

**IN THE SUPREME COURT  
OF THE STATE OF NEVADA**

MICHAEL PATRICK LATHIGEE,

Appellant,

v.

BRITISH COLUMBIA SECURITIES  
COMMISSION,

Respondent.

Electronically Filed  
Aug 26 2019 09:32 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Supreme Court Case No. 78833

Dist. Court Case No. A-18-771407-C

**RESPONDENT'S APPENDIX**

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**ATTORNEYS FOR RESPONDENT**

***Lathigee v. British Columbia Securities Commission***  
**Supreme Court Case No. 78833**

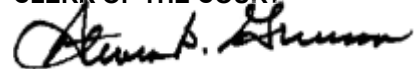
**CHRONOLOGICAL INDEX**

<b>Date Filed</b>	<b>Document</b>	<b>Bates Number</b>
6/12/2019	Notice of Entry of Order Re: Unopposed Motion to Seal Tax Returns (the corresponding order does not appear on the docket)	RESP APP 0001-0002
8/2/2019	Order for Judgment Debtors Exam (Stipulated) and Corresponding Notice of Entry of Order	RESP APP 0003-0014
8/9/2019	Order on Defendant's Motion for Stay Pending Appeal, and Plaintiff's Countermotion for Injunction and Corresponding Notice of Entry of Order	RESP APP 0015-0022
N/A	Exhibit Regarding U.S./Canadian Dollar Exchange Rate	RESP APP 0023-0024

***Lathigee v. British Columbia Securities Commission***  
**Supreme Court Case No. 78833**

**ALPHABETICAL INDEX**

<b>Date Filed</b>	<b>Document</b>	<b>Bates Number</b>
N/A	Exhibit Regarding U.S./Canadian Dollar Exchange Rate	RESP APP 0023-0024
6/12/2019	Notice of Entry of Order Re: Unopposed Motion to Seal Tax Returns (the corresponding order does not appear on the docket)	RESP APP 0001-0002
8/2/2019	Order for Judgment Debtors Exam (Stipulated) and Corresponding Notice of Entry of Order	RESP APP 0003-0014
8/9/2019	Order on Defendant's Motion for Stay Pending Appeal, and Plaintiff's Countermotion for Injunction and Corresponding Notice of Entry of Order	RESP APP 0015-0022



NOO

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Counsel for Defendant,  
Michael Patrick Lathigee

STATE OF NEVADA  
EIGHTH JUDICIAL DISTRICT COURT AT CLARK COUNTY  
Hon. Adriana Escobar, District Judge

BRITISH COLUMBIA SECURITIES  
COMMISSION,

Plaintiff,

— vs. —

MICHAEL PATRICK LATHIGEE,

Defendant.

Case No. A-18-771407-C {Dept. 14}

**NOTICE OF ORDER RE: UNOPPOSED  
MOTION TO SEAL TAX RETURNS**

Defendant, Michael Patrick Lathigee ("Lathigee"), hereby gives notice that the Court has entered the attached Order on Lathigee's Unopposed Motion to Seal Tax Returns filed herein on June 10, 2019.

//

Respectfully submitted on the date of e-filing, by:

/s/ Jay D. Adkisson

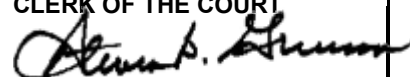
Jay D. Adkisson  
Counsel for Defendant  
Michael Patrick Lathigee

CERTIFICATE OF SERVICE

The following signature certifies that the following counsel was served by e-filing:

Kurt R. Bonds, SBN 6228  
Matthew M. Pruitt, SBN 12474  
ALVERSON TAYLOR *et al.*  
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/s/ Jay D. Adkisson  
Jay D. Adkisson



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Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

\_\*\_

BRITISH COLUMBIA SECURITIES  
COMMISSION,

CASE NO.: A-18-771407-C  
DEPT. NO.: XIV

Plaintiffs,

vs.

MICHAEL PATRICK LATHIGEE,

Defendant.

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that the Order For Judgment Debtor's Examination (Stipulated)  
was filed in the above Court on August 2, 2019 a copy of same is attached hereto.

