

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

FILED

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ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY DL DEPUTY

U.S. COMMODITY FUTURES)
TRADING COMMISSION and)
OKLAHOMA DEPARTMENT OF)
SECURITIES ex rel. IRVING . L)
FAUGHT,)

Plaintiffs,)

v.)

PRESTIGE VENTURES CORP., a)
Panamanian corporation, FEDERATED)
MANAGEMENT GROUP, INC. A Texas)
corporation, KENNETH WAYNE LEE an)
individual, and SIMON YANG (a/k/a)
XIAO YANG a/k/a SIMON CHEN), an)
individual,)

Defendants, and)

SHEILA M. LEE, an individual, DAVID A.)
LEE, an individual, and DARREN A. LEE,)
an individual,)

Relief Defendants,)

Case No. 09-CV-1284 (DLR)

DARREN A. LEE'S SECOND
REQUEST FOR MOTION OF
CONTINUANCE

ENTRY OF APPEAL
PLEASE ENTER ME, DARREN A LEE, AS REPRESENTING MYSELF IN THE
ABOVE CAPTIONED MATTER

I am having to represent myself in this extremely complicated case out of the respected
Oklahoma Court. The Plaintiffs have refused to answer 95% of the Admission, Interrogatories,

and Document Requests. It is imperative to receive legal fairness in seeking justice in a case, and the Commission and ODS are trying every underhanded trick to lean the balance in their favor. The Relief Defendants are not going to file for damages in this respected Court on the grounds that our rights were violated here in the state of SC and we reserve the right to file a lawsuit against the CFTC, ODS, and Receiver from the state of our residence.

With the Commission refusing to answer any of the questions, that were requested from them, in Darren Lee's First Set of Admissions, Interrogatories, and Document Requests, that are imperative to even having a fair trial, they have shown that none of the facts supplied by the Relief Defendants are disputed, in which pertain to what the Defendants and Relief Defendants have submitted. The Commission maintains that the Defendants and Relief Defendants have not supplied "one shred of evidence", which is a blatant misrepresentation to the Court. There has been plenty of evidence submitted to the respected Court and I cannot figure out how they so arrogantly misrepresent the facts. It is not fair, and it is a bullying tactic that has no place in a Court of Law.

My father, Kenneth Lee, was deposed at the end of September and the copy of that deposition has still not been received to be reviewed by Defendants and/or Relief Defendants. During Kenneth Lee's deposition he was informed that all of the evidence in question and a copy of the transcript would be in Kenneth Lee's possession by 'next week'. Those promises have not been kept and discovery of those documents has been ignored. Darren Lee was deposed in August and the copy of the deposition has not been received either. That is the process of discovery and just another underhanded ploy by the Plaintiffs to not turn over the evidence, in question during the deposition, and take this to trial against unprepared *Pro Se* litigants. The

process of preparing for a trial is mainly based on discovery and having the Plaintiffs not cooperating with that process shows disregard for the justice system. The trial must be delayed in the best interest of justice. I know your Honor would like to get this off of his respected docket, but fairness and equality must be maintained for the justice system to uphold the true purposes that it was founded upon.

The Commission and Receiver have yet to turn over their true and accurate accounting of the investors and the money involved. One minute the Commission claims \$6.8 million dollars, the lawsuit claims \$8.7 million, today on the phone the Commission states \$9.2 million with \$1.2 million in extra in cash that the Commission, stated, that it has no idea where it came from. The Plaintiffs have never mentioned \$1.2 million in cash until just today, October 29th, 2010. 10 days before the trial. There have been numerous requests to the Commission for the information that they claim, and the Commission has failed to turn over these documents. When the Commission claimed Darren Lee was not cooperating, the Commission filed a motion against Darren Lee for Contempt of Court. There is not enough time before the trial for the Plaintiffs to figure this out and for the defense to process the information. I am submitting as Exhibit 7 a summary of the phone call today with Mr. Holl, Ms. Bonnell, and Mr. Moriarty. This exact email has been sent to the involved parties requesting a sign off that this is a good summary of the conversation. A continuance is requested again on these grounds of having discoverable information still in the hands of the opposing party.

The Commission has been dragging their feet with every request that the Defendants and Relief Defendants have had. Defendants and Relief Defendants only have 7 days to respond to the Plaintiffs' requests, and, yet, the Plaintiffs take a month or more to get back with their refusal

to answer anything. I am submitting into evidence both the Admissions, Interrogatories, and Document Requests (EXHIBIT 1) that I submitted to the Commission and the answers that were received by Mr. Holl, answering for the Commission. (EXHIBIT 2). EXHIBIT 3 is an email received from Mr. Holl pertaining to the unresponsive answers that were supplied to the request for Admissions from Darren A. Lee

I am also submitting into evidence, an email thread from the ODS. In the emails, the ODS is describing that they are waiting to finish an offer for a settlement. The Plaintiffs needed more time to finish it and were going to have it to Kenneth Lee by October 22nd. On October 21st the ODS says that "it will be next week before Plaintiffs get back to you regarding possible settlement." (EXHIBIT 4) Mr. Holl then emails saying that the settlement has been on the table the whole time.(EXHIBIT 5) The Plaintiffs have not even disclosed a restitution amount or any other figures that would be relevant to finalizing the case. They want us kicked out of our homes for the settlement. There is not one person involved in this case that their life is just a game to be played with and manipulated. The Commission and ODS have acknowledged that none of the Relief Defendants have violated any law, rule, or act. In the settlement they are demanding the Relief Defendants to pay a fine, turn over my home and my parents home, a life time ban to trade personally and/or professionally, on all of the Lee family members, and maximum restitution. The Relief Defendants have done nothing wrong to be punished, and I find that just ludicrous that the Commission assumes they can intimidate the Relief Defendants into a settlement when they cannot explain the \$1.2 million in extra cash that they claim knowledge of but will not disclose to the Defendants and/or Relief Defendants.

The Commission have not factually dis-proven anything, and they continue to manipulate

and manipulate. The Commission and ODS have admitted

the Relief Defendant's lives for their misconstrued 'interest of justice'. The Relief Defendant's 5th, 9th, and 10th amendment rights have been ignored, trampled on, and violated repeatedly by an agency that is set in motion to protect the citizens of the United States of America.

With the duty of working for a government agency, one would assume that it is required to maintain ethics to perform a civic duty with integrity and fairness. That is how our founding fathers began this great nation with the Constitution that ensures that, we, the people are protected from unjust manipulation and intimidation by any form of government, or government agencies. Do those beliefs still stand true or have we faltered back to a time before we were truly a free land? There are many reasons to grant a continuance in this case, and I humbly request the Court to grant it, so that justice can be fair and balanced, the way our Constitution designed it to be. The Plaintiffs' Motion for Summary Judgment did not disprove any of the facts that have been submitted unto the Court by the Defendants and Relief Defendants. If a brokerage house's statements (PanAmerica Group) cannot be taken into consideration, then how can any other statement (Bank of America) be taken as factual? I am submitting into evidence copies of deposit slips to the brokerage house in Panama. (EXHIBIT 6) This brokerage firm is a true and factual company out of Panama. There have been brokerage account statements submitted into the Court and not one of them has been acknowledged or disputed in any answer by the Plaintiffs. The Plaintiffs have yet to dispute those statements and the respected Court has no reason to disqualify that as evidence. Fairness in this trial must be maintained for justice to work as it has been intended all these years.

