in reference to the Attorney Ethics Grievance Form, and attached handwritten notes pertaining to "AEGF #2 - SEC Attorney." Specifically, Subsection "B" refers to "Andrew M. Calamari; Lara S. Mehraban; Adam Grace; Preethi Krishnamurthy; Bennett Ellenbogen; and Megan R. Genet." I am unable to find that Andrew M. Calamari; Lara S. Mehraban; Adam Grace; Preethi Krishnamurthy; Bennett Ellenbogen; and Megan R. Genet." are/is, or ever was an attorney licensed to practice within the State of New Jersey. If you have anything to the contrary, kindly supply this office with a copy of same. The address you have listed for all of these individuals is 200 Vesey Street, Suite 400, Brookfield Place, New York, New York 10281-1022. Otherwise, no action will be taken with respect to this grievance as the New Jersey Supreme Court would not have any jurisdiction over the conduct of these attorneys within the State of New Jersey. Thank you.

Very truly yours,

Mark B. Watson, Secretary  
District IX Ethics Committee

SUPREME COURT OF NEW JERSEY  
DISTRICT ETHICS COMMITTEE

Exhibit F

For Monmouth County  
DISTRICT IX

F. PATRICK ACCIANGOLA, Jr.  
CLAIRE SCULLY, *Vice-Chair*  
SCOTT J. BASEN  
MICHAEL G. CELI, JR.  
BRIAN J. CHABA  
I. MARK COHEN  
WILLIAM F. DEVEREUX  
MICHAEL D. D'AMICO  
JUSTIN M. ENGLISH  
G. AARON JAMES  
MATTHEW JORDAN  
LISA KRENKEL  
LORYN M. LAWSON  
THOMAS MADDEN  
VINCENT MANNING  
ROBERT K. MARCHESE  
JOSEPH A. PETRILLO  
LAURENCE I. ROTHSTEIN  
LAWRENCE H. SHAPIRO  
MARGARET SPAZIANI  
M. SCOTT TASHJY  
JOHN R. TATULLI  
TARA WALSH  
LISA MICELI WATERS

MARK B. WATSON, ESQ.  
Secretary, District IX  
SAHIN & WATSON, PC  
15 Carrs Tavern Road  
P.O. Box 838  
Clarksburg, New Jersey 08510



January 7, 2019

PUBLIC MEMBERS

PHILICIA BLACKNALL  
LAURA BRINKERHOFF  
JENNIFER SIROIS  
ROBERT TENDLER  
JOHN W. TOBIA  
THOMAS WHITE

PERSONAL AND CONFIDENTIAL

Cary Lee Peterson  
One Waterworks Road, #1-43903  
Freehold, New Jersey 07728

Dear Mr. Peterson:

I write in reference to the Attorney Ethics Grievance Form, and attached handwritten notes pertaining to "AEGF #3 – USAO - NJ." Specifically, Subsection "B" refers to "Fontecchio, Ari" and "Intrater, Zach." I am unable to find that Ari Fontecchio or Zach Intrater are/is, or ever was an attorney licensed to practice within the State of New Jersey. If you have anything to the contrary, kindly supply this office with a copy of same. Otherwise, no action will be taken with respect to this grievance as the New Jersey Supreme Court would not have any jurisdiction over the conduct of these attorneys within the State of New Jersey. Thank you.

Very truly yours,

Mark B. Watson, Secretary  
District IX Ethics Committee

Exhibit G

# State of Delaware

## Annual Franchise Tax Report

CORPORATION NAME <b>RVPLUS INC.</b>			TAX YR. <b>2011</b>	
FILE NUMBER <b>4783195</b>	INCORPORATION DATE <b>2010/01/29</b>	RENEWAL/REVOCACTION DATE		
PRINCIPAL PLACE OF BUSINESS <b>4278 Chegwidden Ln</b>		PHONE NUMBER <b>801/674-3757</b>		
Taylorsville ut 84123 United States				
REGISTERED AGENT <b>CORPORATION SERVICE COMPANY</b>			AGENT NUMBER <b>9000014</b>	
2711 CENTERVILLE ROAD SUITE 400  WILMINGTON DE 19808				
BEGIN DATE	AUTHORIZED STOCK END DATE	DESIGNATION/ STOCK CLASS	NO. OF SHARES	PAR VALUE/ SHARE
2010/01/29		PREFERRED	100,000,000	.000100
		COMMON	200,000,000	.000100
OFFICER	NAME	STREET/CITY/STATE/ZIP		TITLE
	<b>Christopher M Day</b>	<b>4278 Chegwidden Ln</b>		<b>President CEO CFO</b>
Taylorsville UT 84123 United States				
DIRECTORS	NAME	STREET/CITY/STATE/ZIP		
	<b>Christopher M Day</b>	<b>4278 Chegwidden Ln</b>		
<b>Taylorsville ut 84123 United States</b>				
<b>Total number of directors:1</b>				
<i>NOTICE: Pursuant to 8 Del. C. 502(b), If any officer or director of a corporation required to make an annual franchise tax report to the Secretary of State shall knowingly make any false statement in the report, such officer or director shall be guilty of perjury.</i>				
	AUTHORIZED BY (OFFICER, DIRECTOR OR INCORPORATOR)	DATE	TITLE	
	<b>Christopher M Day</b>	<b>2012-01-19</b>	<b>President CEO CFO</b>	
<b>4278 Chegwidden Ln</b>				
<b>Taylorsville UT 84123 United States</b>				

June/July 15

Exhibit H

Ex.H (1)

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

Subject: RE: Bernie Sanders Donations  
Date: 2015-07-23 06:28 PM  
From: Brad Deutsch <BDeutsch@gsblaw.com>  
To: "clpeterson@sociallyunited.org" <clpeterson@sociallyunited.org>  
Cc: "ncarter@bernie.org" <ncarter@bernie.org>

Hi Cary,

The FEC's regulations require that you return these contribution directly to the contributors and that you do so with 10 days of receipt. See 11 CFR 103.3 and 11 CFR 110.6.

Brad

BRAD C. DEUTSCH

Owner | 202.298.1793 Tel | 301.466. Mobile | 202.965.1729 Fax | bdeutsch@gsblaw.com  
GARVEY SCHUBERT BARER | 5th Floor | 1000 Potomac Street NW | Washington, DC 20007 | GSBLaw.com  
This e-mail is for the sole use of the intended recipient(s). It contains information that is confidential and/or legally privileged. If you believe that it has been sent to you in error, please notify the sender by reply e-mail and delete the message. Any disclosure, copying, distribution or use of this information by someone other than the intended recipient is prohibited.

From: Peterson, Cary [mailto:clpeterson@sociallyunited.org]  
Sent: Wednesday, July 22, 2015 8:26 PM  
To: ncarter@bernie.org  
Cc: Brad Deutsch <BDeutsch@gsblaw.com>  
Subject: Bernie Sanders Donations

Nick,

The PAC is getting a few mail-in checks that are made out to "Bernie Sanders" or "Bernie Sanders for President" by mistake. I was going to forward these to you guys. Send me an address and who to be made attention to and I can have this sent over.

PS: Sen. Sanders is looking real sharp these days. We're working hard on our side. The pro-Sanders 2016 social media network 500K members/followers strong. We're pushing for 1 million before Labor Day. Moving in to clobber HC's number of supporters [THE GOAL]. Don't forget us little guys over here. Take care.

Ex.H (2)

-  
CARY L. PETERSON, CHIEF DIRECTOR

-  
AMERICANS SOCIALLY UNITED  
(Formerly Ready for Bernie Sanders 2016)  
T: (202) 838-8060  
M: (646) 504-  
E: clpeterson@sociallyunited.org

Ex. H (3)

We're ready to make that contribution in the amount of \$47,300. Please call me.

\*\*\*Please Note My New Contact information\*\*\*

FFO Small  
Joseph Fox  
Director  
Flynn Family Office  
West 50th Street. [REDACTED]  
New York, NY 10020  
Direct Tel: [REDACTED]  
Direct Fax: (646) 453-[REDACTED]  
Cell No. (917) 862-[REDACTED]  
E-Mail: jfox@flynnfamily[REDACTED].com

From: Cary Peterson [mailto:clpeterson@betonbernie.com]  
Sent: Monday, July 13, 2015 4:11 PM  
To: Joseph Fox  
Subject: Fwd: FW: Your Voicemail

Joe,

See response from Sanders' chief counsel below.. Please advise.

Regards,

---  
Cary L. Peterson, Chief Director

READY FOR BERNIE SANDERS 2016

T: (202) 838-8060

M: (646) 504-[REDACTED]

E: clpeterson@betonbernie.com

W: http://www.betonbernie.com

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

Subject:  
FW: Your Voicemail  
Date:  
2015-07-13 04:00 PM  
From:  
Brad Deutsch <BDeutsch@gsblaw.com>  
To:  
"clpeterson@betonbernie.com" <clpeterson@betonbernie.com>

From: Brad Deutsch

Ex. H (4)



Sent: Monday, July 13, 2015 9:09 AM  
To: 'clpeterson@rpflegal.com'  
Subject: Your Voicemail

Hi Cary I got your voicemail from over the weekend.

As you know, we cannot have any discussions along the lines you referred to.  
<Conflict of interest with FEC despite the fact of the PAC's Pro-Sanders support of campaign>  
I hope all is well with you otherwise.

Regards,

Brad

BRAD C. DEUTSCH

Owner | 202.298.1793 Tel | 301.466.1[REDACTED] Mobile | 202.965.1729 Fax | bdeutsch@gsblaw.com  
GARVEY SCHUBERT BARER | 5th Floor | 1000 Potomac Street NW | Washington, DC 20007 | GSBLaw.com  
This e-mail is for the sole use of the intended recipient(s). It contains information that is confidential and/or legally privileged. If you believe that it has been sent to you in error, please notify the sender by reply e-mail and delete the message. Any disclosure, copying, distribution or use of this information by someone other than the intended recipient is prohibited.

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This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

**Disclaimer**

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, FFO would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

June/July

Ex. H (5)

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

Subject: RE: Letter from Bernie 2016, Inc.  
Date: 2015-07-16 04:49 PM  
From: Brad Deutsch <BDeutsch@gsblaw.com>  
To: "clpeterson@sociallyunited.org" <clpeterson@sociallyunited.org>  
Cc: Clpeterson <clpeterson@rpflegal.com>

Hi Cary got your voicemail.

I understand that this organization is not affiliated with you but I wanted to make sure that you were aware of the Advisory opinion voted on today by the FEC confirming that it is not permissible for a non-candidate committee to use a candidate's name in the names (e.g., URLs) of any of its websites and related Facebook pages and Twitter accounts.

From: Peterson, Cary [mailto:clpeterson@sociallyunited.org]  
Sent: Thursday, July 16, 2015 4:30 PM  
To: Brad Deutsch <BDeutsch@gsblaw.com>  
Cc: Clpeterson <clpeterson@rpflegal.com>  
Subject: RE: Letter from Bernie 2016, Inc.

Brad,

I called you and left a voice message. I am not familiar with the websites or organizations mentioned.

Regards,

---  
CARY L. PETERSON, CHIEF DIRECTOR

AMERICANS SOCIALLY UNITED  
(Formerly Ready for Bernie Sanders 2016)  
T: (202) 838-8060  
M: (646) 504-  
E: clpeterson@sociallyunited.org  
W: http://www.betonbernie.com  
On 2015-07-16 04:07 PM, Brad Deutsch wrote:

Hi Cary just an FYI that the FEC unanimously voted to approve the attached draft Advisory Opinion at the Commission's public meeting this morning.

Brad



Ex. H (6)

From: Cary Peterson [mailto:clpeterson@betonbernie.com]  
Sent: Thursday, June 18, 2015 2:53 AM  
To: Brad Deutsch <BDeutsch@gsblaw.com>  
Subject: RE: Letter from Bernie 2016, Inc.

Brad,

FEC File No. C00572537 has been filed for Americans Socially United (f/k/a Bet on Bernie 2016). The domain was registered today and the transition process has already started. We'll also be publish an announcement on our social media pages and website about the transition in process that is due to maintaining compliance under FEC regulations. By next week my publicist should have together a final draft for news release to publicly announce the change of name and why in addition to our current activities and future plans to support Sen. Sanders' campaign.

The various IPs; graphic designs, phone lines, communications team training/scripts, IVR systems, volunteer committee training, printed parts in circulation, media advertisements, and related contractual agreement or commitments from BOB16 will take some time to transition. I'm telling my staff, contractors, volunteers, and associates that we want a full transaction by end of month, which is perfect because its the day we close the books for the reporting period.

I hold to my request of Sen. Sanders which would candidly provide his indirect endorsement of Americans Socially United.

This is what I'm requesting:

- (1) a direct phone call/email/letter to me (since he does not side with PACs) to tell me thank you for your support, confidence, and faith in him and his decision to run for presidency (I became a dedicated supporter this time a year ago, spent over \$100K out of my own pocket before the PAC was formed, long before he announced his candidacy. I can elaborate on that if you do not understand the history but its all in Google.
- (2) a mention of news article on Sanders.Senate.Gov that announces PAC changing its name to hold FEC compliance and that Americans Socially United will continue to support the issues and endeavors that are amongst of Sanders' Presidential Campaign. Sanders.Senate.Gov did this when I first registered the PAC and when we paid for the Manhattan billboard ads (and mysteriously deleted them from his website after he raised his own money in May).
- (3) A lunch date with Sen. Sanders. Doesn't matter when just some time before he gets busy in primary. I can get to him and would be glad to pay out of my own pocket. Whether DC, VT, or wherever he is on the map, as I'm all around the boards for PAC and lobbying related issues myself. We don't need a CNN headline about it. This is for my own personal piece of mind. I would like to look the person in the eyes who I'm out there on the line raising money for. Frankly, I feel I'm owed that and based on my background in diplomacy and politics before supporting Sanders that should not be an issue. I've met people far more famous and I'm wanting to know a direct 2 cents of feedback from the person I'm placing my ass, reputation, and name on the limb for. I'm sure you understand and so can he.
- (4) We're doing the event in Norwalk, Ohio at The American Legion baseball field on Labor Day Weekend. The title is Ohio Rocks the Vote for 2016: Voter and Veteran Rights Awareness presented by The American Legion, Every Vote Counts Restoring America, Rock the Vote, and Americans Socially United. This is the one Springsting has agreed to show at if we can pull it together and confirm Sanders will show. I have some other rock star and talent agent friends with brows raised but after seeing letter and talking with you this week I am pausing everything. Its a very sensitive matter and many high profile and busy people are involved. If we knew Sanders could show one of any of the days on Labor Day weekend we could easily call the City Commissioner, who owns the baseball field and change the date from the Monday that we have reserved now. We'd gladly pay cost of travel for Sanders and road staff. This would help Sanders' exposure tremendously. Not just in Ohio but all over. I can gladly send you more details to pass to Sen. Sanders.
- (5) Please fix the ACT Blue issue. Their are poor people getting auto-billed each month when they only agreed to a one time donation. They're driving my call center crazy and its gotten us more negative attention and retention than I'm comfortable with. Unauthorized transactions are what they are; illegal. I'm sure you do not want Sanders tied to any of that. Besides, these people do not need the hassle. If I told you what Square, Inc. did to us first week you'd flip and say sue them. We lost several donors to a similar situation and even after we attempted to cure the matter caused by Square we had several confused and frustrated donors. Square's chief counsel couldn't answer why this happened and said he'd get back to me. That was over a

Ex. H (7)

month ago and crickets. I'll get back to him later and have the proof to support what I have in mind for them. My advice may be a grain of salt to Nick Carter and you but this sort of business is shady and when trust is lost so is the voter in most cases.