DATED this 2<sup>nd</sup> day of August, 2019

ALVERSON TAYLOR & SANDERS




KURT R. BONDS, ESQ.  
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[efile@alversontaylor.com](mailto:efile@alversontaylor.com)  
Attorneys for Plaintiff

**CERTIFICATE OF SERVICE VIA CM/ECF**

I hereby certify that on this 2<sup>nd</sup> day of August, 2019, I did serve, via Case Management/Electronic Case Filing, a copy of the above and foregoing NOTICE OF ENTRY OF ORDER addressed to:

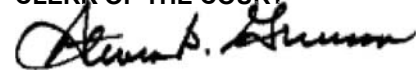
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An Employee of ALVERSON TAYLOR &  
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Counsel for Defendant,  
Michael Patrick Lathigee

STATE OF NEVADA  
EIGHTH JUDICIAL DISTRICT COURT AT CLARK COUNTY  
Hon. Adriana Escobar, District Judge

BRITISH COLUMBIA SECURITIES  
COMMISSION,

Plaintiff,

— vs. —

MICHAEL PATRICK LATHIGEE,

Defendant.

Case No. A-18-771407-C {Dept. 14}

**ORDER FOR JUDGMENT DEBTOR'S  
EXAMINATION**

**(STIPULATED)**

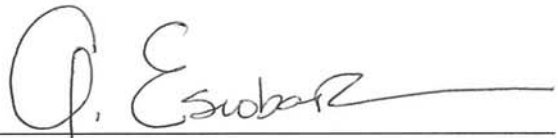
Upon the stipulation of the parties herein and both of them, being the British Columbia Securities Commission ("BCSC"), Plaintiff, and Michael Patrick Lathigee ("Lathigee"), Defendant, it is hereby ORDERED as follows:

- (1) Lathigee is to appear and be examined pursuant to NRS 21.270, and under the penalty of contempt if he does not, by record counsel for the BCSC on the 22nd day of August, 2019, commencing at 9:00 a.m., and continuing thereafter until completed, in Department 14 of this Court at 200 Lewis Ave, Las Vegas, NV 89101;
- (2) On or before August 15, 2019, Lathigee shall provide to record counsel for the BCSC the documents which are identified in the list attached hereto; and



1 (3) Service of this Order upon Lathigee may be accomplished by service upon his record  
2 counsel whose signature appears below, and Lathigee has consented to accept such  
3 service by and through said record counsel.

4  
5 SO ORDERED this 30<sup>th</sup> day of July, 2019, by:

6  
7  
8   
9 Hon. Adriana Escobar  
10 Judge of the District Court

11 So stipulated this 26 day of July, 2019, by:

12  
13 /s/ Jay D. Adkisson  
14 Jay D. Adkisson  
15 Counsel for Defendant  
16 Michael Patrick Lathigee

17 So stipulated this 26 day of July, 2019, by:

18  
19   
20 Matt Pruitt  
21 Counsel for Plaintiff British  
22 Columbia Securities Commission  
23  
24  
25  
26  
27  
28

**EXHIBIT "1"**

**LIST OF DOCUMENTS AND THINGS TO BE PRODUCED  
AT JUDGMENT DEBTOR'S EXAMINATION**

Judgment Debtor shall bring the following documents and materials to be examined, and  
Judgment Debtor shall be prepared to discuss and explain such documents and materials:

- (1) Any and all information and documentation identifying real property, computers, intellectual property, vehicles, brokerage accounts, bank deposits and all other assets that are owned by MICHAEL PATRICK LATHIGEE, without regard to any liens or encumbrances.
- (2) Any and all information and documentation identifying liens or encumbrances on real property, computers, intellectual property, vehicles, brokerage accounts, bank deposits and all other assets that are owned by MICHAEL PATRICK LATHIGEE.
- (3) MICHAEL PATRICK LATHIGEE's bank statements, including checking, savings, investment, money marketing and all other accounts, for the years 2012 through the present.
- (4) Documents sufficient to show MICHAEL PATRICK LATHIGEE's gross income for the years 2012 through the present.
- (5) Documents sufficient to show MICHAEL PATRICK LATHIGEE's costs and expenses for the years 2012 through the present.
- (6) All tax returns filed by MICHAEL PATRICK LATHIGEE with any governmental body for the years 2012 through the present, including all schedules, W-2s and 1099s.
- (7) All of MICHAEL PATRICK LATHIGEE's accounting records, in computerized, electronic and/or printed or paper format for the years 2012 through the present.