I apologize for any errors that are in my filing, as I have no legal knowledge and/or practice, and I am trying to do my best.

Dated: June 23rd, 2010

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Darren Alexander Lee". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Darren Alexander Lee
2676 Palmetto Hall Blvd.
Mount Pleasant, SC 29466
Telephone - 843-814-3884

Telephone - 843-814-3884

CERTIFICATE OF SERVICE

I hereby certify that, on June 23rd, 2010, I caused one copy of **DARREN A. LEE'S SECOND REQUEST FOR MOTION OF CONTINUANCE** to be served by Electronic Mail on the following:

Katherine S. Driscoll
1155 21st Street NW
Washington, DC 20581

Terra Shamas Bonnell
Oklahoma Department of Securities
120 North Robinson Avenue, Suite 860
Oklahoma City, OK 73102

IT IS SO ORDERED, at Oklahoma city, Oklahoma, on the _____ day of _____
, 20__.

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DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE

IT IS SO DENIED, at Oklahoma city, Oklahoma, on the _____ day of _____,
20__.

DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE

EXHIBIT 1

RELIEF DEFENDANT DARREN A. LEE'S FIRST SET OF REQUESTS FOR ADMISSIONS, INTERROGATORIES, AND DOCUMENT REQUESTS TO JAMES HOLL (PLAINTIFF COMMODITY FUTURES TRADING COMMISSION)

INTRODUCTION

All of my requests for Interrogatories came from your First Amended Complaint that I have in my possession from you, that is file stamped. I will attach the definitions that the CFTC gave me so that you may refresh your memory. If you do not know what the rights protected by the 5th, 9th, and 10th amendments are, you have no place working for a United States Government Agency.

United States refers to the country we live in, and **government** refers to the organization through which a political unit exercises its authority, controls and administers public policy, and directs and controls the actions of its members or subjects.

A **government agency** is a department of a local or national government responsible for the oversight and administration of a specific function.

Legitimacy refers to the act of conforming to the law and/or to rules to justify or make lawful.

Harassing tactics is broken down into 2 definitions.

Harassing is the adjective that describes tactics and refers to annoying persistently or to create an unpleasant or hostile situation, especially, by uninvited and unwelcome verbal or physical conduct. Refer to James Holl slamming his hand on the table during my second deposition as harassing and the constant bombardment of demands from the CFTC.

A **Tactic** is a device for accomplishing an end or a method of employing forces.

Threatening tactics is broken down into 2 definitions.

Threatening is the adjective that describes tactics and is defined as an expression of intention to inflict evil, injury, or damage. It refers to the demanding of my properties and freezing of my bank accounts before this was even close to trial. You have threatened my livelihood and continue to do so. I will use it in a sentence. James Holl threatened Darren Lee with never allowing him to be able to trade again.

A **Tactic** is a device for accomplishing an end or a method of employing forces

Legitimacy refers to the act of conforming to the law and/or to rules to justify or make lawful.

Helped Coach refers to the CFTC and/or ODS putting words in the mouths of the individuals who had declarations done that do not speak English even close to that clearly and intelligibly.

Witness Declarations refer to the Declarations of Xihai Zhang, Jian Yue, Dexiang Luo, Zhong Luo, and Ming Yu.

Through the witness' Declarations means from before the start of the declaration through the end of the declaration.

Treating is defined dealing with a matter verbally or in writing.

Information is defined as knowledge obtained from investigation, study, or instruction.

Associated is defined as joined or connected together as partners, friends, employees, or companions.

Notified is defined as to give notice of or report the occurrence of and/or to give formal notice to.

Investigation is defined as something that makes a systematic examination of and/or to observe or study by close examination and systematic inquiry.

Proper Notice is defined as the amount of time that is required before a party is to be present for something.

Tried to force is defined as making an individual do something that is illegal, immoral, and/or improper when it is against the person's will.

Violated is defined as to do harm to the person and/or break or disregard the law.

Rights protected by the 9th Amendment refers to my rights that are protected by the 9th Amendment in the United States' Bill of Rights and that the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Targeting is defined as the process used to select people to be attacked.

Churches refers to the congregations that the CFTC is claiming that Kenneth Lee targeted and solicited.

Corporation is the most common form of business organization, and one which is chartered by a state and given many legal rights as an entity separate from its owners.

Transferred is defined as the conveying from one person, place, or situation to another.

Brokerage house refers to a place of business where a broker conducts his business.

Broker is defined as one that acts as an agent for others, as in negotiating contracts, purchases, or sales in return for a fee or commission.

Bank is defined as a business establishment in which money is kept for saving or commercial purposes or is invested, supplied for loans, or exchanged.

Because of criminal backgrounds refers to the focus of the investigation in the beginning, how it was focused on my frivolous charges in 1996, and how Mr. Moriarty stated that I was not worth what I was paid because of my criminal background.

Criminal background is defined as a moment in one's history when one has violated a law.

Protected by the 5th amendment refers to my rights that are protected by the 5th Amendment of the United States' Bill of Rights. The 5th amendment protects against abuse of government authority in a legal procedure.

Receive is defined as to be given, presented with, or paid

Rights protected by the 10th amendment refers to my rights protected by the 10th amendment of the United States' Bill of Rights. The 10th amendment restates the Constitution's principle of federalism by providing that powers not granted to the federal government nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Statements refer to the account description and information from PanAmerica Group, INC.

Submitted as evidence refers to the Statement that was submitted to Judge Russell as evidence. Evidence is defined as that which tends to prove or disprove something in a court of law.

The relevance, and violations of the contentions refers to how something has significant and demonstrable bearing on the matter at hand.

Violations of the contentions refers to what actually was violated in the CFTC's contentions that are then listed in quotes.

Sources is defined as the start, beginning, or origin of something. In this instant it refers to where the information came from.

True claimed ownership interest over their properties and bank accounts refers to the claim of ownership that cannot be contested over a property and the interests help therein. It is, therefore, the definition of what determines if someone is a **Proper Relief Defendant**.

Acura MDX: The term "Acura MDX" means Acura MDX VIN: 2HNYD18242H505471.

And/Or: The terms "and" and "or" are used interchangeably herein, operating both as conjunctive and disjunctive conjunctions.

Boat: The term "Boat" means the EdgeWater 175cc boat owned by David Lee and Darren Lee.

Communication: The term "communication" refers to all manners of transmitting or receiving information, opinions, or thoughts, including but not limited to oral, telephonic, electronic or other delivery.

Concerning: The term "concerning" means referring to, relating to, describing, evidencing, or constituting.

Darren Lee, You, and Your: The terms "Darren Lee," "you," and "your" mean Darren Alexander Lee and any of his present or former agents, servants, representatives, officers, directors, employees, attorneys, and any person acting or purporting to act for or on his behalf, as well as any partnership, association, joint venture, corporation, company, sole proprietorship, or other legal entity created, managed, or owned, in any part, by Darren Lee.