Not much to ask for in my opinion. Granted, all of sudden transition will cost us a tremendous amount of money, time, and wasted funds on BOB16 materials that we've had since April in some cases (depending on what we're talking about). I need these requests to deliver in order for the initial theme, core supporters, sponsors, and 70K or so newly recruited supporters to not lose faith, confidence, and interest in continuing the support for Sander's campaign.

Thank you for your cooperation on this matter and I look forward to feedback from you in our communication on Monday next week.

PS: FEC C00577197 is not us. Neither is [www.ready4bernie.com](http://www.ready4bernie.com). Also, anytime you call office and need to reach me go to operator and the can try and find me to direct call or take a message that comes to my email and SMS directly [In response to something mentioned in your prior email].

Kind regards,

---

Cary L. Peterson, Chief Director

READY FOR BERNIE SANDERS 2016

T: (202) 838-8060

M: (646) 504-██████████

E: [clpeterson@betonbernie.com](mailto:clpeterson@betonbernie.com)

W: <http://www.betonbernie.com>

On 2015-06-15 06:12 PM, Brad Deutsch wrote:

Hi Cary I received your call from earlier today but, unfortunately, could not get through to you at either of the telephone numbers that you left (or at the cell phone listed below full voicemail on that one).

Please call me as soon as is convenient at 202-298-██████████ (direct office line) or 301-466-██████████ (cell). Thanks.

Brad

BRAD C. DEUTSCH

Owner | 202.298.1793 Tel | 301.466.██████████ Mobile | 202.965.1729 Fax | [bdeutsch@gsblaw.com](mailto:bdeutsch@gsblaw.com)

GARVEY SCHUBERT BARER | 5th Floor | 1000 Potomac Street NW | Washington, DC 20007 | [GSBLaw.com](http://GSBLaw.com)

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From: Brad Deutsch

Sent: Saturday, June 13, 2015 7:32 AM

To: 'clpeterson@betonbernie.com'

Subject: RE: Letter from Bernie 2016, Inc.

Ex.H (8)

Here is the attachment again. Please let me know if you are able to access it this time.

Thanks.

Brad

From: Cary Peterson [mailto:clpeterson@betonbernie.com]  
Sent: Saturday, June 13, 2015 2:50 AM  
To: Brad Deutsch  
Subject: Re: Letter from Bernie 2016, Inc.

Brad,

Please resend the attachment. It had an error and it would not open.

Thanks,

---

Cary L. Peterson, Chief Director

BET ON BERNIE 2016  
T: (202) 838-8060  
M: (646) 504-  
E: clpeterson@betonbernie.com  
W: <http://www.betonbernie.com>

On 2015-06-12 06:08 PM, Brad Deutsch wrote:

Mr. Peterson,

Please find attached a letter sent on behalf of Bernie 2016, Inc., Senator Bernie Sanders' authorized presidential campaign committee. Copies of this letter are also being sent to your known addresses by Certified Mail Return Receipt Requested..

Please don't hesitate to let me know if you have any questions at all.

Thank you.

Ex. H (9)

Brad

**BRAD C. DEUTSCH**

Owner | 202.298.1793 Tel | 301.466. [REDACTED] Mobile | 202.965.1729 Fax | [bdeutsch@gsblaw.com](mailto:bdeutsch@gsblaw.com)

GARVEY SCHUBERT BARER | 5th Floor | 1000 Potomac Street NW | Washington, DC 20007 | [GSBLaw.com](http://GSBLaw.com)

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June 15

EX.H (10)

-----  
Garvey C

Friends and Associates,

This email is an official notice that the PAC formerly known as Bet on Bernie 2016 and Ready for Bernie Sanders 2016 has amended records with FEC as of last week and now operates as Americans Socially United.

Our objectives and endeavors to support Senator Bernie Sanders for President are still the same. Our intent is to remain compliant with FEC and do our best to see through a successful campaign for the Primary election running against Hillary Clinton and (with grace of God) see Sen. Sanders make an advance to the General Election in November 2016.

I am currently working with several advocates, sponsors, super delegates, and my internal personnel to prepare for upcoming awareness events, media development, and (of course) our financial reporting deadline at the end of this month.

Please view the attached image from our flagship social media page where I've made a public posting of the transition in place now.

Reference URL link: <http://docquery.fec.gov/cgi-bin/forms/C00572537/1010775/>

NOTE: Everyone who is a recipient of this email knows how to reach me directly. The transition and current activities have me extremely busy. Whereas, feel free to contact me for any questions or comments.

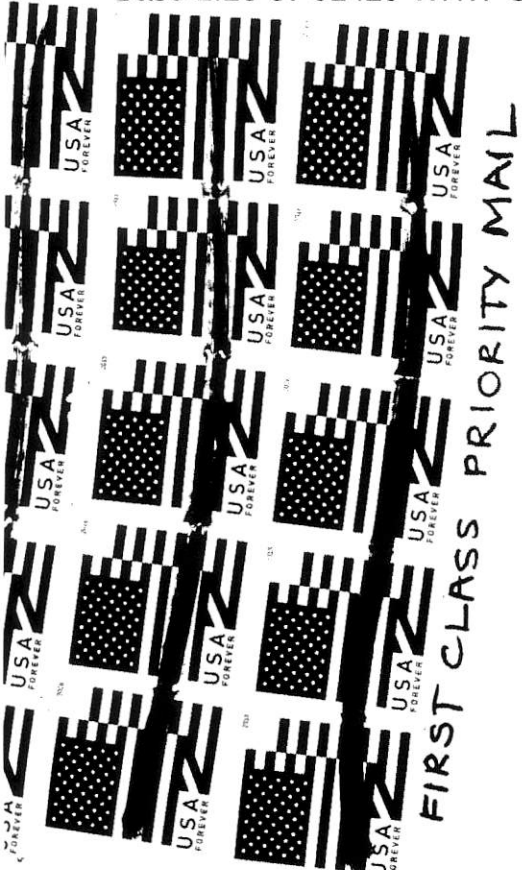
Regards,

---  
CARY L. PETERSON, CHIEF DIRECTOR

---  
AMERICANS SOCIALLY UNITED  
(Formerly Ready for Bernie Sanders 2016)  
T: (202) 838-8060  
M: (646) 504-  
E: [clpeterson@sociallyunited.org](mailto:clpeterson@sociallyunited.org)  
W: <http://www.betonbernie.com>  
Pro-Sanders PAC update screen shot.jpg

7002 2410 0004 2380 5170

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07102



1021

↔ 23401-111 ↔  
Honorable Judge Walls  
50 Walnut ST  
U.S. Court - MLK Building  
Newark, NJ 07102  
United States

DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED

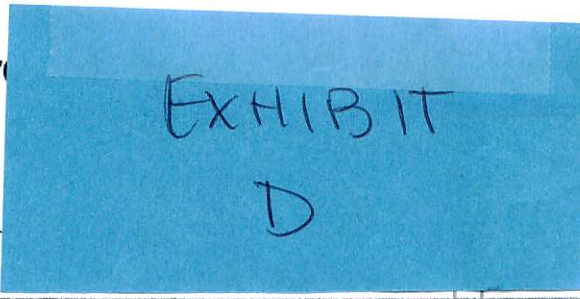
2019 JUN 18 P 2:58

MAIL

X-RAVED

Exhibit A

8/12/2017 Case 1:18-cv-0070



Page 1 of 1  
Peterson <peterson.asail@gmail.com>

FW: Cary Peterson

Tom Klein <tklein@basbroadcasting.com>  
To: CLP <peterson.asail@gmail.com>

U.S.C.A. 3rd Cir Tue, Sep 15, 2015 at 2:19 PM

Cary...I received this info today.....words cannot describe what I'm feeling right now...

**Tom "TK" Klein President/CEO-Owner**

**BAS Broadcasting Ohio**

**WCPZ "Mix 102.7 FM", 50,000 Watt Hot Adult Contemporary (Sandusky, Lorain, Amherst, Medina, Norwalk, Port Clinton)**

**WFRO "Eagle 99 FM", 20,000 Watt Adult Contemporary (Fremont, Perrysburg, Sandusky, Port Clinton, Tiffin)**

**WOHF "92.1 The Wolf", 6000 Watt Classic Hits (Bellevue, Fremont, Sandusky, Norwalk)**

**WMJK "Coast Country 100.9 FM", 6000 Watt Country (Sandusky, Clyde, Fremont, Bellevue)**

**WLEC 1450 AM News/Sports/Timeless Favorites (Sandusky)**

**WTTF AM-FM, AM 1600 and FM 93.3 Local News/Sports/Oldies (Tiffin)**

**WQIO "Super Q 93.7 FM," 50,000 Watt Adult Contemporary (Mt. Vernon, Newark, Mansfield, Delaware)**

**13 WMVO Local News-Sports-Oldies (Mt. Vernon)**

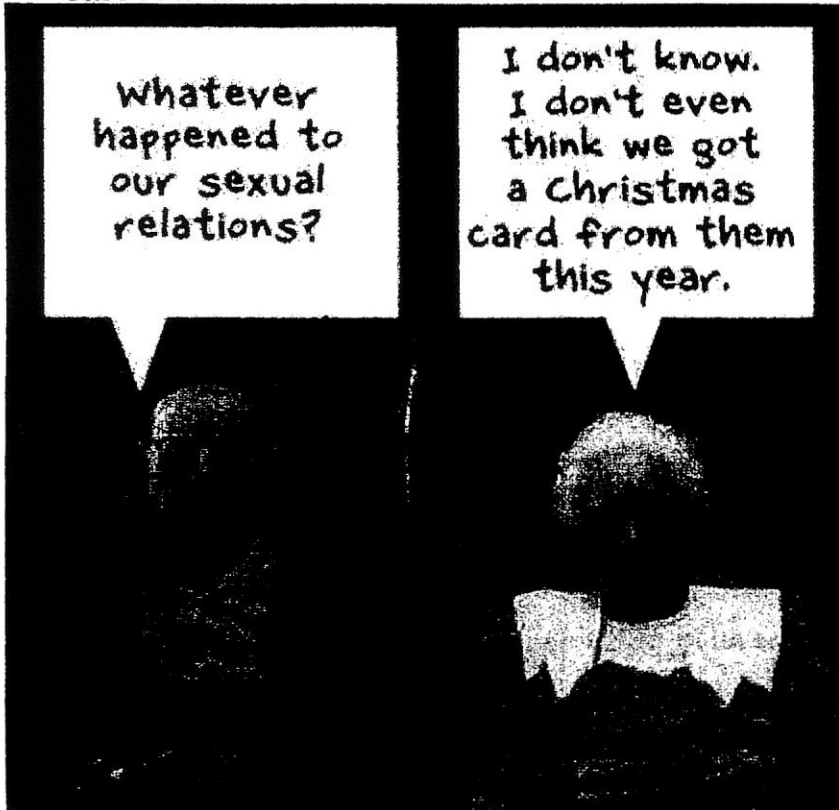
*Live, Local, Connected*

419-332-8218 **work**

419-333-8226 **fax**

419-680-4889 **cell**

tomklein@basbroadcasting.com



---

**From:** Erwin Krasnow [mailto:ekrasnow@gsblaw.com]  
**Sent:** Thursday, September 10, 2015 7:50 PM  
**To:** Tom Klein  
**Subject:** Fwd: Cary Peterson

FYI.

Sent from the iPhone of Erwin Krasnow

Begin forwarded message:

**From:** Brad Deutsch <BDeutsch@gsblaw.com>  
**Date:** September 10, 2015 at 3:14:25 PM EDT  
**To:** Erwin Krasnow <ekrasnow@gsblaw.com>  
**Subject:** Cary Peterson

An expose on your buddy . . . .

<http://www.publicintegrity.org/2015/09/10/17947/did-shady-pro-bernie-sanders-super-pac-just-dupe-james-bond>



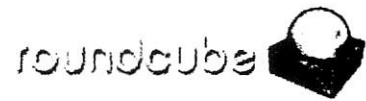
12/2017

**BRAD C. DEUTSCH**

Owner | 202.298.1793 Tel | 301.466.1418 Mobile | 202.965.1729 Fax | bdeutsch@gsblaw.com

GARVEY SCHUBERT BARER | 5th Floor | 1000 Potomac Street NW | Washington, DC 20007 | ►  
GSBLaw.com

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Subject [Privileged & Confidential] Fwd: FW: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]  
From Peterson, Cary <clpeterson@rpflegal.com>  
To Marcy, Eric <emarcy@wilentz.com>  
Reply-To <clpeterson@rpflegal.com>  
Reply-To <clpeterson@rpflegal.com>  
Date 2017-04-12 11:03 AM  
Priority Highest

- Herbert v Jaclin-Docket as of 11-30-2016.pdf (~122 KB)

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

Subject:FW: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]  
Date:2017-04-12 10:06 AM  
From:Tom Klein <tomklein@basbroadcasting.com>  
To:clpeterson@rpflegal.com

From: Stuart J. Goldberg [mailto:sjgoldberg@eastmansmith.com]  
Sent: Wednesday, November 30, 2016 4:30 PM  
To: Tom Klein; Herbert, Michael; Anthony Paradiso; David L. Kuhl  
Subject: FW: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

All:

Jaclin was served on November 25, making his answer due without extension on December 23. If he retains counsel, I would expect to hear something prior to the answer date. Eileen will continue to check on service on Christopher Day, and we will keep you posted on any developments there and when we hear from Wells Fargo regarding the subpoena.

Stu

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ATTORNEYS AT LAW

Established 1844 - Innovating Daily  
Columbus - Detroit - Findlay - Toledo

**Stuart J. Goldberg**

*Attorney at Law*

One Seagate 24th Floor

P.O. Box 10032

Toledo, Ohio 43699-0032

419.247.1623 / Fax 419.247.1777

[sjgoldberg@eastmansmith.com](mailto:sjgoldberg@eastmansmith.com)

[www.eastmansmith.com](http://www.eastmansmith.com)

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**From:** Eileen K. Hamman  
**Sent:** Wednesday, November 30, 2016 4:17 PM  
**To:** Stuart J. Goldberg <[sjgoldberg@eastmansmith.com](mailto:sjgoldberg@eastmansmith.com)>  
**Subject:** RE: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

It appears that Jaclin was served on 11/25/2016 (see attached). I will continue to check service on Day.