- 1 (8) All of MICHAEL PATRICK LATHIGEE's checkbooks, checkbook stubs and checkbook  
2 entries for the years 2012 through the present.
- 3 (9) Documents sufficient to identify any intangible assets, for example, without limitation,  
4 goodwill, copyrights, patents and/or trademarks, held by MICHAEL PATRICK  
5 LATHIGEE.  
6
- 7 (10) Closing documents for every purchase or sale of real estate by MICHAEL  
8 PATRICK LATHIGEE from 2012 through the present.
- 9 (11) Documents sufficient to show the means and source of any payment of court fees  
10 in this case over the past year.  
11
- 12 (12) Documents sufficient to show the means and source of payment of any rent,  
13 mortgage, or other monies paid for the years 2012 to present.
- 14 (13) Any settlement agreements by which another party has agreed to pay money to  
15 MICHAEL PATRICK LATHIGEE.  
16
- 17 (14) Documents sufficient to show in detail any all debts payable to MICHAEL  
18 PATRICK LATHIGEE.
- 19 (15) Any and all documents filed/submitted by MICHAEL PATRICK LATHIGEE, or  
20 by any person on MICHAEL PATRICK LATHIGEE's behalf, from 2012 through the  
21 present, with the Securities Exchange Commission.  
22
- 23 (16) Any and all statements from credit card processing services and/or merchant  
24 accounts which MICHAEL PATRICK LATHIGEE has used or benefited from for the  
25 years 2012 through the present.
- 26 (17) Any and all credit card statements from accounts which MICHAEL PATRICK  
27 LATHIGEE has used or benefited from for the years 2012 through the present.  
28

- 1 (18) Documents sufficient to show any presently-outstanding monetary and  
2 nonmonetary obligations to MICHAEL PATRICK LATHIGEE by any other person or  
3 company in excess of \$20.00.
- 4 (19) Any and all existing contracts or leases to which MICHAEL PATRICK  
5 LATHIGEE is a party.
- 6 (20) Any and all insurance policies which MICHAEL PATRICK LATHIGEE now  
7 owns, or which MICHAEL PATRICK LATHIGEE knows it is a beneficiary of.
- 8 (21) Any and all titles, bills of sale, or contracts of sale upon personal property  
9 including, but not limited to, automobiles, buses, boats, airplanes, household good,  
10 miscellaneous furniture and fixtures belonging to MICHAEL PATRICK LATHIGEE or  
11 in which MICHAEL PATRICK LATHIGEE has had any interest whatsoever wither  
12 alone or jointly with any other person or entity since 2012 to present.
- 13 (22) A complete inventory of all items of assets owned or leased by MICHAEL  
14 PATRICK LATHIGEE of any nature whatsoever, including automobiles, airplanes,  
15 boats, household fixtures, furnishings, appliances, and. clothing, whether paid for or not.  
16 If the property is not in MICHAEL PATRICK LATHIGEE's possession and in the  
17 possession of another person or entity, designate the name and address of the person or  
18 entity having possession of said property.
- 19 (23) All evidence of mining claims, patents or development work owned by  
20 MICHAEL PATRICK LATHIGEE or in which MICHAEL PATRICK LATHIGEE has  
21 or has had any interest whatsoever, either alone or jointly with any other person or entity  
22 since 2012 through the present.
- 23 (24) Copies of any and all orders and judgments granting MICHAEL PATRICK

LATHIGEE judgment against any other person or entity.