Document: The term "document" is synonymous in meaning and equal in scope to the usage of that term in Federal Rule of Civil Procedure 34(a). Accordingly, document, for purposes of these interrogatories, means any memorialization, whether typed, written, recorded, printed or otherwise reproduced by any process or by hand, and includes, but is not limited to: agreements, contracts, correspondence, facsimile or electronic mail transmissions, telephone logs and records, memoranda, diaries, graphs, formulas, models, mathematical and statistical data, reports, notebooks, manuals, charts, plans, journals, ledgers, financial statements, information stored on or generated by computer disks, hard drives, tapes or other electronic data storage systems, bank records, brochures, electronically recorded information such as audiotape or videotape recordings, microfilm or microfiche, summaries, analyses, commentaries, minutes or other records of interviews, meetings, conferences, conversations or discussions as well as all drafts of the foregoing and any copies bearing marks or notations not found on the original.

Federated: The term "Federated" means Federated Management Group any of its present or former agents, servants, representatives, officers, directors, employees, attorneys, and any person acting or purporting to act for or on his behalf, as well as any partnership, association, joint venture, corporation, company, sole proprietorship, or other legal entity created, managed, or owned, in any part, by Federated Management Group.

Identification or Identify: The terms "identification" and/or "identify" are defined as follows:

1. when used in reference to a natural person, means to state the following information:
 - a. the person's full name;
 - b. the person's last known home address and telephone number;
 - c. the person's last known business address and telephone number;
 - d. if employee, the duration of employment; and
 - e. if employee, describe responsibilities and the dates employee performed each responsibility;
2. when used in reference to any person other than a natural person, means to state the full name, the present or last known address of the principal place of business, and the place(s) of incorporation or business qualification;
3. when used in reference to a location, means to state the street address, city, and state, or if such identification is not possible, a complete description of the location;
4. when used in reference to a document means to describe the form of each document (e.g., letter, graph, report, message, etc.), to state the date or approximate date that each such document was prepared, and to state where the original and non-original are located. If you know of a document which no longer exists, but that falls within the ambit of one of the interrogatories, describe the facts surrounding the disposition of that document;
5. when used in connection with specifying "facts" means to state each occurrence, act, inaction, or omission upon which you rely; those persons present, participating, party to or involved in such occurrence, act, inaction, or omission; and the date and place of each such occurrence, act, inaction, or omission; and
6. when used in reference to a meeting, conference, correspondence, or communication, means to state its date, time, location, whether in person or by telephone, persons involved, persons present, and to identify any documents reflecting what occurred at or referring to the meeting, conference, correspondence, or communication.

Palmetto House: The term "Palmetto House" means the house located at 2676 Palmetto Hall Boulevard, Mt. Pleasant, SC 29466.

Person: The term "person" means any natural person or any business, legal, or governmental entity or association.

Possession: The term "possession" means actual or constructive possession. For example, a document is in your possession if it is within your custody or control, or if you have a legal or equitable right to obtain such document from another person.

Prestige: The term "Prestige" means Prestige Ventures Corporation any of its present or former

agents, servants, representatives, officers, directors, employees, attorneys, and any person acting or purporting to act for or on his behalf, as well as any partnership, association, joint venture, corporation, company, sole proprietorship, or other legal entity created, managed, or owned, in any part, by Prestige Ventures Corporation.

Prestige Bank Account: The term "Prestige Bank Account" means the bank account with account number ending in 6986 in the name of Prestige at Bank of America.

Refer: The term "refer" means to discuss, report on, review, consider, evaluate, or explain by direct mention of the subject matter of the request.

Relate: The term "relate" means to comprise, explicitly or implicitly, refer to, be reviewed in conjunction with, or be generated as a result of the subject matter of the request, or to reflect, record, memorialize, discuss, evaluate, consider, review or report on the subject matter of the request.

Singular/plural: References to the singular shall include the plural, and references to the plural shall include the singular.

ADMISSIONS

Darren Lee requests the Commission admit or deny the following:

Request for Admission No. 1:

This is relevant because of the fact that it is a misrepresentation of a government agent trying to intimidate and influence the opposing party with false and intentional wrongdoing. It proves scienter on the CFTC's part.

The Commission is the government.

Request for Admission No. 2:

Refer to Admission No. 1.

The Commission is a government agency.

Request for Admission No. 3:

This pertains to Darren Lee because you cannot prove that \$8.7 million was deposited by investors. That over-inflated number should show your incompetence in the investigation and therefore reveal that the monies that came to Darren Lee were, in fact, Darren Lee's.

There was never, at least, \$8.7 million solicited or fraudulently accepted by Prestige.

Request for Admission No. 4:

This pertains to Darren Lee because you cannot prove there were 140 customers. That over-inflated number should show your incompetence in the investigation and therefore reveal that

the monies that came to Darren Lee were, in fact, Darren Lee's.

The Commission never investigated the legitimacy of the alleged 'customer' claims.

Request for Admission No. 5:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS.

The Commission has been using harassing tactics on Darren A. Lee.

Request for Admission No. 6:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS.

The Commission has been using threatening tactics on Darren A. Lee.

Request for Admission No. 7:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS. It, also, will prove that the witness' declarations are false and misleading and should be struck from evidence.

The Commission helped coach the Plaintiffs' witnesses through the witness' Declarations.

Request for Admission No. 8:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS.

The Commission is treating Darren Lee as if he violated any rule, law, or regulation.

Request for Admission No. 9:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false and this is very relevant to Darren Lee's case.

The Commission has erroneous facts in their information, including but not limited to, the error that Darren Lee was associated in any way, or form, with Enserco.

Request for Admission No. 10:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS. If the CFTC has stated this in every one of its motions, then it is quite relevant to Darren Lee on the

grounds that you are misleading information into a court of Law. It establishes your ineptitude with handling a case and establishing the holes that are in it.

The Commission never notified Kenneth Lee of the investigation that Prestige, or Federated, was under by the Commission in 2004.

Request for Admission No. 11:

It is not premised on a false statement of fact. The CFTC has the burden of proof and if the CFTC cannot prove that Darren Lee did NOT have the money to purchase the homes, then Darren Lee is not relevant to the lawsuit and should be removed.

The Commission does not know if Darren Lee did had the money to purchase the Palmetto House, Boat, and bank accounts from 2003-present.

Request for Admission No. 12:

This admission shows the underhanded nature that the CFTC began the investigation with and is very relevant to the damages that are being claimed against the CFTC and the ODS.

The Commission has violated my rights protected by the 9th amendment.

Request for Admission No. 13:

This admission shows the underhanded nature that the CFTC began the investigation with and is very relevant to the damages that are being claimed against the CFTC and the ODS. It, also, will disqualify my first deposition, due to the fact that it was obtained illegally.

The Commission did not give the proper notice for Darren Lee to obtain an attorney for Darren Lee's December 9th deposition.

Request for Admission No. 14:

This admission shows the underhanded nature that the CFTC began the investigation with and is very relevant to the damages that are being claimed against the CFTC and the ODS. It will show the harassing and threatening tactics of the Plaintiffs that are to protect and serve the citizens of the United States of America.

The Commission tried to force Darren Lee to give his paychecks from Benito's Brick Oven Restaurant to the Receiver in Oklahoma City.

Request for Admission No. 15:

This admission shows the underhanded nature that the CFTC began the investigation with and is very relevant to the damages that are being claimed against the CFTC and the ODS. It is illegal to discriminate and that is what the Plaintiffs have done.