**From:** Stuart J. Goldberg  
**Sent:** Tuesday, November 29, 2016 9:12 AM  
**To:** Eileen K. Hamman <[ekhamman@eastmansmith.com](mailto:ekhamman@eastmansmith.com)>  
**Subject:** FW: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

If Sandusky County has an online docket, please check back in 10-14 days whether there is service on the defendants, and let me know; thanks.

---

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---

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Attorney at Law

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From: Stuart J. Goldberg

Sent: Tuesday, November 29, 2016 9:10 AM

To: 'Anthony Paradiso' <[anthonyparadiso@BASBroadcasting.com](mailto:anthonyparadiso@BASBroadcasting.com)>; Tom Klein <[tklein@BASBroadcasting.com](mailto:tklein@BASBroadcasting.com)>

Cc: Herbert, Michael <[mherbert@ptsrehab.com](mailto:mherbert@ptsrehab.com)>; David L. Kuhl <[dlkuhl@eastmansmith.com](mailto:dlkuhl@eastmansmith.com)>

Subject: RE: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

All:

Now that we have a case number in the court, we are mailing a subpoena to Wells Fargo to request the records of the identified Jaclin firm escrow account. We will let you know what we hear when we hear on the subpoena. We will also let you know when we learn of service on the defendants and whether any answers or other pleadings are filed.

Stu

---

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---

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If you send e-mail to Eastman & Smith, LTD in connection with a matter for which we do not already represent you, your communication may not be treated as privileged, confidential or otherwise protected because you are not a client. If you communicate with us by e-mail in connection with a matter for which we already represent you, please remember that Internet e-mail may not be secure.

**From:** Anthony Paradiso [<mailto:anthonyparadiso@BASBroadcasting.com>]  
**Sent:** Thursday, November 17, 2016 3:04 PM  
**To:** Stuart J. Goldberg <[sgoldberg@eastmansmith.com](mailto:sgoldberg@eastmansmith.com)>; Tom Klein <[tklein@BASBroadcasting.com](mailto:tklein@BASBroadcasting.com)>  
**Cc:** Herbert, Michael <[mherbert@ptsrehab.com](mailto:mherbert@ptsrehab.com)>; David L. Kuhl <[dlkuhl@eastmansmith.com](mailto:dlkuhl@eastmansmith.com)>  
**Subject:** RE: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

Standing by

**From:** Stuart J. Goldberg [<mailto:sgoldberg@eastmansmith.com>]  
**Sent:** Thursday, November 17, 2016 2:58 PM  
**To:** Tom Klein  
**Cc:** Herbert, Michael; Anthony Paradiso; David L. Kuhl  
**Subject:** Re: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

We sent complaint out for filing yesterday.

*Sent from my Verizon Wireless 4G LTE DROID*

Tom Klein <[tklein@BASBroadcasting.com](mailto:tklein@BASBroadcasting.com)> wrote:

Stu just checking in to see where we are with this filing...It's

my hope that the investigator is not spending too much time tracking down or getting info on Cary...I believe we are all in agreement he's a crook. I have a substantial amount of information from Garvey Shubert the law firm that filed the federal charges against him. Garvey Shubert's Erwin Krasnow is our FCC attorney and as I understand it one of his associates at Garvey Shubert filed the Federal charges against Cary and Erwin is very familiar with our dealings with Cary.

So just looking for an update...are we trying to follow the Wells Fargo money to see where the distribution of Mikes \$300,000 actually went too? Or are we doing something else...I think the money trail will tell the story...Please let us know...TK

**Tom "TK" Klein President/CEO-Owner**

**BAS Broadcasting Ohio**

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WFRO "Eagle 99 FM", 20,000 Watt Adult Contemporary (Fremont, Perrysburg, Sandusky, Port Clinton, Tiffin)

WOHF "92.1 The Wolf", 6000 Watt Classic Hits (Bellevue, Fremont, Sandusky, Norwalk)

WMJK "Coast Country 100.9 FM", 6000 Watt Country (Sandusky, Clyde, Fremont)

WQIO "Super Q 93.7 FM," 50,000 Watt Adult Contemporary (Mt. Vernon, Newark, Mansfield, Delaware)

WLEC 1450 AM News-Sports-Timeless Favorites (Sandusky)

WTIF AM-FM, "AM 1600 and FM 93.3" Local News-Sports-Oldies (Tiffin)

WMVQ AM-FM, "AM 1300 and FM 100.9" Local News-Sports-Oldies (Mt. Vernon)

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419-332-8218 work

419-333-8226 fax

419-680-4889 cell

---

**From:** Stuart J. Goldberg [<mailto:stgoldberg@eastmansmith.com>]  
**Sent:** Tuesday, November 08, 2016 1:39 PM  
**To:** Tom Klein; Herbert, Michael; Anthony Paradiso; David L. Kuhl  
**Subject:** Fwd: Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]

Fyi

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----  
**Subject:** Klein, Herbert & KPD v Christopher Day [ES-LEGAL.FID2090561]  
**From:** Frayne Mark <[mfrayne@ameritech.net](mailto:mfrayne@ameritech.net)>  
**To:** "Stuart J. Goldberg" <[stgoldberg@eastmansmith.com](mailto:stgoldberg@eastmansmith.com)>  
**CC:**

Stu,

I have some thoughts that I want to run by you.

In order to access Wells Fargo account to trace money trail, suit will need to be filed. Do that and then a subpoena can be issued for information as to where the funds went.

What about contacting Day's attorney and seeing if Day is willing to provide an Affidavit stating how the funds were dispersed in lieu of litigation? He may finger both Peterson and Jaclin.

I have attached some background on Peterson. This guy is a classic. His FB page is a fabrication as are all the interviews he has. Two days after his release he filed corporate papers for a new business. Supposedly his release is contingent on him returning to AZ to live with mother- Mari Bianca Lauderdale. I have attached some info on her.

The internet is rife with allegations of fraud involving this guy. SEC is after him for RV Plus under 2:16-cv-01428-WHW-CLW. This guy has the money. The question is where is he and where is the money. This is where Day may be of assistance.

It is clear that Peterson was principal of RV Plus and that Day was a pawn. If he wants to set the record straight, he may be willing to help establish the money trail to Peterson and possibly Jaclin.

PS. Okay if I send an interim invoice for time and expense to date?

Cheers,

**In re: SEC v. RVPlus, Inc, C.A. No. 01428 — Nonparty Notice to the Court for Public Interest**

Dear Court Clerk:



This notice to the court is submitted pursuant to Fed. R. Evid. P. 201 and Fed. R. Civ. P. 5(d), by a nonparty, who is an appointed Power-of-Attorney agent for Codefendant Cary Lee Peterson (in an individual capacity) [Defendant], who is currently a prisoner at FCI Sheridan, Oregon for a criminal conviction judgment from a related case.

In respect to docket entry numbers 34 and 35, Defendant is not able to participate in communication or preparation of a joint status report pursuant to Fed. R. Civ. P. 26(f) unless the court of appeals suspends/sets aside/or stay his judgment of conviction pursuant to FRAP 8 (L.A.R. 8.0, and 8.1) or grant an expedited and extraordinary order of recommendation to the BOP for an extended furlough under 28 CFR 570.20, and 570.21, or a motion for bail pending appeal for exceptional reasons pursuant to 18 U.S.C. 3145(c).

The aforesaid relief was granted for consideration by the court of appeals on 6/13/2019 pursuant to order granted for Extraordinary Interlocutory Relief under Peterson's petition for a prerogative writ [see attachment]. Consequently, the court has failed to adjudicate on this matter contrary to the order for the relief granted, and Peterson remains incarcerated.

Furthermore, pursuant to Fed. R. Civ. P. 63, the successor judge may proceed upon certifying familiarity with the record and determining that the case may be completed without prejudice to the parties.

In the present, the court has not filed any notice of judicial certification that the successor judge (of the recused/reassigned judge) is impartial (without the appearance of impartiality or bearing no conflicts under the disqualification criteria of 28 U.S.C. 455 and 528) and familiar with all materials and the four related cases in The Third Circuit, and the recent related case filed in the Oregon District (relative to the instant case, also).

Under Occidental law, in accordance with the Magna Carta doctrine, no one is bound to perform an impossibility. Whereas, ordering a joint conference for s previously contested matter give the



appearance of placing the codefendant under an impossibility unless the aforementioned relief I'd granted by the Circuit Court.

In addition, the instant case includes a corporate party under the sole authority of listed principal CEO Christopher Michael Day of Utah state, according to all self-authenticating evidence under Fed. R. Evid. P. 902. As a nonparty, who views public court records on PACER, I can attest that I have not seen a motion or order pursuant to Fed. R. Civ. P. 25 to duly substitute or transfer interest from RVPlus, Inc. and Mr. Day to Mr. Peterson. Again, this illustrates another impossibility, whereby has a substantial likelihood to preclude pretrial proceedings and final judgment for the instant case that was filed, abandoned, and dormant for more than three years from the present day of this notice.

More importantly, there is a substantial question on law and fact of public interest to why a nihil dicit judgment had not been granted previously, and why Mr. Peterson's several motions for oral hearing, subpoena, severance, or dismissal have not been adjudicated, notwithstanding the prior prerogative writ for relief on uncontested motions granted by a higher court of The Third Circuit, of which should pass comity of justice to the instant case, that was part of a parallel action with former Attorney General Fishman and Mr. Deutsch.

Thereby, this judicial notice to the court on public interest is duly submitted by Amanda Liu, a nonparty, who is an observer, in lieu of oath, and understands the penalty of perjury for violation of truth of the statements set forth above.

Respectfully submitted,

s/Amanda Liu (paralegal)

Power-of-Attorney Agent

c/o Cary Lee Peterson

Date: 8 August 2019

cc: Cary Lee Peterson, BOP Reg.No. 234011111,P.O. Box 5000, FCI Sheridan, OR 97378;

Honorable Judge Restrepo, U.S. Court of Appeals in The Third Circuit, 21400 U.S. Courthouse,  
Philadelphia, PA 19106

Copy (3rd Cir.)  
Delaware (1)

TRUINCS 23401111 - PETERSON, CARY LEE - Unit: SHE-E-H

FROM: 23401111  
TO: Power Of Attorney, Cary Lee  
SUBJECT: USA V. PETERSON, APPEAL NO. 19-1093  
DATE: 08/06/2019 05:19:14 PM

RECEIVED  
AUG 21 2019  
U.S.C.A. 3rd CIR

CARY LEE PETERSON  
REGID: 23401111  
FCI SHERIDAN CAMP  
P.O. BOX 6000  
SHERIDAN, OR 97378

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2019 AUG 13 PM 12:43  
JW

AUGUST 6, 2019

ATTENTION TO:  
CLERK OF THE COURT  
C/O

EXHIBIT  
F

HON. JUDGE F. RESTREPO

; AND

CHIEF JUDGE HON. D. BROOKS SMITH

; AT

U.S. COURT OF APPEALS - THIRD CIRCUIT  
21400 U.S. COURTHOUSE  
PHILADELPHIA, PA 19106

[in re: U.S. v. Peterson, Appeal No. 19-1093; and Disability Petition filed by Cary Lee Peterson (July 2019)]

CC:

HON. CHIEF JUDGE F. WOLFSON  
U.S. DISTRICT COURT - NEW JERSEY DISTRICT  
402 E. STATE STREET  
TRENTON, NJ 08608

[in re: U.S. v. Peterson, 16-cr-00230-AET; SEC v. RVPlus, Inc., et al., 16-cv-10428-WHW; and Peterson v. Garvey Shubert Barer, 18-cv-14649-BRM; Fed. R. Civ. P. 63 (in re: recusal(s) and reassignment(s))]

; AND [1]

HON. CHIEF JUDGE MICHAEL W. MOSSMAN  
U.S. DISTRICT COURT - OREGON DISTRICT  
405 E. 8TH AVENUE, ROOM 2100  
EUGENE, OR 97401

[in re: Peterson v. Federal Public Defender of N.J.; Garvey Schubert Barer, et al., 19-cv-00436-MC]

; AND [2]

HON. CHIEF JUDGE S.R. THOMAS  
U.S. COURT OF APPEALS - NINTH CIRCUIT  
95 7TH STREET  
SAN FRANCISCO, CA 94103

*Copy (3rd Cir.) (2)*  
*Delaware*

TRULINCS 23401111 - PETERSON, CARY LEE - Unit: SHE-E-H

---

[in re: Disability Petition filed by Cary Lee Peterson (July 2019)]

; AND [3]

HON. JUDGE L. STARK  
U.S. DISTRICT COURT - DELAWARE DISTRICT  
844 N. KING STREET  
WILMINGTON, DE 19801  
[in re: Peterson v. RVPlus, Inc., et. al., 1:18-cv-00704-LPS]

; AND [4]

MARK WATSON, ESQ.  
ATTORNEY ETHICS COMMITTEE  
NEW JERSEY SUPREME COURT  
15 CARRS TAVERN ROAD  
CLARKSBURG, NJ 08510;  
[in re: Attorney Grievance Complaints on GPO filed by Cary Lee Peterson]

; AND [5]

NEW JERSEY ATTORNEY GENERAL GREWAL  
STATE OF NEW JERSEY - LAW DIVISION  
R/JH JUSTICE COMPLEX, 25 MARKET STREET  
TRENTON, NJ 08625  
[in re: Garvey-Peterson Ordeal; Violation(s) of RPC 3.4(g), 4.2, 5.3, 5.5, and 8.4; and N.J.S. 2C:5-2]

; AND [6]

U.S. ATTORNEY GENERAL WILLIAM BARR  
U.S. JUSTICE DEPARTMENT  
555 FOURTH STREET NW, ROOM 1905  
WASHINGTON, D.C. 20530  
[in re: All administrative, congressional, and judicial proceedings on "Garvey-Peterson Ordeal"]

; AND [7]

CHAIRMAN SEN. JOHNNY ISAKSON  
SENATE SELECT COMMITTEE ON ETHICS

; AND [8]

CHAIRMAN SEN. LINDSAY GRAHAM  
SENATE JUDICIARY COMMITTEE

; AT

211 HART SENATE OFFICE BLDG.  
WASHINGTON, D.C. 20510  
[in re: Petition for Sen. Bernie Sanders' Impeachment-Censure (July 2019) (from Cary Peterson; Senate Lobby ID: 401103650)]