- (25) A hierarchy chart for officers, directors, managers and managing-members of any and all entities associated with MICHAEL PATRICK LATHIGEE, including, but not limited to, entities in which MICHAEL PATRICK LATHIGEE is a shareholder, member, manager, managing-member, officer or board member.
- (26) A list of shareholders/stockholders, members and managing members for any and all entities in which MICHAEL PATRICK LATHIGEE is a shareholder, member, manager, managing-member, officer or board member.
- (27) A copy of any and all titles, leases, contracts and licenses for aircraft owned and/or operated by MICHAEL PATRICK LATHIGEE.
- (28) Copies of all corporate articles, by-laws, minutes, stock transfer ledgers and other records for entities in which MICHAEL PATRICK LATHIGEE is a shareholder, member, manager, managing-member, officer or board member.
- (29) Copies of any and all partnership and/or joint venture agreements to which MICHAEL PATRICK LATHIGEE is a party, and all correspondence related thereto.
- (30) Documents sufficient to show MICHAEL PATRICK LATHIGEE's acquisition or disposal of an interest in any business for the years 2012 through the present.
- (31) Copies of any employment and/or consulting contracts to which MICHAEL PATRICK LATHIGEE is a party.
- (32) Any and all notes owned or held by MICHAEL PATRICK LATHIGEE.
- (33) Documents sufficient to show any security interest beneficial to MICHAEL PATRICK LATHIGEE.
- (34) Any and all information and documentation identifying real property, computers,

1 intellectual property, vehicles, brokerage accounts, bank deposits and all other assets that  
2 are owned by CELISTE LATHIGEE, without regard to any liens or encumbrances.

3 (35) Any and all information and documentation identifying liens or encumbrances on  
4 real property, computers, intellectual property, vehicles, brokerage accounts, bank  
5 deposits and all other assets that are owned by CELISTE LATHIGEE.  
6

7 (36) CELISTE LATHIGEE's bank statements, including checking, savings,  
8 investment, money marketing and all other accounts, for the years 2012 through the  
9 present.  
10

11 (37) Documents sufficient to show CELISTE LATHIGEE's gross income for the years  
12 2012 through the present.

13 (38) Documents sufficient to show CELISTE LATHIGEE's costs and expenses for the  
14 years 2012 through the present.  
15

16 (39) All tax returns filed by CELISTE LATHIGEE with any governmental body for  
17 the years 2012 through the present, including all schedules, W-2s and 1099s.

18 (40) All of CELISTE LATHIGEE's accounting records, in computerized, electronic  
19 and/or printed or paper format for the years 2012 through the present.  
20

21 (41) All of CELISTE LATHIGEE's checkbooks, checkbook stubs and checkbook  
22 entries for the years 2012 through the present.

23 (42) Documents sufficient to identify any intangible assets, for example, without  
24 limitation, goodwill, copyrights, patents and/or trademarks, held by CELISTE  
25 LATHIGEE.  
26

27 (43) Closing documents for every purchase or sale of real estate by CELISTE  
28 LATHIGEE from 2012 through the present.

1 (44) Any settlement agreements by which another party has agreed to pay money to  
2 CELISTE LATHIGEE.

3 (45) Documents sufficient to show in detail any all debts payable to CELISTE  
4 LATHIGEE.  
5

6 (46) Any and all documents filed/submitted by CELISTE LATHIGEE, or by any  
7 person on CELISTE LATHIGEE's behalf, from 2012 through the present, with the  
8 Securities Exchange Commission.

9 (47) Any and all statements from credit card processing services and/or merchant  
10 accounts which CELISTE LATHIGEE has used or benefited from for the years 2012  
11 through the present.  
12

13 (48) Any and all credit card statements from accounts which CELISTE LATHIGEE  
14 has used or benefited from for the years 2012 through the present.

15 (49) Documents sufficient to show any presently-outstanding monetary and  
16 nonmonetary obligations to CELISTE LATHIGEE by any other person or company in  
17 excess of \$20.00.  
18

19 (50) Any and all existing contracts or leases to which CELISTE LATHIGEE is a party.