The Commission is targeting the Lee family because of criminal backgrounds.

Request for Admission No. 16:

This admission shows the underhanded nature that the CFTC began the investigation with and is very relevant to the damages that are being claimed against the CFTC and the ODS.

The Commission has violated Darren Lee's rights that are protected by the 5th amendment.

Request for Admission No. 17:

It is not premised on a false statement of fact. The CFTC has the burden of proof and if the CFTC cannot prove that Darren Lee did NOT have the money to purchase the homes, then Darren Lee is not relevant to the lawsuit and should be removed.

Darren Lee did not receive any pool participant funds.

Request for Admission No. 18:

This admission shows the underhanded nature that the CFTC began the investigation with and is very relevant to the damages that are being claimed against the CFTC and the ODS.

The Commission has violated Darren Lee's rights that are protected by the 10th amendment.

Request for Admission No. 19:

This pertains to Darren Lee because you cannot prove there were 140 customers. That over-inflated number should show your incompetence in the investigation and therefore reveal that you cannot prove the monies that came to Darren Lee were, in fact, not Darren Lee's.

There never were, at least, 140 customers that were fraudulently solicited and invested in Prestige.

Request for Admission No. 20:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, Kenneth Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false, and this is very relevant to Darren Lee's case.

Kenneth Lee never went to any churches in the State of Oklahoma to meet with potential investors.

Request for Admission No. 21:

This proves that there is, in fact, a brokerage house in Panama City that had Darren Lee's money in it. It is very relevant to the case and you are required to answer this admission.

PanAmerica Group, Inc is a corporation out of Panama City, Republic of Panama.

Request for Admission No. 22:

This proves that there is, in fact, a brokerage house in Panama City that had Darren Lee's

money in it. It is very relevant to the case and you are required to answer this admission.

PanAmerica Group, Inc is brokerage house in Panama City, Republic of Panama.

Request for Admission No. 23:

It is very relevant to the case and you are required to answer this admission. This will disprove your assumption that the money had to be transferred directly to the Prestige Bank Account and could have been transferred somewhere else before it was transferred into the Prestige Bank Account.

Funds can be transferred from a brokerage house in Panama to a brokerage house in the United States.

Request for Admission No. 24:

It is very relevant to the case and you are required to answer this admission. This will disprove your assumption that the money had to be transferred directly to the Prestige Bank Account and could have been transferred somewhere else before it was transferred into the Prestige Bank Account.

Monies do not have to be transferred to a bank before they are transferred to a brokerage house in the United States.

Request for Admission No. 25:

This proves that there is, in fact, a brokerage house in Panama City that had Darren Lee's money in it. It is very relevant to the case and you are required to answer this admission.

The statements submitted as evidence from the PanAmerica Group, Inc are legitimate statements from PanAmerica Group, Inc.

INTERROGATORIES

Interrogatory No. 1:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent.

For each and every request for admission in which you provide anything other than an unqualified admission, please state all facts upon which you base your response.

Interrogatory No. 2:

That exact statement, word for word, is on page 2, paragraph 3 (1) in your First Amended

Complaint that is File Stamped. You are required to answer because this shows misleading statements on the Plaintiff and Plaintiff's witnesses that will reflect the holes and false statements that are throughout the First Amended Complaint that is File Stamped.

Please state all the facts upon which you base your contention in paragraph 3 of your First Amended Complaint that, "Lee was consistently profitable and never suffered losses in his trading on behalf of the Prestige Enterprise."

Interrogatory No. 3:

That exact statement, word for word, is on page 2, paragraph 3 (7) in your First Amended Complaint that is File Stamped. You are required to answer because this shows misleading statements on the Plaintiff and Plaintiff's witnesses that will reflect the holes and false statements that are throughout the First Amended Complaint that is File Stamped. Nothing is guaranteed.

Please state all the facts upon which you base your contention in paragraph 3 of your First Amended Complaint that, "by using a particular trading program with a highly successful track record, the Legacy Trading System, the Prestige Enterprise would guarantee profitable returns on all investments."

Interrogatory No. 4:

Every interrogatory that I ask has a great possibility of leading to discoverable evidence for Darren Lee, and it is not your job to assume what is discoverable for me or not discoverable. The CFTC is not a judicial branch or a judge.

Please state all the facts upon which you base your contention in paragraph 4 of your First Amended Complaint that, "In their solicitations, Defendants did not disclose adequately, among other things, the risks of trading commodity futures as well as other financial instruments, and further failed to disclose Lee's extensive criminal history and a civil judgment for more than \$3 million against Federated and Lee resulting from a private action in Texas state court for investment fraud and breach of contract.

Interrogatory No. 5:

Every interrogatory that I ask has a great possibility of leading to discoverable evidence for Darren Lee, and it is not your job to assume what is discoverable for me or not discoverable. The CFTC is not a judicial branch or a judge. By proving that Prestige was not a "Ponzi" scheme, it will disprove the CFTC's allegations that Darren Lee did not have the funds to pay for his home, boat, and bank accounts from 2003-2009.

Please state all the facts upon which you base your contention in paragraph 5 of your First Amended Complaint that, "the Prestige Enterprise and Lee operated a "Ponzi" scheme by paying so-called profits to participants that in actuality came not from successful trading, but from either existing participants' original investments or money invested by subsequent participants.

Interrogatory No. 6:

Darren Lee was named a Relief Defendant. It is quite relevant to Darren Lee and is reasonable to assume that this will lead to discoverable evidence. You are required to answer this interrogatory. This definitely establishes what the CFTC considers a 'legitimate' service.

Please state all the facts upon which you base your contention in paragraph 6 of your First Amended Complaint that, "The Relief Defendants provided no legitimate services to the Prestige Enterprise or to its pool participants and otherwise have no legitimate entitlement to or interest in Prestige Enterprise pool participant funds."

Interrogatory No. 7:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS. If the CFTC has stated this in every one of its motions, then it is quite relevant to Darren Lee on the grounds that you are misleading information into a court of Law. It establishes your ineptitude with handling a case and establishing the holes that are in it.

Please state all the facts upon which you base your contention in paragraph 9 of your First Amended Complaint that, "Defendants, through Yang, also provided false and misleading information, and failed to disclose material information, to the Commission in a required response to a subpoena issued by the Commission to Yang in 2004 concerning the activities of Federated, Lee, Yang and others."

Interrogatory No. 8:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS. If the CFTC has stated this in every one of its motions, then it is quite relevant to Darren Lee on the grounds that you are misleading information into a court of Law. It establishes your ineptitude with handling a case and establishing the holes that are in it.

Please state all the facts upon which you base your contention in paragraph 19 of your First Amended Complaint that, "Defendants employed a devise, scheme, or artifice to defraud investors in connection with the offer and/or sale of securities in and/or from Oklahoma; and Defendants engaged in an act, practice, or course of business that has operated as a fraud or deceit upon investors in connection with the offer and/or sale of securities in and/or from Oklahoma."

Interrogatory No. 9:

This admission shows the underhanded nature that the CFTC began the investigation with, and it is very relevant to the damages that are being claimed against the CFTC and the ODS. It is quite relevant to Darren Lee on the grounds that you are misleading information into a court of Law. It establishes your ineptitude with handling a case and establishing the holes that are in it. Darren Lee was restrained on March 3rd, and this is very relevant to Darren Lee.

is relevant to the damages that are being claimed against the CFTC and the ODS.