—[ALL 8 COPIED CONTACTS SET FORTH ABOVE, HEREINAFTER REFERRED TO AS "RELATIVE TRIBUNALS"]—

---

IN RE: UNITED STATES V. CARY LEE PETERSON, APPEAL NO. 19-1093 — CERTIFICATION OF APPELLANT'S AMENDED EXPEDITED MOTION FOR CONTINUATION OF INTERLOCUTORY RELIEF (AND INTERVENING ACTION OR RECOMMENDATION FOR COMITY OF JUSTICE FOR ADJUDICATION ON RELATED CASES PURSUANT TO ORDER GRANTED BY THE COURT OF APPEALS ON APPELLANT'S PREROGATIVE WRIT FOR EXTRAORDINARY (INTERLOCUTORY) RELIEF FOR UNCONTESTED MOTIONS AND BAIL PENDING APPEAL (DECREEED 6/13/2019) ("WRIT

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Delaware

TRULINCS 23401111 - PETERSON, CARY LEE - Unit: SHE-E-H

ORDER]; AND EXPEDITED MOTION(S) FOR EMERGENCY INJUNCTION PENDING APPEAL TO SUSPEND OR SET ASIDE SENTENCE PURSUANT TO FRAP 8 (L.A.R. 8.0, AND 8.1) AND DUCES TECUM SUBPOENA FOR COURT TRANSCRIPT AND DOCKET ENTRY ITEMS 155 AND 156 FROM DISTRICT COURT (16-CR-230-AET) PURSUANT TO FRAP 8 (L.A.R. 8.0, AND 8.1) ["ADDITIONAL MOTIONS" UNDER FED. R. CIV. P. 15(c)]; AND JUDICIAL NOTICE(S) TO THE COURT ON ADJUDICATIVE FACTS ON PUBLIC INTEREST ON "GARVEY-PETERSON ORDEAL" ["GPO"] AND RELATED CASES PURSUANT TO FED. R. EVID. P. 201

Dear Judge Restrepo:

I, Cary Lee Peterson ["Appellant", Pro Se], a prisoner of the Federal Bureau of Prison at FCI Sheridan and a lobbying registrant for the United States Senate (Senate Lobby ID: 401103650), hereby certify and submit this "Letter Brief" in lieu of a formal court motion, and in lieu of oath, in efforts to efficiently, effectively, respectfully, and expeditiously move the court on Amended Expedited Motion for Continuation of (Extraordinary) Interlocutory Relief and Recommendation (pursuant to "Writ Order" granted by the court of appeals circuit judge on 6/13/2019; Ct. App. R. P. P. 150.2(b), and (c); and Fed. R. Civ. P. 15(b), and (c)), for Comity of Justice for Adjudication on Related Cases with uncontested motions and delayed proceedings (i.e., appeal case proceedings for scheduling, trial court transcript request pursuant to L.A.R. 11.0, and adjudication on motion for bail pending appeal), whereby preclude the court's burden under "pars judiois" to effectively, efficiently, and expeditiously adjudicate matters of the court (of give the appearance of equitable or judicial estoppel thereof); AND MORE IMPORTANTLY- APPELLANT'S FIDUCIARY BURDEN TO TRANSMIT PUBLIC COMMUNICATION ON FEDERALLY PROTECTED ACTIVITIES "PUBLICI JURIS" PRIVILEGE DOCTRINE ON PUBLIC INTEREST, AS A LOBBYING REGISTRANT FOR UNITED STATES HOUSE AND SENATE, AND A FIDUCIARY OR AUTHORIZED PERSON FOR A POLITICAL CAMPAIGN COMMITTEE UNDER FEDERAL LAWS AND PROVISIONS OF FEDERAL ELECTION COMMISSION (COLLECTIVELY, UNDER FED. R. EVID. P. 201).

1. WHEREFORE, Appellant respectfully requests that the court copy all Relative Tribunals (and Rel. Trib. in-turn) of this Letter Brief upon receipt, as a courtesy, in efforts to move the instant case and related cases with the utmost transparency for public interest. "Ad hoc," in former motions filed by Appellant and Appellant's unauthorized legal counsel [the temporarily federal defender, see Peterson v. Federal, 19-cv-00436-MC (9th Cir. Ore.)], raised claim to substantial error(s) (pursuant to Fed. R. Crim. P. 51) and "lata culpa" made showing of violation(s) to 18 U.S.C. 1519 or RCFC 83.2(b)(2)(B).

2. FURTHER, Appellant makes notice to the court that his criminal case in New Jersey has reported filing from the government of a cancellation of recognizance and closure of case file in the district court [see USA v. Peterson, ECF DOC. No. 171]. (Thus, this request was signed on or about 6/18/2019 and remains uncontested in the district court after more than 50 days.)

3. Additionally, ECF Doc. No. 171 disclosed an manifest error on page two, whereby reads "in haec verba", "U.S. v. Bet on Bernie (Cary Lee Peterson)"; an error that corroborates Appellant's claim(s) of a pretextual, malicious, and private prosecution commissioned or solicited by Garvey Schubert Barer, Garvey (law firm) officers or associates in Washington [D.C.], Portland [OR], Seattle [WA] and elsewhere, and "John Doe(s)" ["Garvey"] whom used virtual representatives through means of tactical maneuvering and other unorthodox clandestine activities, whom had relationships in the first or second degree, and were employees or officers of the Judicial Branch (pursuant to 28 USCS 528 and 28 USCS 455), in concert and participation with Garvey's "culpa lata" and "injuria" inflicted upon Appellant.

(a) Thus, at no time was 'Bet on Bernie' PAC a party of Appellant's trial case.

(b) "Private citizen has no right to institute criminal complaint before magistrate against another alleging violation of federal civil rights law." United States v. Panza, 381 F. Supp. 1133 (W.D. Pa 1974).

4. Appellant makes notice to the court that their are severe conflicts of interest due to close personal and professional relationships with Garvey and U.S.D.J. McShane in Oregon. Hence, Appellant requests that the court recommend that the BOP allow Appellant an extended furlough pursuant to 28 CFR 570.20, and 570.21, as an alternative to bail pending appeal, until Appellant arrives to his home in Northern District of California, where he may check-in with the court, if necessary.

(a) (A protection measure to enjoin interaction with Judge McShane or the USM employed under him).

(b) "Ad hoc," the motion for bail pending appeal was filed on or about 1/31/2019, and the order for extraordinary (interlocutory) relief was granted on or about 6/11/2019 (pursuant to Writ Order); whereas, Appellant remains in durance; and no decision for bail pending appeal has been adjudicated by the court after more than 50 days from Writ Order and 180 days from initial filing of Appellant's motion for bail pending appeal.

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DeLaure (4)

TRULINCS 23401111 - PETERSON, CARY LEE - Unit: SHE-E-H

5. FURTHERMORE, Appellant makes notice to the court of that the abuse of public trust (i.e., obstruction of justice, interference with administration of justice, or the appearance thereof) has resulted in continued derogation and estoppels in the instant case and related cases; a disgrace and waste of resources the United States, whereby flout the integrity of the Justice System and disserve the public.

6. THEREBY, Appellant respectfully makes robust and reiterate efforts to respectfully, expeditiously, and efficiently move the court to duly acknowledge and honor the former order granted as allow continuation of interlocutory relief, recommendation for comity of justice to expeditiously, effectively, and efficiently adjudicate related cases; and more so, to assert public interest in preclusions of Appellant enjoying his privilege and burden to make public communication with the U.S. Congress and FEC (merits for bail pending appeal pursuant to 18 USC 3145(c)) and 42 USCS 2000aa, and 2000aa-11).

7. IN ADDITION, Appellant, motions for relief in the District(s) of New Jersey and Oregon remain uncontested, or have not been adjudicated for redressal by the court pursuant to Fed. R. Civ. P. 60.

8. ALSO, Appellant makes notice to the court of the preserved claims to error previously brought to the attention of the court for Garvey civil case [18-cv-14649] and Peterson criminal case [16-00230], whereby have fatal or manifest errors, whereby undeniably speak for themselves ["res cips"].

(a) This includes Appellant's motion for correction of date of Appellant's arrest on record [i.e. 4/13/2016; see ECF Doc. No. 4], whereby should be 3/13/2016. [in re: (?) F. Crim. Rule 4(a)]

(b) Also, including adjudication on ECF Doc. No(s). 151 and 153; or otherwise, as an alternative, the court of appeals order an indicative ruling pursuant to Fed. R. Crim. P. 37(a)(3), and (c), whereby would adjudicate all uncontested PSR objections (under Fed. R. Crim. 32(i)(3)(B)) [see "PSR Final" ppg. 45-52]. Thus, this inextricable, extraordinary and rare circumstance that resulted in Writ Order of the instant case, and recent action and orders at Relative Tribunals show exceptional reasons for an immediate order granting Appellant bail pending appeal, due to a miscarriage of justice, whereby "res cips." Or, as an alternative shall the court of appeals use Writ Order to grant Emergency Injunction for Stay of Judgment of Conviction until a judicial review or adjudication on relevant matters of Letter Brief have been completed, in order to adequately continue appeal proceedings under standard due process principles.

(c) Thereby, Appellant requests Duces Tecum Subpoena for trial court transcripts from sentencing hearing held 12/20/2019. Thus, the government had previously filed a transcript excerpt for the instant case, whereby infers that the full transcript is available for entering into the court pursuant to L.A.R. 11.0.

(d) Additionally, Appellant requests that the court make consideration or recommendation to expeditiously adjudicate 'undocketed' or uncontested motions for related civil cases [relative to GPO] in the district courts in Oregon and New Jersey. [i.e., Peterson v. Garvey case was administratively terminated and the court erred by stating that the case was closed in a court notification to Appellant; whereby infers judicial prejudice].

9. "It is entirely clear that, at English common law, the writ of habeas corpus did not extend beyond the sovereign territory of the Crown. To be sure, the writ had an "extraordinary territorial ambit," because it was a so-called "prerogative writ," which unlike other writs, could extend beyond the realm of England to other places where the Crown was sovereign. R. Sharpe, *The Law of Habeas Corpus* 188 (2d ed. 1989); see also Note on the Power of the English Courts to Issue the Writ of Habeas to Places Within the Dominion of the Crown But Out of England and On the Position of Scotland in Relation to that Power, 8 *Jurid Rev.* 157 (1896) (hereafter Note of Habeas; King v. Cowle, 2 *Burr.* 834, 855-856, 97 *Eng. Rep.* 587, 599 (K.B. 1759) (cited in 171 *LED2D* 41, 553 *U.S.* 723 *Boumediene v. Bush*) [553 *U.S.* 844, 845].

10. Thereby, Appellant declares that the statements set forth above are factual and true to the best of his knowledge and the penalty of perjury is duly understood.

Respectfully submitted,

s/   
CARY LEE PETERSON - APPELLANT

Date: 8/6/19

23401-111

Cary Lee Peterson  
0 POB 6000  
FCI Satellite CAMP  
Sheridan, OR 97378  
United States

PORTLAND OR 972

07 AUG 2019 PM 6 1



FIRST CLASS  
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DISTRICT OF DELAWARE

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U.S. DISTRICT COURT  
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SPECIAL  
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23401-111

Honorable Judge Stark  
re: 1:18-Cv-00704-Lps  
844 N KING ST  
U.S. District Court OF DE  
Wilmington, DE 19801-3570  
United States

19801-357099



FEDERAL CORRECTIONAL INSTITUTION  
27072 BALLSTON ROAD  
P.O. BOX 8000  
SHERIDAN, OR. 97378-5001

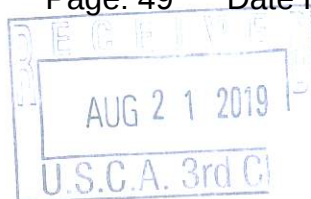
DATE: 8-7-19

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CARY LEE PETERSON

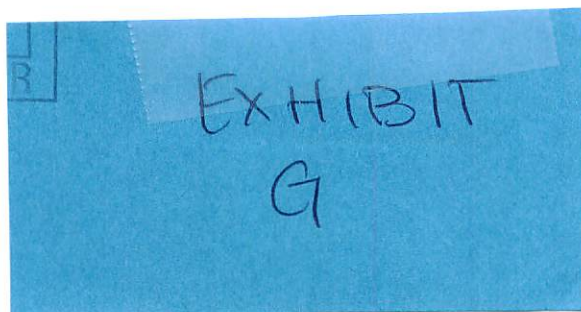
REGID: 23401-111

SENATE LOBBY ID: 401103650

HOUSE LOBBY ID: 42916

P.O. BOX 6000, U5

SHERIDAN, OR 973788



JULY 26, 2019

ATTENTION TO:

CHAIRMAN SEN. ISAKSON

SENATE SELECT COMMITTEE ON ETHICS

U.S. SENATE OFFICE

WASHINGTON, D.C. 20510

CC:

CHAIRMAN SEN. GRAHAM

SENATE JUDICIARY COMMITTEE

U.S. SENATE OFFICE

WASHINGTON, D.C. 20510

; AND

CLERK OF THE COURT C/O

CIRCUIT COURT HON. JUSTICE SAMUEL ALITO; AND  
CHIEF JUDGE HON. BROOKS SMITH  
U.S. COURT OF APPEALS IN THE THIRD CIRCUIT  
21400 U.S. COURTHOUSE  
PHILADELPHIA, PA 19106  
[ USA v. Peterson, Appeal No. 19-1093]

; AND

MEMBERS OF SENATE JUDICIARY COMMITTEE

; AND

MEMBERS OF SENATE SELECT COMMITTEE ON ETHICS

; AND

U.S. ATTORNEY GENERAL WILLIAM BARR  
U.S. DEPARTMENT OF JUSTICE  
555 FOURTH STREET, ROOM 1905  
WASHINGTON, D.C. 20530  
[re: 42 USCS 1997f (Reports on activities to Congress)]

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**IN RE: PETITION FOR IMPEACHMENT (OR CENSURE) INQUIRY  
ON U.S. SENATOR BERNARD SANDERS, ET. AL.**

Dear Mr. Chairman:

I, Cary Lee Peterson ["Petitioner"], a lobbying registrant for U.S. Senate and House (under registrant name "Cary Peterson"), who is currently a prisoner FCI Sheridan, Oregon, hereby certify and submit this "Letter Brief" in lieu of a formal legal petition ["Petition"], and in lieu of oath, to Senate Select Committee on Ethics ["COMMITTEE"], understanding the penalty of perjury for making false statements to the Government and Congress, and declare all foregoing statements as factual and true to the best of his knowledge.

THEREBY, Petitioner moves to submit this Petition, in efforts to assert public interest pursuant to:

(1) Federal Elections Act of 1971 (2 U.S.C. 431), Ethics in Government Act (5 U.S.C. app. 101 et seq; adopted as Senate Rule 34 and 36);

(2) Article 1, 5, Clause 2, and Article II, Section 4 of the U.S. Constitution;

(3) Senate Resolution 400 (94th Congress), Section 8;

(4) Section 2(d)(3) of Senate Resolution 338, 88th Congress, 2nd Session (1964), as amended by Senate Resolution 222, 106th Cong., 1st Session (1999) and its Supplemental Rules of Procedure 3(g)(2); and

SHALL (1), (2), (3), and (4) SET FORTH ABOVE BE REFERRED TO AS "REGULATIONS" HEREINAFTER].