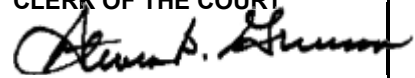
20 (51) Any and all insurance policies which CELISTE LATHIGEE now owns, or which  
21 CELISTE LATHIGEE knows it is a beneficiary of.  
22

23 (52) Any and all titles, bills of sale, or contracts of sale upon personal property  
24 including, but not limited to, automobiles, buses, boats, airplanes, household good,  
25 miscellaneous furniture and fixtures belonging to CELISTE LATHIGEE or in which  
26 CELISTE LATHIGEE has had any interest whatsoever wither alone or jointly with any  
27 other person or entity since 2012 to present.  
28

- 1 (53) A complete inventory of all items of assets owned or leased by CELISTE  
2 LATHIGEE of any nature whatsoever, including automobiles, airplanes, boats,  
3 household fixtures, furnishings, appliances, and. clothing, whether paid for or not. If the  
4 property is not in CELISTE LATHIGEE's possession and in the possession of another  
5 person or entity, designate the name and address of the person or entity having possession  
6 of said property.  
7
- 8 (54) All evidence of mining claims, patents or development work owned by CELISTE  
9 LATHIGEE or in which CELISTE LATHIGEE has or has had any interest whatsoever,  
10 either alone or jointly with any other person or entity since 2012 through the present.  
11
- 12 (55) Copies of any and all orders and judgments granting CELISTE LATHIGEE  
13 judgment against any other person or entity.  
14
- 15 (56) A hierarchy chart for officers, directors, managers and managing-members of any  
16 and all entities associated with CELISTE LATHIGEE, including, but not limited to,  
17 entities in which CELISTE LATHIGEE is a shareholder, member, manager, managing-  
18 member, officer or board member.  
19
- 20 (57) A list of shareholders/stockholders, members and managing members for any and  
21 all entities in which CELISTE LATHIGEE is a shareholder, member, manager,  
22 managing-member, officer or board member.  
23
- 24 (58) A copy of any and all titles, leases, contracts and licenses for aircraft owned  
25 and/or operated by CELISTE LATHIGEE.  
26
- 27 (59) Copies of all corporate articles, by-laws, minutes, stock transfer ledgers and other  
28 records for entities in which CELISTE LATHIGEE is a shareholder, member, manager,  
managing-member, officer or board member.



- 1 (60) Copies of any and all partnership and/or joint venture agreements to which  
2 CELISTE LATHIGEE is a party, and all correspondence related thereto.
- 3 (61) Documents sufficient to show CELISTE LATHIGEE's acquisition or disposal of  
4 an interest in any business for the years 2012 through the present.
- 5 (62) Copies of any employment and/or consulting contracts to which CELISTE  
6 LATHIGEE is a party.
- 7 (63) Any and all notes owned or held by CELISTE LATHIGEE.
- 8 (64) Documents sufficient to show any security interest beneficial to CELISTE  
9 LATHIGEE.
- 10 (65) Any and all other documentation evidencing assets held by, or for the benefit of,  
11 MICHAEL PATRICK LATHIGEE or his wife CELISTE LATHIGEE.
- 12 (66) Any and all other documentation evidencing income to, or for the benefit of,  
13 MICHAEL PATRICK LATHIGEE or his wife CELISTE LATHIGEE.
- 14 (67) Copies of any and all trusts to which MICHAEL PATRICK LATHIGEE and/or  
15 CELISTE LATHIGEE are trustors, trustees, beneficiaries, administrators, or to which  
16 they otherwise have direct or indirect control or benefit.
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Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

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BRITISH COLUMBIA SECURITIES  
COMMISSION,

CASE NO.: A-18-771407-C  
DEPT. NO.: XIV

Plaintiffs,

vs.

MICHAEL PATRICK LATHIGEE,

Defendant.

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that the Order on Defendant's Motion for Stay Pending Appeal, and Plaintiff's Countermotion for Injunction was filed in the above Court on August 9, 2019 a copy of same is attached hereto.