Please state all the facts upon which you base your contention in paragraph 21 of your First Amended Complaint that, "Unless restrained and enjoined by this Court, Defendants are likely to continue to engage in the acts and practices alleged in this Complaint and similar acts and practices, as more fully described below."

Interrogatory No. 10:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, Kenneth Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false, and this is very relevant to Darren Lee's case.

Please state all the facts upon which you base your contention in paragraph 34 of your First Amended Complaint that, "During the relevant period, Defendants fraudulently solicited and accepted at least \$8.7 million in funds from at least 140 members of the general public for the purpose of pooling those funds to trade commodity futures as well as other financial instruments, including foreign currency, stocks and stock options."

Interrogatory No. 11:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, Kenneth Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false, and this is very relevant to Darren Lee's case.

Please state all the facts upon which you base your contention in paragraph 35 of your First Amended Complaint that, "They each claim to use the purported Legacy Trading System to trade on behalf of the pools."

Interrogatory No. 12:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, Kenneth Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false, and this is very relevant to Darren Lee's case.

Please state all the facts upon which you base your contention in paragraph 36 of your First Amended Complaint that, "In their solicitations, Defendants primarily targeted the greater Oklahoma City area's ethnic Chinese community through oral statements, marketing materials, email correspondence, a website, and other forms of solicitation."

Interrogatory No. 13:

That exact statement, word for word, is on page 13, paragraph 39, of your First Amended Complaint that is File Stamped. You are required to answer because this shows misleading statements on the Plaintiff and Plaintiff's witnesses that will reflect the holes and false statements that are throughout the First Amended Complaint that is File Stamped.

Please state all the facts upon which you base your contention in paragraph 36 of your First Amended Complaint that, "Defendants specifically targeted members of a certain religious congregation in Edmond, Oklahoma ("Church")."

Interrogatory No. 14:

That exact statement, word for word, is on page 15, paragraph 42 in your First Amended Complaint that is File Stamped. You are required to answer because this shows misleading statements on the Plaintiff and Plaintiff's witnesses that will reflect the holes and false statements that are throughout the First Amended Complaint that is File Stamped.

Please state all the facts upon which you base your contention in paragraph 36 of your First Amended Complaint that, "In their oral solicitations of prospective pool participants, Lee and Yang did not discuss the risks associated with trading commodity futures, stocks, stock options, or foreign currency."

Interrogatory No. 16:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, Kenneth Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false, and this is very relevant to Darren Lee's case. Refer to Admission No. 10.

Please state all facts, the relevancy, and violations of the contentions in paragraph 56 of your First Amended Complaint that, "In their solicitations, Defendants defrauded prospective and existing participants by failing to disclose that they were under investigation by the Commission and others and that they had provided false and misleading, and omitted material information, to the federal government in responding to the subpoena issued by the Commission."

Interrogatory No. 17:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, Kenneth Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false, and this is very relevant to Darren Lee's case. In no way does this prove that Prestige was a 'Ponzi' scheme because it takes money to make money in the equity and currency markets.

Please state all the facts upon which you base your contention in paragraph 78 of your First Amended Complaint that, "In one February 2009 email to a pool participant who requested that Defendants return her funds, Lee admitted he was operating a Ponzi scheme, writing, "[y]ou need to hope that someone DOES invest more in [Prestige] as that is what will get your account closed or be able to release funds to you" (emphasis in original)."

Interrogatory No. 18:

Darren Lee was named a Relief Defendant. It is quite relevant to Darren Lee and is reasonable to assume that this will lead to discoverable evidence. You are required to answer this interrogatory.

Please state all the facts upon which you base your contention in paragraph 123 of your First Amended Complaint that, "The Relief Defendants, Sheila, David, and Darren Lee, received funds as a result of the Defendants' fraudulent conduct and have been unjustly enriched thereby."

Interrogatory No. 19:

Darren Lee was named a Relief Defendant. It is quite relevant to Darren Lee and is reasonable to assume that this will lead to discoverable evidence. You are required to answer this interrogatory.

Please state all the facts upon which you base your contention in paragraph 124 of your First Amended Complaint that, "The Relief Defendants have no legitimate entitlement to or interest in all of the funds received as a result of the Defendants' fraudulent conduct."

Interrogatory No. 20:

Darren Lee was named a Relief Defendant. It is quite relevant to Darren Lee and is reasonable to assume that this will lead to discoverable evidence. You are required to answer this interrogatory. This will establish what the CFTC believes to be a legitimate service. Darren Lee does not believe the CFTC to be performing legitimate services, but that is just a belief and does not prove that they are, in fact, not providing legitimate services.

Please state all the facts upon which you base your claims that Darren Lee did not provide legitimate services to Prestige Ventures.

Interrogatory No. 21:

This admission shows the errors that are in the CFTC's information and the horrible job that was done acquiring information on Darren Lee, David Lee, and Sheila Lee. This will show that there are other pieces of evidence in your possession that are false and this is very relevant to Darren Lee's case. You are required to answer this interrogatory.

Please state all facts and sources upon which you base your contentions in Interrogatory No. 21 of Plaintiff Commission's First Set of Requests for Admissions, Interrogatories, and Document Requests to Relief Defendant Darren Lee that, "Please identify all monetary compensation (to include any and all bonuses, the amount thereof and basis therefore) you received while employed with Enserco. For all such compensation, explain how you disposed of the compensation (e.g., investments, purchases, provision of gifts to others, reinvestment in awarding company, transfers to checking, savings or other banking accounts, gambling, and charitable contributions)."

Interrogatory No. 22:

This pertains to Darren Lee because you cannot prove there were 140 customers. That over-inflated number should show your incompetence in the investigation and therefore reveal that you cannot prove the monies that came to Darren Lee were, in fact, not Darren Lee's. You are required to answer this Interrogatory to prove that there are, in fact, 140 customers and the

CFTC's allegations are not just a lie.

Please identify all 140 customers that you have claimed exist and the amount that is allegedly invested. You must respond including the customers full name, date of alleged solicitation and initial investment, total amount invested. Any private information may remain private.

Interrogatory No. 23:

Being that you are an officer with the CFTC I would have thought you had knowledge of your duties. Mrs. Driscoll claimed that it was common practice to not perform these duties and you are required to answer why it is common practice.

(5) Officer's Duties.

(A) Before the Deposition. Unless the parties stipulate otherwise, a deposition must be conducted before an officer appointed or designated under Rule 28. The officer must begin the deposition with an on-the-record statement that includes:

- (i) the officer's name and business address;*
- (ii) the date, time, and place of the deposition;*
- (iii) the deponent's name;*
- (iv) the officer's administration of the oath or affirmation to the deponent; and*
- (v) the identity of all persons present.*

Please state all of your contentions about how it is 'common practice' that an officer not perform the duties in which the Federal Rules of Civil Procedure 30(b)(5)(a) clearly state the officer's duties, unless the parties stipulate otherwise.

Interrogatory No. 24:

Darren Lee is entitled to living his life and making an income that can pay for his bills. It is not legal to demand my money from working a job that is irrelevant to the case. This was just another harassing and threatening statement on the CFTC's part and you are required to answer why, so that this can be calculated for the damages claimed against the CFTC and the ODS.