1. WHEREBY, there is/are substantial question(s) of law or fact on the conduct or ethics of the subject member of Senate, Bernard Sanders of Vermont, and/or the employees or officers of his

administration and presidential campaign committee [hereafter referred to as "SUBJECT MEMBER"]. (This would include privies or virtual representatives in concert and participation with activities and conduct of Subject Member by solicitation of bribery.)

2. AD HOC, Petitioner pleads that Petition can meet the burden to illustrate a showing of far more than a scintilla of clear and convincing evidence; "res cips, " that Subject Member has violated Regulations under a habitual or routine practice pursuant to Fed. R. Evid. P. 406, inclusive of one or more "culpa" or "culpa lata", acts of unethical or bad character pursuant to Fed. R. Evid. P. 404(b); ultra hazardous activity at unsound risks that disserve the public, create the appearance of a public nuisance, and raise substantial question(s) on public integrity. This would include substantial question on ethics, law, or fact on Subject Member involvement with "Garvey-Peterson Ordeal" (i.e., "Gotcha Evidence"), political party status as a United States senator and a 2020 U.S. presidential candidate (contemporaneously), and use of political contributions [the context of this section, hereafter referred to as "ALLEGATIONS"].

## **POINT ONE - AMBIGUOUS POLITICAL PARTY STATUS**

3. Since being elected into Congress in 1977, Subject Member has been listed as an independent. In addition, he caucused with the Congressional Progressive Caucus in the House while refusing to join the Democratic caucus or party, and caucuses with the Democrats in the Senate.

4. Subject Member's campaigns for the Democratic Party's presidential nomination have created issues in controversy with independent parties about his affiliation. Thus on April 30, 2015 (when he announced his candidacy for 2016 presidential election while still serving as a United States senator, he affirmed that he was a Democrat running for the Democratic nomination.

5. Whereas, both [Subject Member] Sanders and the Senate website continued to refer to him as an independent senator during and after the campaign.

6. Further, Subject Member's political party status became ambiguous once again in March

2019 when he signed a formal "loyalty pledge" to the Democratic Party stating that he is a member of the party and will serve as a Democrat if elected president. Thus, he signed the pledge the day after he signed paperwork to run as an independent for re-election to the Senate in 2024.

7. A presidential candidate is required to comply with state election office policies on federal or national candidate ballot entry via nomination or signature petition before the deadline; or in alternative, the candidate may proceed in the election as a "write-in" candidate only.

8. Hence, a substantial question of or fact (on ethics and integrity) is raised when a political cand moreso an elected official purportedly identifies himself as a supporter, member, or affiliate of two different political parties at the same time; whereby both parties, collectively consist primarily of unparalleled delegates, supporters, donors, and voters, whom of which do not represent similar politics (i.e., different political spectrums: left-wing (moderate Democrat); left-right (centrism; also termed as 'moderate socialism'; a moderate socialist), nor share support similar political views on public policy.

9. AD HOC, notwithstanding the generative technicality of which erred to acknowledge this issue in the U.S. Constitution, it remains an unorthodox practice of an elected political official to represent, serve, or attempt to publicly represent themselves under two different political parties contemporaneously; especially done in efforts to acquire a more broad spectrum of voter, donor, or superdelegate support; or for the prerogative or convenience of precluding the burden (or the appearance thereof) of a ballot entry deadline, party nomination, or ballot petition requirement, or exhaustion of physical and financial resources in the occurrence that campaigning for a political party nomination in a primary election against one or more opponents is necessary in order to proceed to the general election.

10. Thereby, Petitioner pleads that the aforesaid declaration of Subject Member's 'double-party' or bipartisan political status has the substantial likelihood to be perceived as duplicitous or controversial to a reasonable person (or the appearance thereof; nonetheless a disservice to the public or violating the public trust.

## **POINT TWO - USE OF POLITICAL DONATIONS**

11. Petitioner pleads that Subject Member or personnel of Subject Member's federal campaign committee(s) have used tactical maneuvering to improperly generate and transfer donor contribution receipts to/from political action committees (i.e., ActBlue), Friends of Bernie Sanders, and Bernie 2016 and 2020 presidential campaign committees, pursuant to individual donor records at Federal Elections Elections commission.

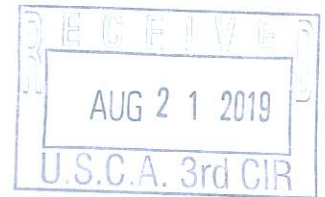
12. In addition, Subject Member's presidential campaign committee is under the legal counsel Braden ("Brad") Christopher Deutsch, owner of Garvey Schubert Barer, whom was a senior-level governmental attorney chairman at Federal Election Commission and Federal Communication Commission has a history of substantial cross-transactions between himself, his close associates, Friends of Bernie Sanders, and Act Blue super PAC around or about the time his client [Subject Member] was/is active as a candidate or superdelegate for Federal elections of 2016, 2018, and 2020.

13. Also, there is a substantial question of law, or fact on ethics and integrity raised on whether or not political contributions were improperly used, or a slush fund via malfeasance or tactical maneuvering was/is "in esse." (Thus, 'Gotcha Evidence' from Federal district and circuit court records in the Third and Ninth circuits on Garvey-Peterson Ordeal infer that Subject Member improperly used political donor funds for lobbying an ex-parte alternative dispute resolution or private prosecution, as an unconventional alternative measure to duly pursuing civil litigation or filing an administrative complaint against Petitioner's political action committee. (Also court records and evidence that is self-authenticating pursuant to Fed. R. Evid. P. 902, at [www.gotchaevidence.com](http://www.gotchaevidence.com).)

14. In 2002, Robert Torricelli (D-NJ) was found guilty of taking illegal gifts and cash payments from a businessman and not reporting them. The businessman got help from the senator in lobbying the government. Although Torricelli denied the charges, his colleagues found the evidence compelling enough to "severely admonish" him.

15. Pursuant to Regulations, Congress has identified three general types of conduct that constitute grounds for impeachment, although these categories should not be understood as

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

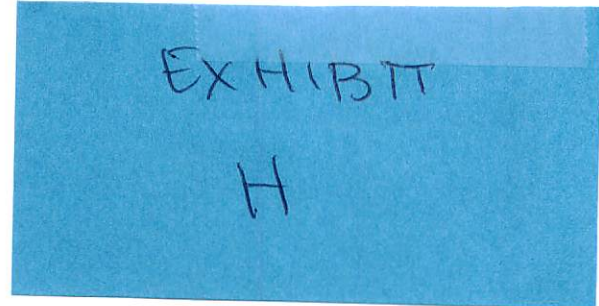


SECURITIES ACT OF 1933  
Release No. 10082 / May 25, 2016

SECURITIES EXCHANGE ACT OF 1934  
Release No. 77922 / May 25, 2016

INVESTMENT COMPANY ACT OF 1940  
Release No. 32126 / May 25, 2016

ADMINISTRATIVE PROCEEDING  
File No. 3-17260



In the Matter of

AMERICAN REGISTRAR &  
TRANSFER COMPANY and  
CHRISTOPHER DAY,

Respondents.

**ORDER INSTITUTING  
ADMINISTRATIVE AND CEASE-AND-  
DESIST PROCEEDINGS, PURSUANT  
TO SECTION 8A OF THE SECURITIES  
ACT OF 1933, SECTIONS 15(b), 17A  
AND 21C OF THE SECURITIES  
EXCHANGE ACT OF 1934, AND  
SECTION 9(b) OF THE INVESTMENT  
COMPANY ACT OF 1940, MAKING  
FINDINGS, AND IMPOSING  
REMEDIAL SANCTIONS AND A  
CEASE-AND-DESIST ORDER**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative and cease-and-desist proceedings be, and hereby are, instituted pursuant to Section 8A of the Securities Act of 1933 (“Securities Act”), Sections 15(b), 17A and 21C of the Securities Exchange Act of 1934 (“Exchange Act”), and Section 9(b) of the Investment Company Act of 1940 (“Investment Company Act”) against American Registrar & Transfer Co. (“Artco”) and Christopher Day (“Day”) (collectively, “Respondents”).

**II.**

In anticipation of the institution of these proceedings, Respondents have each submitted an Offer of Settlement (collectively, the “Offers”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over them and the subject matter of these proceedings, which are admitted, and except as provided herein in Section V, Respondents consent to the entry of this Order Instituting Administrative and Cease-and-Desist Proceedings,

Pursuant to Section 8A of the Securities Act of 1933, Sections 15(b), 17A and 21C of the Securities Exchange Act of 1934, and Section 9(b) of the Investment Company Act of 1940, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order (“Order”), as set forth below.

### III.

On the basis of this Order and Respondents’ Offers, the Commission finds<sup>1</sup> that:

#### Summary

These proceedings concern fraudulent misrepresentations and registration violations that occurred in the sale of stock of one of Artco’s customers, a microcap company called RVPlus, Inc. (“RVPlus”). In September 2010, Day, an Artco principal, signed and filed a registration statement with the Commission for the re-sale of 4.38 million privately-issued RVPlus shares. In the registration statement, Day purported to be the CEO and majority share owner of RVPlus. The registration statement failed to disclose that someone else (the “Promoter”) actually controlled RVPlus and beneficially owned the shares in Day’s name and that Day had agreed to serve as RVPlus’s nominal president and CEO for a fixed fee of \$30,000.

In May 2012, Day assisted the Promoter in selling almost all of RVPlus’s shares to Cary Lee Peterson (“Peterson”), who then became RVPlus’s new CEO. On Artco’s behalf, Day then followed Peterson’s instructions to transfer at least 4 million of those shares to Peterson’s transferees in a way that disguised that Peterson had directed the transfers. Artco’s and Day’s actions enabled the unlawful re-sale of 496,000 of the shares to the public without registration.

#### Respondents

1. **Artco**, a Utah corporation, has been registered with the Commission as a transfer agent since March 2002. Since at least August 2010, Artco has served as RVPlus’s transfer agent.

2. **Day**, age 29, began working for Artco in 2006. In 2010, Day became vice president and minority owner of Artco. From March 2012 to the present, Day has owned one-third of Artco and served as its CEO, a director, and control person. From January 2010 until May 4, 2012, Day also nominally held the titles of CEO and president, among others, at RVPlus. Day is a resident of Salt Lake City, Utah. Day participated in an offering of RVPlus, which is a penny stock.

#### Other Relevant Entity

**RVPlus** is a publicly-traded Delaware corporation. From its inception on January 29, 2010 until July 19, 2013, RVPlus shares were quoted on OTC Link® ATS (“OTC Link”), an inter-dealer

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<sup>1</sup> The findings herein are made pursuant to Respondents’ respective Offers of Settlement and are not binding on any other person or entity in this or any other proceeding.



quotation and trade messaging system operated by OTC Markets Group, Inc. (formerly known as the Pink Sheets). On July 19, 2013, the Commission issued an order suspending trading in RVPlus's securities due in part to material deficiencies in the company's financial statements. RVPlus's stock now trades on the grey market, an over-the-counter market for securities not listed, traded, or quoted on any U.S. stock exchange or the OTC markets. RVPlus stock qualifies as a "penny stock" because it does not (and did not during the relevant period) meet any of the exceptions from the definition as set forth in Section 3(a)(51) of the Exchange Act and Rule 3a51-1 thereunder.

### **Background**

#### **Day's Role at RVPlus**

1. In January 2010, the Promoter, a Canadian citizen, arranged for RVPlus's incorporation in Delaware with the assistance of a small U.S. law firm (the "Law Firm"). RVPlus purportedly planned to manufacture products for recreational vehicles and establish a website to sell those products.

2. Day knew the Promoter as someone involved with financing or consulting for public companies through his work at Artco. In or around January 2010, the Promoter approached Day about RVPlus and offered Day a fixed fee of \$30,000 if Day would agree to be named an officer and director of RVPlus in the Promoter's stead. The Promoter told Day that the Promoter—not Day—would do essentially all the work for RVPlus. Day understood that he, not the Promoter, would sign RVPlus's filings with the Commission and agreed to this arrangement.

3. As part of Day's agreement with the Promoter, Day acted at the Promoter's direction while creating the appearance that Day was the true CEO of RVPlus. For example, in the spring of 2010, Day opened a bank account for RVPlus. Around the same time, the Promoter referred Day to a prospective auditor for RVPlus ("Auditor A") and Day contacted Auditor A and retained Auditor A on RVPlus's behalf. Further, when the Promoter told Day that RVPlus would need a second officer, Day asked his friend (the "Friend") to serve as RVPlus's secretary-treasurer. The Friend agreed to do so and later received \$5,000 in compensation despite rendering virtually no services to RVPlus.

#### **The False and Misleading S-1 Registration Statement**

4. By at least July 19, 2010, RVPlus had 9,380,000 shares of stock outstanding. A control block of 5,000,000 of those outstanding shares were nominally held in Day's name. The remaining 4,380,000 were held in the names of approximately 36 other shareholders (the "S-1 Shareholders"). Day understood that the Promoter had arranged for the S-1 Shareholders to obtain these RVPlus shares in their names, did not know any of the S-1 Shareholders, and had never met or communicated with them.

5. Day also knew that he was the owner of the control block of 5,000,000 shares in name only. He could not dispose of this control block of shares without the Promoter's consent, and his compensation for nominally serving as RVPlus's CEO was limited to \$30,000. Day neither

held any financial risk nor stood to reap any financial gain by holding the control block of shares in his name. If he ultimately disposed of his control block of shares for more than \$30,000, he knew he was entitled to only \$30,000 of the profit and no further compensation for nominally serving as RVPlus's CEO. If he ultimately disposed of the control block for less than \$30,000, he knew he would receive the difference between the sale price and \$30,000 directly or indirectly from the Promoter. If the control block of shares ultimately became worthless, he knew he would still receive \$30,000 directly or indirectly from the Promoter.

6. On August 11, 2010, RVPlus filed a registration statement with the Commission on Form S-1 registering the resale of the 4,380,000 RVPlus shares held in the S-1 Shareholders' names. On November 12, 2010, RVPlus filed an amended Form S-1 registration statement (the "S-1 Registration") with the Commission. The S-1 Registration became effective on November 22, 2010. Day signed the S-1 Registration as president, CEO, principal accounting officer, chief financial officer, and director of RVPlus.