DATED this 12<sup>th</sup> day of August, 2019

ALVERSON TAYLOR & SANDERS




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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE VIA CM/ECF**

I hereby certify that on this 12<sup>th</sup> day of August, 2019, I did serve, via Case Management/Electronic Case Filing, a copy of the above and foregoing NOTICE OF ENTRY OF ORDER addressed to:

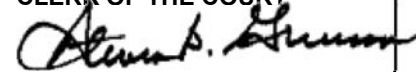
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E-Mail: [jay@risad.com](mailto:jay@risad.com)



An Employee of ALVERSON TAYLOR &  
SANDERS

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Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

\_\*-

BRITISH COLUMBIA SECURITIES  
COMMISSION,

CASE NO.: A-18-771407-C  
DEPT. NO.: XIV

Plaintiffs,

vs.

MICHAEL PATRICK LATHIGEE,

Defendant.

**ORDER ON DEFENDANT'S MOTION  
FOR STAY PENDING APPEAL, AND  
PLAINTIFF'S COUNTERMOTION  
FOR INJUNCTION**

Defendant, MICHAEL PATRICK LATHIGEE's Motion for Stay Pending Appeal, and Plaintiff, BRITISH COLUMBIA SECURITIES COMMISSION's Countermotion for Injunction, having come on for hearing on an Order Shortening Time before this Court on June 11, 2019; Jay D. Adkisson, Esq. appearing on behalf of Defendant, and Matthew M. Pruitt, Esq. of Alverson Taylor & Sanders appearing on behalf of the Plaintiff; the Court having reviewed the papers and pleadings filed herein and considered the Motion, Opposition, Countermotion and Reply, and considering the oral arguments of counsel, and good cause so appearing; the Court finds and orders as follows:

**FINDINGS**

**THE COURT FINDS**, based on the evidence and testimony before the Court, that:

- (1) The Court has reviewed the factors set forth in *Nelson v. Heer*, 121 Nev. 832, 833 (2005), regarding the allowance of alternative security for a stay pending appeal.

- (2) That the factors in *Nelson* are the controlling factors for such consideration, and the “unusual circumstances” test from *McCulloch v. Jeakins*, 99 Nev. 122, 123 (1983), was replaced thereby.
- (3) That pursuant to this Court’s analysis under *Nelson*, this Court finds that each of the following factors is in favor of the Plaintiff, for the following reasons:
- a. The Complexity of the Collection Process.
    - i. The Court finds that the collection process is significantly complex, as Plaintiff has had to domesticate this judgment in Nevada, as Defendant represents that he has little funds with which to pay the judgment, and as Defendant may be a flight risk and may be hiding assets. The Court finds that this factor weighs in favor of Plaintiff.
  - b. The amount of time required to obtain a judgment after it is affirmed on appeal.
    - i. The Court finds that the appeal may take a significantly long time, especially as victims are waiting to have their funds returned to them. The Court finds that this factor weighs in favor of Plaintiff.
  - c. The degree of confidence that the district court has in the availability of funds to pay the judgment.
    - i. Defendant claims that he has little money, and the evidence shows that Defendant executed a quitclaim deed of his house to his spouse soon after being put on notice of a domestication action in Nevada, evidencing his propensity to avoid judgment and hide his assets. The Court finds that this factor weighs in favor of Plaintiff.
  - d. Whether the defendant’s ability to pay the judgment is so plain that the cost of a bond would be a waste of money.

i. Based on Defendant's claim that he has very little in unprotected assets, the Court finds that this factor weighs in favor of Plaintiff.

e. Whether the defendant is in such a precarious financial situation that the requirement to post a bond would place other creditors of the defendant in an insecure position.

i. The only other debts claimed by Defendant are a mortgage and child support. These debts are protected under Nevada law; therefore, the Court finds that this factor weighs in favor of Plaintiff.

(4) Defendant has not offered any type of bond in the alternative of a full supersedeas bond.

(5) Defendant is a flight risk.

(6) Defendant appears to be hiding his assets, as Defendant executed a quitclaim deed of his house to his spouse soon after being put on notice of a domestication action in Nevada, and as Defendant's tax returns show \$105,000.00 in interest, while Defendant claims that he has less than \$100,000.00 in non-exempt assets.

(7) A bond is required for the issuance of an injunction. Under the facts and circumstances, a bond of \$5,000.00 is reasonable and appropriate for the Injunction requested by the Plaintiff.