Please state your facts and contentions in The Commission's reply to Interrogatory No. 22 in which you state that, "There is currently a Statutory Restraining Order against you which prohibits you from transferring any money to anyone other than the Receiver", when it applies to me trying to pay my bills and feed myself from a restaurant that is no longer in business.

Interrogatory No. 25:

Darren Lee was named a Relief Defendant. It is quite relevant to Darren Lee and is reasonable to assume that this will lead to discoverable evidence. You are required to answer this

interrogatory. If you cannot prove otherwise, then Darren Lee is not a proper Relief Defendant.

Please state your contentions and facts that Darren Lee does not have true claimed ownership interest over their properties and bank accounts and that Darren Lee is a proper Relief Defendant.

DOCUMENT REQUESTS

Document Request No. 1:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent. It is a typo with "replied upon" and was supposed to be relied upon. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents concerning or relating to your responses to each Request for Admission set forth above (including, but not limited to, all documents referenced, consulted, reviewed or replied upon in responding to the Requests for Admissions). For each document produced or required to be produced, indicate the Request for Admission response or responses which each document concerns.

Document Request No. 2:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents that you have concerning the customers deposits into all of Prestige Ventures bank accounts.

Document Request No. 3:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents and communications between you and the alleged 140 customers.

Document Request No. 4:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you

prove your incompetence in what your duties are as a government agent. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents that you intend to use to support your allegations that you intend to assert.

Document Request No. 5:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents concerning or relating to your responses to each Interrogatory set forth above (including, but not limited to, all documents referenced, consulted, reviewed or relied upon in responding to the interrogatories). For each document produced or required to be produced, indicate the Interrogatory response or responses which each document concerns.

Document Request No. 6:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents that you intend to introduce during trial.

Document Request No. 7:

The CFTC is overly broad and unduly burdensome. This is the exact question that the CFTC and ODS have used in their opening interrogatories. If you fail to answer this question then you prove your incompetence in what your duties are as a government agent. You are to produce any documents that you are going to submit and use during the trial. If you don't then I will be forced to file a motion for contempt against you for blatantly ignoring your duties.

Please produce all documents identified in, or relating to, or concerning your Fed. Rule Civ. Procedure 26(a) disclosures.

EXHIBIT 2

Relief Defendant Darren Lee's ("Darren Lee") first set of requests for admission, first set of interrogatories and second set of requests for the production of documents, dated August 10, 2010 ("Requests") as follows:

GENERAL OBJECTIONS

1. The Commission objects to the Requests to the extent they are overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence.
2. The Commission objects to the Requests to the extent that they are irrelevant to the subject matter of this lawsuit as it pertains to Darren Lee or are not reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee.
3. The Commission objects to the Requests to the extent that they seek discovery on behalf of Defendants.
4. The Commission objects to the Requests to the extent that they seek information protected by the attorney-client privilege, the work-product privilege or any other privilege, protection or immunity applicable under the governing law.
5. The Commission objects to the Requests to the extent the documents requested are not described with particularity in violation of Rule 34(b) of the Federal Rules of Civil Procedure.
6. The Commission reserves all objections as to the competence, relevance, materiality, admissibility or privileged status of any information provided in response to the Requests, unless the Commission specifically states otherwise.
7. The Commission objects to the Requests to the extent they require production of documents not in the Commission's possession, custody or control.

8. The Commission responds to the Requests based upon information and documentation available as of the date hereof and reserves the right to supplement and amend its responses.

RESPONSES TO REQUESTS FOR ADMISSION

1. The Commission is the government.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “government.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its general and specific objections, the Commission admits that it is an independent agency of the United States government but otherwise denies this request.

2. The Commission is a government agency.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “government agency.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its general and specific objections, the Commission admits that it is an independent agency of the United States government but otherwise denies this request.

3. There was never, at least, \$8.7 million solicited or fraudulently accepted by Prestige.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “Prestige.” The Commission also objects to this request on the grounds

that it seeks a legal conclusion. The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

4. The Commission never investigated the legitimacy of the alleged "customer" claims.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "legitimacy." The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

5. The Commission has been using harassing tactics on Darren A. Lee.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "harassing tactics." The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

6. The Commission has been using threatening tactics on Darren A. Lee.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “threatening tactics.” The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

7. The Commission helped coach the Plaintiffs’ witnesses through the witness’ Declarations.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “helped coach” and “through the witness’ Declarations.” The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

8. The Commission is treating Darren Lee as if he violated any rule, law, or regulation.

The Commission objects to this request on the grounds that it is overbroad, vague and ambiguous in that it does not define “treating.” The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission admits it has alleged in its First Amended Complaint and other papers filed in this matter that Darren Lee received ill-gotten gains and does not have a legitimate claim to those funds but otherwise denies this request.

9. The Commission has erroneous facts in their information, including but not limited to, the error that Darren Lee was associated in any way, or form, with Enserco.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “information” and “associated.” The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission admits it inadvertently and erroneously included the term Enserco in its First Set of Requests for Admissions, Interrogatories, and Document Requests to Relief Defendant Darren Lee but otherwise denies this request.

10. The Commission never notified Kenneth Lee of the investigation that Prestige, or Federated, was under by the Commission in 2004.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “notified,” “investigation,” “Prestige,” and “Federated.” The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

11. The Commission does not know if Darren Lee did had [sic] the money to purchase the Palmetto House, Boat, and bank accounts from 2003-present.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “did had [sic] the money,” “Palmetto House,” “Boat,” and “bank accounts.” The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

12. The Commission has violated my rights protected by the 9th amendment.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “violated” and “rights protected by the 9th amendment.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

13. The Commission did not give the proper notice for [sic] Darren Lee to obtain an attorney for Darren Lee’s December 9th deposition.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “proper notice.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

14. The Commission tried to force Darren Lee to give his paychecks from Benito’s Brick Oven Restaurant to the Receiver for Oklahoma City.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “tried to force.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the

grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

15. The Commission is targeting the Lee family because of criminal backgrounds.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “targeting” and “because of criminal backgrounds.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request to the extent that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

16. The Commission has violated Darren Lee’s rights that are protected by the 5th amendment.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “violated” and “rights protected by the 5th amendment.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

17. Darren Lee did not receive any pool participant funds.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “receive” and “pool participant funds.” The Commission also objects to

this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

18. The Commission has violated Darren Lee's rights that are protected by the 10th amendment.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "violated" and "rights protected by the 10th amendment." The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission further objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. Subject to and without waiving its general and specific objections, the Commission denies this request.

19. There never were, at least, 140 customers that were fraudulently solicited and invested in Prestige.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "Prestige." The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

20. Kenneth Lee never went to any churches in the State of Oklahoma to meet with potential investors.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "churches." The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission lacks sufficient information or knowledge to admit or deny this request and therefore denies this request.

21. PanAmerica Group, Inc is corporation out of Panama City, Republic of Panama.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "corporation." The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission lacks sufficient information or knowledge to admit or deny this request and therefore denies this request.

22. PanAmerica Group, Inc is brokerage house in Panama City, Republic of Panama.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define "brokerage house." The Commission also objects to this request on the

grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission lacks sufficient information or knowledge to admit or deny this request and therefore denies this request.