7. The S-1 Registration contained a number of material misrepresentations and omissions. First, it falsely represented that Day received the 5,000,000 shares in his name as "founder's shares" "for repayment of expenses associated with the incorporation of" RVPlus. The S-1 Registration also misleadingly claimed that RVPlus was "dependent to a great extent upon the experience, abilities and continued services of Christopher M. Day, President and Director." And the S-1 Registration falsely represented that Day "[b]eneficially [o]wned" and "possesse[d] sole voting and investment power with respect to" the 5,000,000 RVPlus shares held in his name. Nowhere in its 74 pages did the S-1 Registration mention the Promoter's name or disclose that someone other than Day or his Friend exercised any control over RVPlus—not even in the section entitled "Transactions with Related Persons, Promoters and Certain Control Persons." Nor was Day's \$30,000 flat-fee arrangement with the Promoter disclosed anywhere in the S-1 Registration.

### **The False Statements to FINRA**

8. When the S-1 Registration became effective in November 2010, RVPlus's shares were not yet quoted on an inter-dealer quotation system such as OTC Link. As a result, little or no market existed for the 4,380,000 shares held in the S-1 Shareholders' names.

9. In or around December 2010, a broker-dealer serving as a market-maker for RVPlus (the "Market-Maker") submitted a Form 211 application to FINRA to have RVPlus's shares quoted on an inter-dealer quotation system. On January 5, 2011, FINRA responded by sending a letter to the Market-Maker. FINRA's letter noted "deficiencies" in the Form 211 application and requested certain information "to continue the review process." Among other things, FINRA requested the following information: "Details surrounding the issuer's Regulation D offering. Your answer should include, but not be limited to, who solicited investors [the S-1 Shareholders] [and] how the solicitor knew them." FINRA further requested the following information: "Is the issuer working with any consultants or public relations firm? If so, provide compensation exchanged (to date and future), dates of service, services provided and future expected services." FINRA closed by informing the broker-dealer that its staff "would reexamine [the Market-Maker's] submission following receipt of the requested information."

10. On approximately January 6, 2011, Day, as “[p]resident” of RVPlus, responded to FINRA and the Market-Maker with a letter on RVPlus’s behalf. Day’s letter falsely represented that he “was the person who had solicited the investors [the S-1 Shareholders] who are all friends and family members of those friends.” Day’s letter further claimed that RVPlus “is not working with any consultants...at this time.” Day’s letter did not mention the Promoter.

11. On February 9, 2011, FINRA cleared the Market-Maker’s request for an unpriced quotation on the OTC Bulletin Board and in OTC Link for RVPlus, and RVPlus’s shares began to be quoted on OTC Link. Trading in RVPlus shares continued until July 19, 2013, when the Commission issued an order suspending trading in RVPlus’s securities due in part to material deficiencies in the company’s financial statements. RVPlus’s stock now trades only on the grey market, an over-the-counter market for securities not listed, traded, or quoted on any U.S. stock exchange or the OTC markets.

### **The Share Purchase and the Unregistered Offerings**

12. On approximately March 6, 2012, a partner at the Law Firm (the “Law Firm Partner”) introduced Day by email to Peterson, an individual whom the Law Firm Partner said was interested in acquiring RVPlus for \$275,000. As Day understood, this individual initially sought to buy the control block of RVPlus shares held in Day’s name. In the same email, the Law Firm Partner forwarded to Day an email chain between Peterson and the Law Firm Partner. As the emails forwarded to Day made clear, Peterson sought to have the shares he purchased promptly re-issued to others—with the “restricted” legends on the share certificates removed—and the shares transferred to one or more brokerage accounts for re-sale to the public. In the same email chain forwarded to Day, the Law Firm Partner assured Peterson that it “won[’]t be an issue to transfer the shares” because Day, RVPlus’s “principal,” also “owns the TA [transfer agent].”

13. From his experience working at Artco, Day understood that no exemption from the federal securities laws’ registration requirements applied to the control block of shares held in his name. Day therefore understood that Peterson could not have the “restricted” legend on the share certificates removed or the shares resold to the public. On approximately April 20, 2012, Day e-mailed the Law Firm Partner and told him that the potential acquisition by Peterson was “killed,” because the control block of shares was not “eligible for public sale.”

14. Approximately four days later, at the Promoter’s direction, Day told Peterson by email that if he wanted to purchase the “free trading shares”—referring to the shares held in the S-1 Shareholders’ names—in addition to the control block held in Day’s name, Peterson would have to pay an extra \$25,000. In the same email, Day offered to “work on rounding up the investors [the S-1 Shareholders] and their shares,” if Peterson wanted those.

15. Around this time, Day, Peterson, and the Promoter spoke by phone. Peterson said that he wanted the S-1 Shareholders’ shares. The Promoter replied that he could talk to the S-1 Shareholders about obtaining their shares. Day understood that Peterson would not enter into the deal if he did not obtain the purportedly “free-trading” shares. The Promoter eventually agreed

with Peterson] that he could buy both the control block of 5,000,000 RVPlus shares held in Day's name and at least 4,080,000 of the 4,380,000 million shares held in the S-1 Shareholders' names for a total of \$275,000. Day knew about this agreement between the Promoter and Peterson.

16. At the time, from his experience working at Artco, Day understood that if Peterson became a control person of RVPlus, he could not obtain the shares held in the S-1 Shareholders' names and resell the shares to the public shortly thereafter without any further registration under the securities laws. On May 4, 2012, the sale to Peterson of the 5,000,000-share control block closed. Peterson purchased the shares through an entity he controlled. The Promoter received most of the proceeds from the sale; the Law Firm received a portion; and Day received only the \$30,000 that he and the Promoter had agreed on.

17. Once the sale closed, Peterson became RVPlus's CEO, sole director, chief accounting officer, and principal financial officer.

18. Artco continued to serve as RVPlus's transfer agent. Day, on Artco's behalf, personally handled RVPlus's transfer agent requests. On May 7, 2012, Peterson asked Day by email for a status update concerning the transfer of the RVPlus shares held in the S-1 Shareholders' names. Peterson made clear that he wanted the RVPlus shares transferred to a broker-dealer ("Broker-Dealer A") and issued to someone else ("Transferee A"), whom Peterson had copied on his email. In fact, Peterson had hired Transferee A as an "investor relations/public relations" consultant for RVPlus and had offered to pay Transferee A in the form of RVPlus shares.

19. A week later, on May 14, 2012, Peterson emailed Day again, along with the Law Firm Partner and Transferee A. In his email, Peterson made clear that he needed all 4,080,000 shares to clear at once, that he had a stock promotion campaign in process, and that he expected Day to ensure that certain RVPlus shares would be deposited with market-makers to create the appearance of an active market for RVPlus stock. Peterson wrote: "[Broker-Dealer A] suggested that [the clearing broker-dealer] would have issue clearing all 4.08M shares at one time. We need this to clear in a radiant process. No more hiccups. You guys are killing my awareness campaign that I have set up when you do that. Even changed up by a day or so hurts.... All of you make or made money from this. Just get it done. No excuses.... PS-Chris [Day], I hope to see those other 6 shareholders with the 300K shares in the level 2 also. A deal is a deal."

20. Peterson asked Day to send 4,080,000 of the shares held in the S-1 Shareholders' names to Transferee A in five separate share certificates: four certificates each for 950,000 shares, and the fifth for 280,000 shares. The Law Firm Partner, copying Day and Transferee A, replied to Peterson and said that Transferee A should be "providing the instructions and not you since this is his cert[ificate] and you are an officer of [RVPlus]." Day obtained no documentation about Peterson's relationship with Transferee A or the reason Peterson wanted the shares issued to Transferee A.

21. On May 18, 2012, Day, on Artco's behalf, issued a certificate without a "restricted" legend for 4,080,000 of the shares previously held by the S-1 Shareholders. At Peterson's request,

Day issued the certificate to Transferee A. These shares constituted over 90% of RVPlus's total number of shares available for trading, or "float."

22. On June 11, 2012, Peterson again emailed Day, the Law Firm Partner, and others, telling them that he needed their "swift cooperation" to get money from the RVPlus deal to pay back a loan. Peterson again sought to have multiple share certificates issued to Transferee A. The same day, Day responded by email. Day first instructed Peterson for the second time not to provide Day with any details of Peterson's activity with RVPlus: "I don't want to be included on emails between the RVPL [RVPlus] insiders about loans or any activity within the company. I was not involved, and do not want to be aware of, what deals you made with who in order to get the funds for the S[hare] P[urchase] A[greement].... The only involvement I have with RVPL is the principal/agent relationship that exists between RVPL and American Registrar & Transfer Co."

23. Additionally, Day noted his understanding of the agreement between Peterson and the Promoter — that, "of the 4,380,000 S1 shares[,] all but 300,000 would be transferred to your side." Day also addressed the difficulties Peterson and Transferee A were having in seeking to trade Transferee A's shares through Broker-Dealer A: "I see that [the Market-Maker] is publishing a bid and ask [price]. I spoke with the market maker last week about bringing in some other quotes. His response was that given the current environment of the OTC marketplace, with how scrutinizing FINRA has become, the market makers are reluctant to publish quotes until some other shares get deposited into accounts and market begins to develop.... Ultimately the shares couldn't be cleared because [Transferee A] has 93% of the float registered in his name."

24. From approximately June 18 through 21, 2012, Peterson asked Day to reissue to entities controlled by another individual, Transferee B, a share certificate without a "restricted" legend for 3,200,000 of the 4,080,000 shares originally issued to Transferee A. On Artco's behalf, Day did so. On June 28, 2012, Peterson emailed Day, explaining that two broker-dealers had asked "my shareholder," Transferee B, for certain information, including "a history of the cert[ificate] from the transfer agent," before they would accept the RVPlus share certificates and allow the RVPlus shares to be traded. Peterson complained that he could have purchased a microcap shell company with regulatory deficiencies for half the price of RVPlus and yet already have started trading the stock: "[A]fter almost 2 months next week I've spend [sic] \$300K to get a nearly wrecked business model/credibility.... I could have purchased a pink sheet shell with a stop sign with free trading paper with trading history for half of what I paid you and been trading a month ago raising money." Later the same day, Day provided Peterson with the history of Transferee B's shares, which had originated from share certificates originally issued in Transferee A's name. To help ensure that the broker-dealers accepted the share certificates and allowed the shares to be traded, Day suggested that Peterson conceal from the broker-dealers that Transferee A had held 95% of the float: "You... may want to consider omitting the information where [Transferee A] had 95% of the free trading shares issued in his name."

25. On March 26, 2013, at Peterson's direction, Transferee A requested that Artco transfer 440,000 of the RVPlus shares originally issued to Transferee A to Peterson's mother's former boyfriend ("Transferee C"), who had been an early RVPlus investor. On March 28, 2013,

Artco, by and through Day, issued the requested share certificate to Transferee C without a “restricted” legend.

26. From August through September 2013, Transferee C sold approximately 140,000 of these shares to the public for more than \$10,000. From August 22, 2012 through February 1, 2013, Transferee B sold into the public market at least 356,000 of the RVPlus shares issued to him for a profit of at least \$33,240.

27. For its services, Artco received \$585 in transfer agent fees from RVPlus.

### **Violations**

28. As a result of the conduct described above, Respondents Artco and Day willfully violated Sections 5(a) and 5(c) of the Securities Act, which make it unlawful for any person, directly or indirectly, to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell, or offer to sell or offer to buy a security for which a registration statement is not on file or in effect, absent an available exemption.

29. As a result of the conduct described above, Respondents Artco and Day willfully aided and abetted and caused Peterson’s violation of Sections 5(a) and 5(c) of the Securities Act, which make it unlawful for any person, directly or indirectly, to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell, or offer to sell or offer to buy a security for which a registration statement is not on file or in effect, absent an available exemption.

30. As a result of the conduct described above, Respondent Day willfully violated Section 17(a) of the Securities Act and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, which prohibit fraudulent conduct in the offer or sale of securities and in connection with the purchase or sale of securities.

31. As a result of the conduct described above, Respondent Day willfully aided and abetted and caused RVPlus’s violation of Section 17(a) of the Securities Act and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, which prohibit fraudulent conduct in the offer or sale of securities and in connection with the purchase or sale of securities.

### **Undertakings**

32. Respondent Artco undertakes to:

A. Provide the Commission’s staff within 30 days after entry of this Order, an agreement for the services of an Independent Consultant, acceptable to the Commission’s staff, and thereafter exclusively bear all costs, including compensation and expenses, associated with the retention of the Independent Consultant. Respondent Artco shall retain the Independent Consultant to conduct a comprehensive review of, and recommend corrective measures concerning, its policies, procedures, and practices relating to the issuance and transfer of securities consistent with the registration requirements of the

Securities Act. Respondent Artco shall cooperate fully with the Independent Consultant and shall provide the Independent Consultant with access to Respondent Artco's files, books, records, and personnel as reasonably requested.

B. No more than 120 days after the date of the entry of this Order, submit to the staff of the Commission a written report that Respondent Artco will obtain from the Independent Consultant regarding Respondent Artco's policies, procedures and practices. The report will include a description for the review performed, the conclusions reached, the Independent Consultant's recommendations for changes in or improvements to the policies and procedures, and a procedure for implementing any recommended changes.

C. Ensure that no more than 180 days after the date of the entry of this Order, the Independent Consultant shall conduct a comprehensive review of Artco to ensure that all of the Independent Consultant's recommendations were implemented and shall send a letter to the Commission's staff certifying the same. The certification and supporting material shall be submitted to Adam Grace, Assistant Regional Director, New York Regional Office, Brookfield Place, 200 Vesey Street, Suite 400, New York, NY 10281-1022, with a copy to the Office of Chief Counsel of the Enforcement Division.

D. Ensure the independence of the Independent Consultant by agreeing that Respondent Artco: (i) shall not have authority to terminate the Independent Consultant, without the prior written approval of the Commission's staff; (ii) shall compensate the Independent Consultant, and persons engaged to assist the Independent Consultant, for services rendered pursuant to this Order at their reasonable and customary rates; (iii) shall not be in and shall not have an attorney-client relationship with the Independent Consultant, and shall not seek to invoke the attorney-client or any other doctrine or privilege to prevent the Independent Consultant from transmitting any information, reports, or documents to the Commission or the Commission's staff.

E. Require the Independent Consultant to enter into an agreement that provides that for the period of engagement and, for a period of two years from completion of the engagement, the Independent Consultant shall not enter into any employment, consultant, attorney-client, auditing or other professional relationship with Respondent Artco, or any of its present or former affiliates, directors, officers, employees, or agents acting in their capacity. The agreement will also provide that the Independent Consultant will require that any firm with which he/she is affiliated or of which he/she is a member, and any person engaged to assist the Independent Consultant in performance of his/her duties under this Order shall not, without prior written consent of the staff of the Commission, enter into any employment, consultant, attorney-client, auditing or other professional relationship with Respondent Artco, or any of its present or former affiliates, directors, officers, employees, or agents acting in their capacity as such for the period of the engagement and for a period of two years after the engagement.