### **ORDER**

**IT IS HEREBY ORDERED THAT** Defendant's Motion for Stay Pending Appeal is DENIED, including the request to extend the automatic stay by 30 days, and Plaintiff's Countermotion for Injunction is GRANTED, for all the reasons set forth herein, and in Plaintiff's Opposition and Countermotion.

### **INJUNCTION**

**IT IS FURTHER ORDERED THAT,** pursuant to NRS 33.010 and NRCP 65, upon Plaintiff's submission of a \$5,000.00 bond, or a deposit of \$5,000.00 with the clerk of the court, Defendant is hereby enjoined from transferring, selling, encumbering, receiving, concealing,

1 changing, pledging, hypothecating, assigning, liquidating, incurring debt upon, or otherwise  
2 disposing of, or withdrawing, any funds, assets or other property (including money, real or personal  
3 property, securities, chose in action or any other form of asset or property of any kind whatsoever),  
4 until Plaintiff's judgment has been satisfied.  
5

6 A. TO WIT, all funds and other assets held, managed or controlled, whether directly or  
7 indirectly, separate or community property, by Defendant, are hereby frozen by  
8 injunction (the "Asset Freeze").  
9

10 B. ACCORDINGLY, Defendant and any of his agents, servants, employees, attorneys,  
11 depositories, banks, and those persons in active concert or participation with any one or  
12 more of them, who receive actual notice of this Order or of the terms of this asset freeze,  
13 by personal service, mail, facsimile transmission, email, service on a registered agent, or  
14 otherwise, are hereby restrained from, directly or indirectly, transferring, selling,  
15 encumbering, receiving, concealing, changing, pledging, hypothecating, assigning,  
16 liquidating, incurring debt upon, or otherwise disposing of, or withdrawing, any funds,  
17 assets or other property (including money, real or personal property, securities, chose in  
18 action or any other form of asset or property of any kind whatsoever).  
19

20 C. The Asset Freeze articulated herein extends to all assets, including any accounts at  
21 any financial institution, held by Defendant, or for Defendant's direct or indirect benefit,  
22 under Defendant's direct or indirect control, or over which Defendant exercises actual or  
23 apparent investment or other authority (including assets held in the name of or for the  
24 benefit of Defendant), in whatsoever form such assets may presently exist and wherever  
25 located.  
26

27 D. Defendant and any of his agents, servants, employees, attorneys, depositories, banks,  
28 and those persons in active concert or participation with any one or more of them, who

1 receive actual notice of this Order or of the terms of this asset freeze, by personal service,  
2 mail, facsimile transmission, email, service on a registered agent, or otherwise, are  
3 hereby restrained from opening or causing to be opened any safe deposit boxes,  
4 commercial mail boxes, or storage facilities titled in the name of Defendant, or in trust  
5 for Defendant, or subject to access by him, without providing prior notice to Plaintiff and  
6 an opportunity for Plaintiff to inspect the contents in order to determine whether they  
7 contain assets subject to this Order.  
8

9  
10 E. Any bank, financial or brokerage institution or other person or entity holding any  
11 such funds or anything else of value, in the name of, for the benefit of, or under the control  
12 of Defendant, and that receives actual notice of this Order or of the terms of the Asset  
13 Freeze provisions contained herein, by personal service, mail, facsimile transmission,  
14 email, service on a registered agent, or otherwise, shall hold and retain within its control  
15 and prohibit the withdrawal removal, transfer, disposition, pledge, encumbrance,  
16 assignment, set off, sale, liquidation, dissipation, concealment, or other disposal of any  
17 such funds, assets or property belonging to Defendant, or to which Defendant has a  
18 beneficial interest, wherever located and held in whatever name.  
19

20 F. To facilitate this Asset Freeze, within 24 hours of receiving a copy of this order,  
21 Defendant shall identify with specificity to Plaintiff all accounts, including bank  
22 accounts, brokerage accounts, retirement accounts, and/or trust accounts, in which  
23 Defendant has an ownership or beneficial interest.  
24

25 G. To further facilitate this Asset Freeze, within 24 hours of receiving a copy of this  
26 order, Defendant shall identify with specificity to Plaintiff all investments held by  
27 Defendant, or to which Defendant holds a beneficial interest, including stocks, bonds,  
28 promissory notes, deeds of trust, membership interests, and agreements for payment.