23. Funds can be transferred from a brokerage house in Panama to a brokerage house in the United States.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “transferred” and “brokerage house.” The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission lacks sufficient information or knowledge to admit or deny this request and therefore denies this request.

24. Monies do not have to be transferred to a bank before they are transferred to a brokerage house in the United States.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “not have to be transferred,” “bank” and “brokerage house.” The Commission further objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of

Defendants. Subject to and without waiving its general and specific objections, the Commission lacks sufficient information or knowledge to admit or deny this request and therefore denies this request.

25. The statements submitted as evidence from the PanAmerica Group, Inc are legitimate statements from PanAmerica Group, Inc.

The Commission objects to this request on the grounds that it is vague and ambiguous in that it does not define “statements,” “submitted as evidence” and “legitimate statements.” The Commission also objects to this request on the grounds that it seeks a legal conclusion. The Commission also objects to this request on the grounds that it is argumentative and is premised on a false statement of fact. The Commission also objects to this request on the grounds that it seeks an admission regarding a matter that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Subject to and without waiving its general and specific objections, the Commission denies this request.

RESPONSES TO INTERROGATORIES

1. For each and every request for admission in which you provide anything other than an unqualified admission, please state all facts upon which you base your response.

The Commission objects to this interrogatory on the grounds that it is overly broad and unduly burdensome. The Commission also objects to this interrogatory to the extent that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission

incorporates herein by reference ¶¶ 1-71 of Plaintiffs' Motion for Summary Judgment ("Plaintiffs' MSJ") and the exhibits referenced therein and attached thereto.

2. Please state all the facts upon which you base your contention in paragraph 3 of your First Amended Complaint that, "Lee was consistently profitable and never suffered losses in his trading on behalf of the Prestige Enterprise." PAGE 2 ¶ 3 (1) MSJ 23 (1)

The Commission objects to this interrogatory as it misquotes the Commission's allegations in its First Amended Complaint. The Commission also objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 17-38 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

3. Please state all the facts upon which you base your contention in paragraph 3 of your First Amended Complaint that, "by using a particular trading program with a highly successful track record, the Legacy Trading System, the Prestige Enterprise would guarantee profitable returns on all investments." P. 2 ¶ 3 (7) MSJ 23 (7)

The Commission objects to this interrogatory as it misquotes the Commission's allegations in its First Amended Complaint. The Commission also objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 17-38 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

4. Please state all the facts upon which you base your contention in paragraph 4 of your First Amended Complaint that, "In their solicitations, defendants did not disclose adequately, among other things, the risks of trading commodity futures as well as other financial instruments, and further failed to disclose Lee's extensive criminal history and a civil judgment for more than \$3 million against Federated and Lee resulting from a private action in Texas state court for investment fraud and breach of contract. [sic]"

The Commission objects to this interrogatory on the grounds that it seeks information ^{JP TRADING} that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 4, 40-42 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

5. Please state all the facts upon which you base your contention in paragraph 5 of your First Amended Complaint that, "the Prestige Enterprise and Lee operated a "Ponzi" scheme by paying so-called profits to participants that in actuality came not from successful trading, but from either existing participants' original investments or money invested by subsequent participants. [sic]"

The Commission objects to this interrogatory on the grounds that it seeks information ^{POZZI WOULD REFLECT PROFITS AND SHOW HOLES IN CASE.} that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 43-52 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

6. Please state all the facts upon which you base your contention in paragraph 6 of your First Amended Complaint that, "the Relief Defendants provided no legitimate services to the Prestige Enterprise or to its pool participants and otherwise have no legitimate entitlement to or interest in Prestige Enterprise pool participant funds."

I AM A RELIEF DEFENDANT.

The Commission objects to this interrogatory to the extent that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 62-71 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

7. Please state all the facts upon which you base your contention in paragraph 9 of your First Amended Complaint that, "Defendants, through Yang, also provided false and misleading information, and failed to disclose material information, to the Commission in a required response to a subpoena issued by the Commission to Yang in 2004 concerning the activities of Federated, Lee, Yang and others."

The Commission objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference pages 14-15 of its Brief in Support of its Ex Parte Motion for Statutory Restraining Order, Appointment of Temporary Receiver, Expedited Discovery, Accounting, Order to Show Cause Re: Preliminary Injunction and Other Equitable Relief and the exhibits referenced therein and attached thereto.

8. Please state all the facts upon which you base your contention in paragraph 19 of your First Amended Complaint that, "Defendants employed a devise, scheme, or artifice to defraud investors in connection with the offer and/or sale of securities in and/or from Oklahoma; and Defendants engaged in an act, practice, or course of business that has operated as a fraud or deceit upon investors in connection with the offer and/or sale of securities in and/or from Oklahoma."

The Commission objects to this interrogatory on the grounds that it improperly seeks information from the Commission regarding Defendants' alleged violations of the Oklahoma Uniform Securities Act. The Commission also objects to this interrogatory on the grounds that it

seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 17-61 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

9. Please state all the facts upon which you base your contention in paragraph 21 of your First Amended Complaint that, "Unless restrained and enjoined by this Court, Defendants are likely to continue to engage in the acts and practices alleged in this Complaint and similar acts and practices, as more fully described below."

The Commission objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 38 and 61 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

10. Please state all the facts upon which you base your contention in paragraph 34 of your First Amended Complaint that, "During the relevant period, Defendants fraudulently solicited and accepted at least \$8.7 million in funds from at least 140 members of the general public for the purpose of pooling those funds to trade commodity futures as well as other financial instruments, including foreign currency, stocks and stock options."

The Commission objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates

herein by reference ¶¶ 17-61 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

11. Please state all the facts upon which you base your contention in paragraph 35 of your First Amended Complaint that, "They each claim to use the purported Legacy Trading System to trade on behalf of the pools."

The Commission objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 14-16, 25-26 and 57-58 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

12. Please state all the facts upon which you base your contention in paragraph 36 of your First Amended Complaint that, "In their solicitations, Defendants primarily targeted the greater Oklahoma City area's ethnic Chinese community through oral statements, marketing materials, email correspondence, a website, and other forms of solicitation."

The Commission objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 17-38 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

13. Please state all the facts upon which you base your contention in paragraph 36 of your First Amended Complaint that, "Defendants specifically targeted members of a certain religious congregation in Edmond, Oklahoma ("Church")."

P. 13 ¶ 39

The Commission objects to this interrogatory as it misstates the Commission's allegations in its First Amended Complaint. Without waiving its general and specific objections, the Commission incorporates herein by reference its response to Interrogatory #12.

14. Please state all the facts upon which you base your contention in paragraph 36 of your First Amended Complaint that, "In their oral solicitations of prospective pool participants, Lee and Yang did not discuss the risks associated with trading commodity futures, stocks, stock options, or foreign currency."