F. Certify, in writing, compliance with the undertakings set forth above. The certification shall identify the undertakings, provide written evidence of compliance in the form of a narrative, and be supported by exhibits sufficient to demonstrate

compliance. The Commission staff may make reasonable requests for further evidence of compliance, and Respondent Artco agrees to provide such evidence. The certification and supporting material shall be submitted to Adam Grace, Assistant Regional Director, New York Regional Office, Brookfield Place, 200 Vesey Street, Suite 400, New York, NY 10281-1022, with a copy to the Office of Chief Counsel of the Enforcement Division, no later than sixty (60) days from the date of the completion of the undertakings.

G. The Independent Consultant shall be retained through the date on which Respondent Artco submits the certification described in Paragraph 32(F) above.

#### IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondents' Offers.

Accordingly, pursuant to Section 8A of the Securities Act, Sections 15(b), 17A and 21C of the Exchange Act, and Section and 9(b) of the Investment Company Act, it is hereby ORDERED that:

- A. Respondent Artco shall cease and desist from committing or causing any violations and any future violations of Section 5 of the Securities Act.
- B. Respondent Artco is censured.
- C. Respondent Artco shall pay disgorgement of \$585, prejudgment interest of \$64 and civil penalties of \$25,000, to the Securities and Exchange Commission for transfer to the general fund of the United States Treasury, subject to Exchange Act Section 21F(g)(3). Payment shall be made in the following installments: \$12,500 due within 30 days of the entry of the Order; \$6,250 due within 150 days of the entry of the Order; \$6,250 within 300 days of the entry of the Order; and \$649 within 360 days of the entry of the Order. If any payment is not made by the date the payment is required by this Order, the entire outstanding balance of disgorgement, prejudgment interest, and civil penalties, plus any additional interest accrued pursuant to SEC Rule of Practice 600 and/or pursuant to 31 U.S.C. 3717, shall be due and payable immediately, without further application.

Payment must be made in one of the following ways:

- (1) Respondent may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request;
- (2) Respondent may make direct payment from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>; or



- (3) Respondent may pay by certified check, bank cashier's check, or United States postal money order, made payable to the Securities and Exchange Commission and hand-delivered or mailed to:

Enterprise Services Center  
Accounts Receivable Branch  
HQ Bldg., Room 181, AMZ-341  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

Payments by check or money order must be accompanied by a cover letter identifying Artco as a Respondent in these proceedings, and the file number of these proceedings; a copy of the cover letter and check or money order must be sent to Adam Grace, Assistant Regional Director, New York Regional Office, Brookfield Place, 200 Vesey Street, Suite 400, New York, NY 10281-1022.

D. Respondent Artco shall comply with the undertakings enumerated in Paragraphs 32(A)-(G) above.

E. Respondent Day shall cease and desist from committing or causing any violations and any future violations of Section 17(a) of the Securities Act, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder.

F. Respondent Day shall cease and desist from committing or causing any violations and any future violations of Sections 5(a) or 5(c) of the Securities Act.

G. Respondent Day shall be prohibited for a period of 3 years from acting as an officer or director of an issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act or that is required to file reports pursuant to Section 15(d) of the Exchange Act.

H. Respondent Day be, and hereby is:

1. barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization;
2. prohibited from serving or acting as an employee, officer, director, member of an advisory board, investment adviser or depositor of, or principal underwriter for, a registered investment company or affiliated person of such investment adviser, depositor, or principal underwriter; and
3. barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock;

with the right to apply for reentry after three (3) years to the appropriate self-regulatory organization, or if there is none, to the Commission.

I. Any reapplication for association by Respondent Day will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

J. Respondent Day shall pay disgorgement of \$30,000, prejudgment interest of \$3,300 and civil penalties of \$30,000, to the Securities and Exchange Commission for transfer to the general fund of the United States Treasury, subject to Exchange Act Section 21F(g)(3). Payment shall be made in the following installments: \$12,500 due within 30 days of the entry of the Order; \$12,500 due within 90 days of entry of the Order; \$12,500 due within 180 days of the entry of the Order; \$12,500 due within 270 days of the entry of the Order; and \$13,200 due within 360 days of the entry of the Order. If any payment is not made by the date the payment is required by this Order, the entire outstanding balance of disgorgement, prejudgment interest, and civil penalties, plus any additional interest accrued pursuant to SEC Rule of Practice 600 and/or pursuant to 31 U.S.C. 3717, shall be due and payable immediately, without further application.

Payment must be made in one of the following ways:

- (1) Respondent may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request;
- (2) Respondent may make direct payment from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>; or
- (3) Respondent may pay by certified check, bank cashier's check, or United States postal money order, made payable to the Securities and Exchange Commission and hand-delivered or mailed to:

Enterprise Services Center  
Accounts Receivable Branch  
HQ Bldg., Room 181, AMZ-341  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

Payments by check or money order must be accompanied by a cover letter identifying Christopher Day as a Respondent in these proceedings, and the file number of these proceedings; a copy of the cover letter and check or money order must be sent to Adam Grace, Assistant Regional

Director, Division of Enforcement, Securities and Exchange Commission, New York Regional Office, Brookfield Place, 200 Vesey Street, Suite 400, New York, NY 10281-1022.

**V.**

It is further Ordered that, solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the findings in this Order are true and admitted by Respondent, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Respondent under this Order or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Respondent of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

By the Commission.

Brent J. Fields  
Secretary

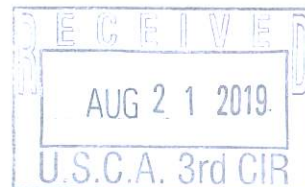
# Roll Call



## Politics

# Accused Fraudster Said to Have Set Up Unwelcome Sanders PAC

### Bet on Bernie website still allows visitors to donate funds

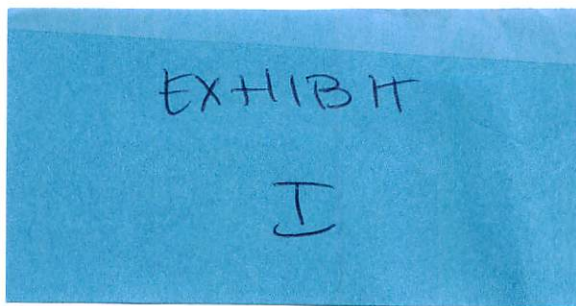


Michael Shaw



Michael Shaw

Posted Mar 18, 2016 2:55 PM



A man who regulators said this week planted false information that inflated his company's stock price was accused last year by Sen. Bernie Sanders' presidential campaign of setting up an unaffiliated and unwelcome campaign committee that used Sanders' name, as well as websites and social media accounts that solicited donations supposedly to help Sanders get elected.

Cary Lee Peterson, 36, was charged by the Securities and Exchange Commission and the Justice Department for violating the antifraud provisions of the securities laws and an SEC antifraud rule. He was arrested this week at San Francisco International Airport after returning to the United States on an international flight, and made an initial appearance in federal court in San Francisco.

His name is familiar to the Sanders' presidential campaign, which is officially called



It said Peterson later changed the name of the committee, which operates as a so-called super PAC, to Americans Socially United. Super PACs are not allowed to be affiliated with a campaign or use a candidate's name. But Peterson did not shut down the Bet on Bernie website, which still allows visitors to donate funds, the campaign said.

"We made it clear we wanted him to shut down," said Brad Deutsch of the law firm Garvey Schubert Barer, lead counsel for the campaign, who issued the letters to Peterson and talked with him on the phone about the campaign's concerns. He said the campaign was worried potential donations could be siphoned away from the real committee. Peterson came to the campaign's attention after workers got calls from supporters who felt "duped and frustrated" by Peterson's committee and website, Deutsch said.

Sanders has staunchly opposed super PACs and their ability to solicit unlimited donations and spend the money how they choose. He has made the issue part of his campaign for the Democratic Party's nomination and often raised it during debates.



When it was clear the unauthorized website would remain operating, however, the campaign moved on to other issues.

“It became a ‘pick your battles’ kind of thing,” Deutsch said. Filing a suit wouldn’t be worthwhile and a complaint with the Federal Election Commission would take too long to be effective, he said.

According to the FEC, the Americans Socially United committee filed one report, in September of last year, saying it raised about \$90,000 in contributions through June, much of it in the form of “in-kind” donations where services are contributed instead of cash. It also returned \$54,000 to donors, listing explanations that payments had the “incorrect payee name” or that donors were not U.S. citizens. It has not filed any subsequent reports.

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The recent securities charges came as a relief to the Sanders campaign.

“We’re happy that the law has caught up with him,” Deutsch said.

Peterson could not be reached to comment. The number listed on SEC filings for his company is no longer in service.

Peterson was accused by the SEC this week of falsely claiming his company, RVPlus Inc., of Jersey City, N.J., had clean energy agreements with governmental bodies in Nigeria, Haiti and Liberia worth \$2.8 billion. RVPlus and Peterson gained control of more than 90 percent of RVPlus’s free trading shares and gave them to individuals who unlawfully sold them into the market, the agency said.

“Using a pseudonym, he posted hundreds of messages to an online investors’ forum calling RVPlus stock ‘undervalued’,” and urging investors to ‘buy up as much as possible,’” said Andrew M. Calamari, director of the SEC’s New York regional office, in a statement.

The SEC’s complaint charges RVPlus and Peterson with violating the antifraud provisions of the securities laws and an SEC antifraud rule. It also charges RVPlus and Peterson with violating the registration provisions of the securities laws and Peterson

He faces a parallel criminal action from the U.S. Attorney's Office in New Jersey over the same conduct, the SEC said, in which he could be sentenced to more than 20 years in prison if found guilty.

The SEC suspended trading in RVPlus securities in July 2013, citing "material deficiencies" in the company's financial statements.

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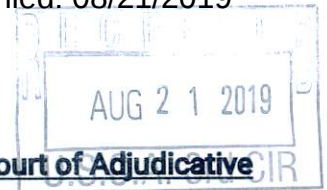
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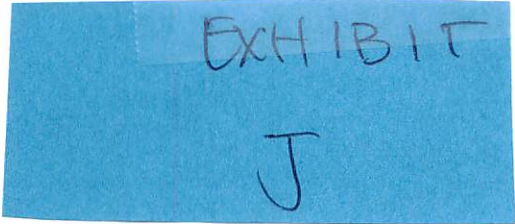


**With Iran reversal, did Trump break pledge to never 'telegraph' military ops?**

By John T. Bennett



**In re: Fw: (in re: 2:16-CV-01428, ECF Doc. No. 36) - Judicial Notice to the Court of Adjudicative Facts for Public Interest by Nonparty Observer**



Dear Court Clerk:

Please accept the foregoing disclosure and legal content (supporting court documents as attachments hereto) pursuant to Fed. R. Evid. P. 201 (judicial notice of adjudicative facts on public interest), submitted electronically under Rule 4.1 by a nonparty observer, in regards to both civil cases, CA No. 16-cv-01428 SEC v. RVPlus, Inc. and CA No. 18-cv-14649, Peterson v. Garvey under the supreme authority of Chief Judge Wolfson in the New Jersey District.

Hence, both cases appear to not honor to the comity of justice for extraordinary Interlocutory relief granted by The Third Circuit Court on 13 June 2019 via prerogative writ filed by Mr. Peterson in pro se status (see circuit judge order in attachments).

Furthermore, on this day of 9 August 2019, I attest to observing additional adjudicative facts that were brought to my soonest attention upon reviewing ECF Doc. No. 36 filed by Ms. Preethi Krishnamurthy on behalf of the U.S. Securities Exchange Commission (see court document as an attachment).

Consequently, on 8 August 2019, Ms. Krishnamurthy filed an ex parte (joint) status report with the court, notwithstanding Text Order specifically stating "Joint Status Report," whereby requires participation from all parties, rather than what she portrays in her improper ex parte communication with the court.

Further, Ms. Krishnamurthy makes a declaration of unproven facts, falsifying results of the trial court, concealing or obstructing truth, collectively giving the appearance of impropriety (or egregious or negligent misconduct with the appearance thereof).

For example:



Paragraph two, Krishnamurthy stated that on Mr. Peterson, as an individual submitted an answer on 18 May 2016 and RVPlus has yet to respond or made an appearance. Whereas, docket records of 2016 illustrate that Krishnamurthy falsified claim of service of the complaint to the court. In addition, per my office's investigation, neither Christopher Day, the only listed principal of RVPlus, Inc., nor the company's registered agent in New Castle, Delaware received proper service pursuant to Federal civil court procedures; nor was there a record of any attempt made to the authorized principal or agent thereof.

Also, according to all official corporate records pursuant to Peterson v. RVPlus, Inc., et al., CA No. 18-cv-00704-LPS (3rd Cir. Delaware), and Fed. R. Evid. P. 902, i.e., the Delaware state and the SEC records of May 2012 (see Share Purchase Agreement, section 4) provide showing that Christopher Day was and remains the only corporate officer and control person for RVPlus who is authorized to receive process of service for the corporate party of the instant case.

Hence, the underlying facts that provide factum problems of a business acquisition "in fieri" between company representatives Day and Attorney Jaclin, and Peterson, that resulted in a non-event, due to a fatal defect in contracts is not the context of the instant case, but that of the Delaware case. Whereby Judge Stark stated in ECF docket entry 8, his Delaware case "overlaps" with the parallel criminal and civil action against Mr. Peterson in New Jersey District.

Additionally, paragraph 3, falsely stated that Mr. Peterson stipulated on a stay of civil proceedings ["...made it clear..."]. However, no court records support this stipulation agreement for a stay of discovery or civil proceedings, nor are there any records of a declaration from Mr. Peterson that 'clearly' or indirectly infer that he agreed to the aforementioned stay or adjournment of civil court proceedings. In addition, pursuant to ECF docket entry 171, supporting Mr. Peterson's filing of the Daliosio Doctrine in the instant case, the improper grand jury proceedings were for charges against Mr. Peterson and his political organization 'Bet on Bernie PAC', rather than germane charges for violations of Federal laws in an official capacity for RVPlus corporation. Thus, the improper joinder of offenses has the substantial likelihood to appear duplicitous and convoluted to the layman without proper jury instructions or explanation of the background fact leading to claims of "lata culpa" "ab initio" (see grand jury transcript).

Further, paragraph 5 makes reference to the former judge that was recused and reassigned. Hence, despite the text order from Chief Judge Wolfson stating so, it is inferred that the recusal of Judge Walls was the result of judicial prejudice or estoppel, subsequent to the higher court granting an Interlocutory injunction to prohibit uncontested motions and delay of adjudication

on Mr. Peterson's appeal case, and pertinent cases in lower Federal courts. Thus, this improper docket filing via clerical error raised by Mr. Peterson in recent filings of the instant case, and the fact of his filings clearly stating Subject Matter and Context as a motion, filed pursuant to Fed. R. Civ. P. 7 should not allow a Federal governmental solicitor the merit to excusable neglect for constructing a motion for a nonmovant filing with the court.