1 H. To facilitate this Asset Freeze, within 24 hours of receiving a copy of this order,  
2 Defendant shall identify with specificity to Plaintiff all entities which Defendant has any  
3 degree of ownership interest in, or control over, or which he has transferred, loaned, or  
4 otherwise given money or assets to since March 16, 2015.

5  
6 I. Nothing in this Order shall be construed as preventing Defendant from moving the  
7 Court to provide a carve-out for ordinary living expenses and/or legal expenses.  
8 Similarly, nothing in this Order shall be construed as preventing Plaintiff from opposing  
9 such motions.

10 J. Nothing in this Order shall prevent Plaintiff from executing on its Judgment, and  
11 Defendant and any of his agents, servants, employees, attorneys, depositories, banks, and  
12 those persons in active concert or participation with any one or more of them, shall  
13 comply with any writ of execution or writ of garnishment served upon them in relation to  
14 execution on Plaintiff's Judgment which has been domesticated by this Court.

15 IT IS SO ORDERED.

16 DATED this 8<sup>th</sup> day of August 2019.

17   
18 DISTRICT COURT JUDGE

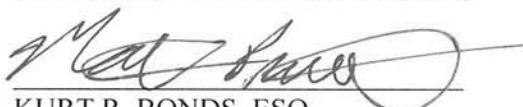
19 Approved as to Form and Content by:

20 JAY D. ADKISSON LLP

21  
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Respectfully Submitted by:

ALVERSON TAYLOR & SANDERS

29   
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Exchange Rates From The Wall Street Journal Website

<https://www.wsj.com/market-data/currencies/exchangerates>

Accessed August 7, 2019

DECLARATION OF JOHN M. NAYLOR, ESQ.

1. I am John M. Naylor, and I am the attorney of record for the British Columbia Securities Commission in this appeal. This declaration is based on my personal knowledge.
2. Attached is a true and correct copy of a screenshot that I took of The Wall Street Journal's website on August 5, 2019 showing the exchange rates of the Canadian dollar.
3. I declare under penalty of perjury that the forgoing is true and correct.

Date: August 7, 2019

/s/ John M. Naylor

DJIA ▼ 26007.07 -0.09%

S&amp;P 500 ▲ 2883.98 0.08%

U.S. 10 Yr ▼ -1/32 Yield 1.718%

Euro ▲ 1.1203 0.02

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## Exchange Rates

8/06/19

U.S.-dollar foreign-exchange rates in late New York trading

	IN US\$		US\$ VS. % CHG		PER US\$	
	TUES	MON	1-DAY	YTD	TUES	MON
<b>Americas</b>						
Argentina peso	0.0221	0.0220	-0.28	20.2	45.2680	45.3972
Brazil real	0.2524	0.2515	-0.35	2.1	3.9619	3.9759
Canada dollar	0.7531	0.7571	0.54	-2.7	1.3279	1.3208
Chile peso	0.001399	0.001387	-0.89	3.0	714.60	721.00
Ecuador US dollar	1	1	unch	unch	1	1
Mexico peso	0.0511	0.0510	-0.20	-0.4	19.5757	19.6158
Uruguay peso	0.02876	0.02891	0.52	7.3	34.7700	34.5900
<b>Asia-Pacific</b>						
Australian dollar	0.6758	0.6756	-0.03	4.4	1.4797	1.4802
China yuan	0.1423	0.1418	-0.34	2.2	7.0264	7.0507
Hong Kong dollar	0.1276	0.1274	-0.11	0.1	7.8382	7.8466
India rupee	0.01410	0.01412	0.12	1.9	70.90900	70.82100
Indonesia rupiah	0.0000701	0.0000702	0.07	-0.8	14265	14255
Japan yen	0.00939	0.00944	0.47	-2.9	106.46	105.96
Kazakhstan tenge	0.00258	0.00259	0.21	0.8	387.41	386.59
Macau pataca	0.1242128	0.1242128	unch	-0.2	8.051	8.051

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