Moreso, this notice for public interest is intended to raise concerns on the whether or not the principles of legal practice in the New Jersey District are being conducted in good faith pursuant to the provision of Rules of Professional Conduct of the New Jersey Supreme Court. From the appearance given by Ms. Krishnamurthy, she is in violation of RPC 3.4, 3.4(g), 3.6, 3.7, 4.2, 5.5(a), and 8.4.

Hence, pursuant to ECF docket entry 32-3 of the instant case (a letter from Esquire Watson of the New Jersey Supreme Court), Ms. Krishnamurthy had never (at any time) been licensed to practice law in the State of New Jersey. Additionally, no court records providing showing off an application to practice in an American Federal court or a sponsorship from another attorney licensed in the state of New Jersey. This may be partly or entirely the reason why Ms. Krishnamurthy had erred in due process principles or failure to acknowledge pertinent provisions in the instant case. I, myself am a barrister in my native country, but can only work as a paralegal in America unless I am sponsored by a local attorney and approved by the court upon my submission of an application to enter an appearance on behalf of a party. (Perhaps the error allowing Ms. Krishnamurthy to lead this case is the fault of former judge's abuse of discretion, more than less.)

Lastly, collateral estoppel occurred twice from what public records show. Thus, on 25 May 2016. Ms. Krishnamurthy's employer SEC entered final judgment on administrative proceedings with RVPlus CEO Christopher Day and ARTCO on claims securities fraud and false certification (see previously filed exhibits; also see attachment retrieved from SEC website).

The second illustration of collateral estoppel was on 20 December 2018, when Mr. Peterson was convicted and sentenced for the same charges previously adjudicated in SEC administrative proceedings with Mr. Day and his family company ARTCO. In fact, the claim of "res judicata" or collateral estoppel was raised in Mr. Peterson's criminal case see ECF docket no. 151), and appeal case in Philadelphia and the Peterson v. Garvey countersuit in your courthouse currently pending. Perhaps an intentional error made by the former chief and sentencing judge whom Evidence or Declaration of the instant case infer that prejudice or bias

from Judge Thompson derived from her concealed relationship with RVPlus shareholder Rev. Jonathan Mason of Philadelphia or former Bet on Bernie PAC member Dustyn Thompson of Delaware. Similarly, Judge Martinotti from your courthouse concealed his close relationship to his former court intern and Gregg Jaclin securities law firm associate Ms. Kristina Trauger. From my understanding, any political or personal conflicts of interest or financial interests held by the judicial officer, his spouse or close relationship are grounds for disqualification.

Based on the 'Gotcha Evidence' (filed with ECF docket no. 32), whereby supporting the Daliosio Doctrine and Mr. Peterson's disclosure from former filings, it appears impossible to find legitimacy or any sufficient grounds within the color of law to permit the instant case from continuing, rather than being dismissed for reasons pleaded by Mr. Peterson in initial motions filed eight months ago. "Ad hoc," the Plaintiff's stalemate tactic to preclude adjudication, admitting to manifest and fatal error on due process principle and malpractice violations is clearly dishonorable and an exhaustion of public resources.

In my own opinion, based solely on my knowledge of public records from the news media and the court on the instant case and Garvey-Peterson Ordeal, in addition to the fact that a prerogative writ had to be filed by Mr. Peterson and be granted by the higher court to get proceedings of the instant case end deadlock on proceedings, continuation of this case is a useless battle that was already won a long time ago when the Delaware case filed on 18 May 2018 raised awareness on the previous final judgment in administrative proceeding of 25 May 2016, faulting the true responsible person for RVPlus, Inc.; and barring future prosecution against another for the same incident or similar claims.

Thereby, this judicial notice to the court on public interest is duly submitted by Amanda Liu, a nonparty, who is an observer, in lieu of oath, who understands the penalty of perjury for violation of truth of the statements set forth above.

Respectfully submitted,

s/Amanda Liu (paralegal)

Power-of-Attorney Agent

c/o Cary Lee Peterson

(Contact email: Aliu@rpflegal.com)

Date: 8 August 2019

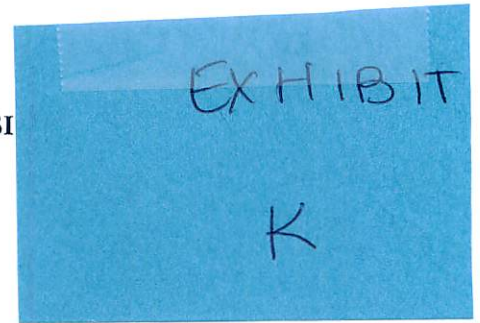
cc: Cary Lee Peterson, BOP Reg.No. 23401111, P.O. Box 5000, FCI Sheridan, OR 97378;

Honorable Judge Restrepo, U.S. Court of Appeals in The Third Circuit, 21400 U.S. Courthouse,  
Philadelphia, PA 19106;

Preethi Krishnamurthy - Securities and Exchange Commission, New York Regional Division  
(krishnamurthyp@sec.gov)



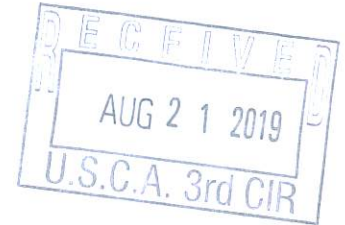
UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
BROOKFIELD PLACE  
200 VESEY STREET, SUITE 400  
NEW YORK, NEW YORK 10281-1022



August 8, 2019

**VIA ECF**

Hon. Michael A. Hammer  
United States Magistrate Judge  
United States District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street Room 4015  
Newark, NJ 07101



Re: *SEC v. RVPlus, Inc. and Cary Lee Peterson*, Docket No. 2:16-cv-01428-MCA-MAH

Dear Judge Hammer:

Pursuant to the Court's Text Orders dated July 26, 2019, Plaintiff Securities and Exchange Commission (the "Commission") respectfully submits this status report. As described in more detail below, discovery in this civil securities fraud action is currently stayed until the resolution of the related criminal proceedings against Defendant Cary Lee Peterson ("Peterson"), whose appeal of his criminal conviction is still pending and who appears *pro se* in this Commission action. Neither defendant joins in this report for the reasons set forth below.

As background, the Commission filed its Complaint in this action on March 14, 2016 and served it on defendants Peterson and RVPlus, Inc. promptly thereafter. (Doc. Nos. 1, 5 & 6.) The Complaint alleges that RVPlus, a microcap company that issued publicly-traded stock, and Peterson, its chief executive officer, defrauded investors by issuing false filings and press releases touting lucrative but wholly fictitious business deals, including contracts purportedly worth almost \$2 billion with foreign governments. (Doc. No. 1.) The Complaint alleges that Peterson thereby engaged in securities fraud and, for other reasons alleged in the Complaint, also violated certain securities registration requirements. (*Id.*) On May 18, 2016, the Clerk's Office docketed Peterson's Answer to the Complaint. (Doc. No. 7.) RVPlus has not answered or otherwise appeared.

Separately, on May 10, 2016, a grand jury in this District returned a three-count indictment against Peterson for conduct that was substantially the same as the conduct alleged in the Commission's Complaint. (Doc. No. 18-1 at 3.) The indictment charged Peterson with two counts of making false statements in corporate filings with the Commission and one count of securities fraud. (Doc. No. 18-1 at 2-3.) On September 29, 2016, the United States Attorney's Office for the District of New Jersey (the "U.S. Attorney's Office") filed a motion to intervene and stay discovery in the Commission's civil action given the related criminal proceedings. (Doc. No. 18.) Later that day, Peterson made clear that he, too, sought a stay of the Commission's action "pending resolution of a criminal proceeding." (Doc. Nos. 20 & 20-1.) On November 2, 2016, Magistrate Judge Cathy Waldor granted the U.S. Attorney's

Hon. Michael A. Hammer

August 8, 2019

Page 2

Office's unopposed motion and stayed discovery in this civil action "pending the criminal proceedings, including any trial therein." (Doc. No. 23.)

On May 23, 2018, in the criminal proceeding, a jury convicted Peterson of two counts of submitting false financial information as the chief executive of a publicly-traded company and one count of securities fraud. (Doc. No. 26.) On December 20, 2018, Judge Thompson sentenced Peterson to 52 months in prison. (Doc. No. 29.) On January 9, 2019, Peterson filed a notice of appeal (Doc. No. 29), and his criminal appeal is pending, as the online docket for his appeal reflects (Docket No. 19-1093).

Meanwhile, during the stay of this action, Peterson has submitted three letters purporting to seek various relief, including a subpoena *duces tecum* and dismissal and severance of this action ostensibly under Federal Rule of Civil Procedure 15. (Doc. Nos. 27, 30 & 32.) The Clerk's Office did not docket any of these letters as motions. Shortly after Peterson submitted his latest letter, the undersigned Commission counsel confirmed with Judge Walls' Chambers that the letter was not being treated as a motion.

Going forward, if the United States Court of Appeals for the Third Circuit affirms Peterson's criminal conviction and the stay in this action is then lifted, the Commission intends to move for summary judgment against Peterson based at least partly on collateral estoppel. The Commission also intends to move for a default judgment against RVPlus after the stay is lifted.

Defendants RVPlus and Peterson do not join in this status report. The Commission sent Peterson a draft of this letter last week by overnight delivery and asked him to let the Commission know whether he joined in the report or proposed alternative or additional language. The Commission has not received any response from Peterson to date. The Commission has also tried repeatedly to contact Peterson's prison facility by telephone but has not been able to speak to Peterson. As for RVPlus, it has not answered or appeared in this action, as described above.

Respectfully submitted,

s/ Preethi Krishnamurthy

Preethi Krishnamurthy  
Senior Trial Counsel

cc: Defendant Cary Lee Peterson (by UPS overnight delivery)  
Assistant U.S. Attorney Ari B. Fontecchio (by ECF and email)



**U.S. Department of Justice**

*United States Attorney  
District of New Jersey*

2016R00418

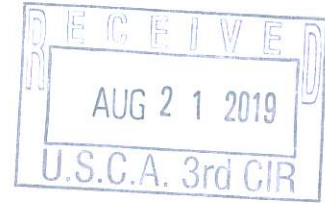
970 Broad Street, 7<sup>th</sup> floor  
Newark, New Jersey 07102

973-645-2700

EXHIBIT L

June 18, 2019

Michael Dixon, Deputy Clerk  
United States District Court  
Martin Luther King, Jr.  
Federal Building & Courthouse  
50 Walnut Street  
Newark, New Jersey 07102



Re: U. S. v. Carey Peterson  
Crim No. 16cr00230

Dear Mr. Dixon:

Please be advised that the above matter has been completed to the defendant Carey Lee Peterson. Kindly cancel the Court's Recognizance related to Document #19 on the docket, for the amount of \$200,000, filed June 6, 2016, as soon as possible.

Thank you.

Very truly yours,

CRAIG CARPENITO  
United States Attorney

By: Ari Fontecchio  
Assistant U.S. Attorney

U.S. Department of Justice  
United States Attorney

Notice to Close Legal Case File

INSTRUCTIONS

- Section I. Self Explanatory
- Section II. Each closed case must be reviewed to determine if the criteria in Item 1, 2, 3, or 4 apply. Then check the appropriate box (es).
- Section III. Check the method(s) closed.
- Section IV. Please Note Special Attention Items.
- Section V. An AUSA must certify the accuracy of Section II. and Section III. for each case closed.

SECTION I: GENERAL

Division: Criminal	Section: OCDETF	ID or Case No: 2016R00418
Case Title: US v. Bet on Bernie (Carey Peterson)		

SECTION II: DISPOSITION

Recommend Permanent Retention by the National Archives 30 years after the close of the case because this issue:

- Had an impact on a statute, rule, regulation, or law enforcement policy, e.g., set a precedent
- Had an actual or potential breakdown of public order (significant civil disturbances)
- Had significant public interest demonstrated by congressional committee or the executive office of the President, or had a high degree of national media attention.

Approved: \_\_\_\_\_

United States Attorney

1. This closed case does not meet any of the above criteria for permanent retention. Disposition is as follows. (select one)

- This case involves NO sentence, or a sentence of 10 years or less, including special parole/supervised release plus one year. Destroy 10 years after close of case.
  - This case involves a sentence of more than 10 years; including special parole/supervised release. Destroy \_\_\_\_\_ years after close of case. (length of sentence including parole/supervised release + one year)
  - This case involves a high level of local media attention and public interest; or is an environmental case per USAM 3-13.310 part 9. Please destroy 25 years after close of case.
  - This case involves a life sentence. Destroy 65 years after close of case
2.  This case now has a Supervised Release Violation. Recalculated disposition \_\_\_\_\_ years.
3.  This is a debt collection record maintained separately from the litigation case. Destroy 6 years after the close of the file.

SECTION III: METHODS CLOSED

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Judgment for _____   | <input checked="" type="checkbox"/> Conviction  | <input type="checkbox"/> Debt Paid in Full       |
| <input type="checkbox"/> Compromise in favor of _____                                       | <input type="checkbox"/> Acquittal  | <input type="checkbox"/> Partial Payment of Debt |
| <input type="checkbox"/> Settlement for _____   | <input type="checkbox"/> Declination  | <input type="checkbox"/> Amount Collected _____  |
| <input type="checkbox"/> Judicial Transfer to: _____  | <input type="checkbox"/> Dismissal  | <input type="checkbox"/> Uncollectable           |
| <input type="checkbox"/> Closed Without Litigation  | <input type="checkbox"/> Other _____  |  |
| <input type="checkbox"/> SR Violation -Continued  | <input type="checkbox"/> SR Violation -Revoked w/reimposition of sentence _____ no SR |  |
| <input type="checkbox"/> SR Violation -Revoked w/reimposition of sentence _____ w/ SR _____ |   |  |

SECTION IV: SPECIAL ATTENTION

This is a consecutive sentence  Change of Disposition due to SRV  Date Disposition Starts \_\_\_\_\_

SECTION V: CERTIFICATION

I certify that the above information in each section is accurate.

\_\_\_\_\_  
(Signature of Assistant U.S. Attorney)

6-18-19  
\_\_\_\_\_  
(Date of Certification)

Ari Fontecchio  
\_\_\_\_\_  
(Printed Name of Assistant U.S. Attorney)



EXHIBIT M



abc 8 87° [Menu Icon]



PRESS RELEASE

# Fed courts reveal Bernie Sanders' private prosecution of political activist days before DNC debate

Hialeah, Jun 28, 2019  
(Issuewire.com) - Just days before the first Democratic presidential primary debate in Miami, court

**Get up to \$150** and a better bank  
**UBT** Union Bank & Trust.  
Member FDIC [Get the Details](#)

presidential candidate Bernie Sanders...

Friday, June 28th 2019, 7:49 AM CDT