P. 15 ¶ 42

The Commission objects to this interrogatory as it misstates the Commission's allegations in its First Amended Complaint. The Commission also objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶ 40 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

15. Please state all facts, the relevancy, and violations of the contentions [sic] in paragraph 52 of your First Amended Complaint that, "In their solicitations, Defendants did not inform prospective and existing pool participants that Lee committed two felonies, served prison time (during part of the time Defendants claimed Lee was achieving great returns trading) and was the defendant in a civil suit. From 1996 to 2001, Lee was incarcerated after pleading guilty to the felony offense of securing execution of a document by deception. In that case, Lee admitted to causing an individual to execute a check by stating that the monies would be invested when no such investment occurred. Additionally, in 1995, Lee, pleaded guilty to the felony offense of theft over \$750 in the District Court of Denton County, Texas and was sentenced to three years of confinement. In the same court, a civil judgment awarding private plaintiffs over \$3 million was entered against Federated and Lee for defrauding the plaintiffs of substantial sums of money in connection with investment fraud and breach of contract."

The Commission objects to this interrogatory on the grounds that it is vague and ambiguous in that it does not define "the relevancy, and violations of the contentions" and that it is unintelligible. The Commission also objects to this interrogatory on the grounds that it seeks

information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶¶ 4, 41-42 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

16. Please state all facts, the relevancy, and violations of the contentions [sic] in paragraph 56 of your First Amended Complaint that, "In their solicitations, Defendants defrauded prospective and existing participants by failing to disclose that they were under investigation by the Commission and others and that they had provided false and misleading, and omitted material information, to the federal government in responding to the subpoena issued by the Commission."

The Commission objects to this interrogatory on the grounds that it is vague and ambiguous in that it does not define the relevancy and violations of the contentions and that it is unintelligible. Without waiving its general and specific objections, the Commission incorporates herein by reference its response to Interrogatory #7.

17. Please state all the facts upon which you base your contention in paragraph 78 of your First Amended Complaint that, "In one February 2009 email to a pool participant who requested that Defendants return her funds, Lee admitted he was operating a Ponzi scheme, writing, "If you need to hope that someone DOES invest more in [Prestige] as that is what will get your account closed or be able to release funds to you" (emphasis in original)."

Ponzi HAS EVERYTHING TO DO WITH ME. \$18.7 MILLION 140 CUSTOMERS
The Commission objects to this interrogatory on the grounds that it seeks information

that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission also objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference ¶ 51 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto.

18. Please state all the facts upon which you base your contention in paragraph 123 of your First Amended Complaint that, "The Relief Defendants, Sheila, David, and Darren Lee, received funds as a result of the Defendants' fraudulent conduct and have been unjustly enriched thereby."

Without waiving its general and specific objections, the Commission incorporates herein by reference its response to Interrogatory #6. HAVE TO ANSWER HERE. NOTHING CONCRETE. 140 cust. 8.7 n

19. Please state all the facts upon which you base your contention in paragraph 124 of your First Amended Complaint that, "The Relief Defendants have no legitimate entitlement to or interest in all of the funds received as a result of the Defendants' fraudulent conduct."

Without waiving its general and specific objections, the Commission incorporates herein by reference its response to Interrogatory #6. ↑

20. Please state all the facts upon which you base your claims that Darren Lee did not provide legitimate services to Prestige Ventures.

Without waiving its general and specific objections, the Commission incorporates herein by reference its response to Interrogatory #6.

21. Please state all facts and sources upon which you base your contentions in Interrogatory No. 21 of Plaintiff Commission's First Set of Requests for Admissions, Interrogatories, and Document Requests to Relief Defendant Darren Lee that, "Please identify all monetary compensation (to include any and all bonuses, the amount thereof and basis therefore) you received while employed with Enserco. For all such compensation, explain how you disposed of the compensation (e.g., investments, purchases, provision of gifts to others, reinvestment in awarding company, transfers to checking, savings or other banking accounts, gambling, and charitable contributions)."

The Commission objects to this interrogatory on the grounds that it is vague and ambiguous in that it does not define "sources." Without waiving its general and specific objections, the Commission responds by stating that it inadvertently and erroneously included the term Enserco in its First Set of Requests for Admissions, Interrogatories, and Document Requests to Relief Defendant Darren Lee.

22. Please identify all 140 customers that you have claimed exist and the amount that is allegedly invested. You must respond including the customers [sic] full name, date of alleged solicitation and [sic] initial investment, total amount invested. Any private information may remain private.

The Commission objects to this interrogatory on the grounds that it is vague and ambiguous in that it does not define "the amount that is allegedly invested." The Commission also objects to this interrogatory on the grounds that the information sought is equally accessible and available to Darren Lee. The Commission also objects to this interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this interrogatory to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates herein by reference §§ 17-33 of Plaintiffs' MSJ and the exhibits referenced therein and attached thereto. **YOU HAVE TO TURN IT OVER.**

23. Please state all of your contentions about how it is 'common practice' that an officer not perform the duties in which the Federal Rules of Civil Procedure 30(b)(3)(a) clearly state the officer's duties, unless the parties stipulate otherwise. [sic]

The Commission objects to this interrogatory on the grounds that it is vague, ambiguous and unintelligible. **WALK THROUGH**

24. Please state your facts and contentions in The Commission's reply to Interrogatory No. 22 in which you state that, "There is currently a Statutory Restraining Order against you which prohibits you from transferring any money to anyone other than the Receiver", when it applies to me trying to pay my bills and feed myself from a restaurant that is no longer in business. [sic]

The Commission objects to this interrogatory on the grounds that it is vague, ambiguous and unintelligible. The Commission also objects to this interrogatory as it wrongly anticipates and misstates the Commission's response to Interrogatory #22. **(23)**

25. Please state your contentions and facts that Darren Lee does not have true claimed ownership interest over their properties and bank accounts [sic] and that Darren Lee is a proper Relief Defendant.

The Commission objects to this interrogatory on the grounds that it is vague and ambiguous in that it does not define "true claimed ownership interest over their properties and bank accounts" and "proper Relief Defendant" and is unintelligible. Without waiving its general and specific objections, the Commission incorporates herein by reference its response to Interrogatory #6.

RESPONSES TO REQUESTS FOR PRODUCTION

1. Please produce all documents concerning or relating to your responses to each Request for Admission set forth above (including, but not limited to, all documents referenced, consulted, reviewed or replied [sic] upon in responding to the Requests for Admissions). For each document produced or required to be produced, indicate the Request for Admission response or responses which each document concerns.

The Commission objects to this request on the grounds that it is overly broad and unduly burdensome. The Commission also objects to this request on the grounds that it fails to describe the documents requested with reasonable particularity. The Commission also objects to this request on the grounds that it is vague and ambiguous in that it does not define "replied [sic] upon." The Commission also objects to this request to the extent that it seeks documents protected by the attorney-client privilege, the work-product privilege, or any other privilege, protection, or immunity applicable under the governing law. The Commission also objects to this request on the grounds that the information sought is equally accessible and available to Darren Lee. The Commission also objects to this request to the extent that it seeks documents that are neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates by reference the exhibits referenced in ¶¶ 1-71 of Plaintiffs' MSJ and attached thereto.

2. Please produce all documents that you have concerning the customers [sic] deposits into all of Prestige Ventures bank accounts.

The Commission objects to this request on the grounds that it is overly broad and unduly burdensome. The Commission also objects to this request on the grounds that it fails to describe the documents requested with reasonable particularity. The Commission also objects to this request on the grounds that it is vague and ambiguous in that it does not define "concerning." The Commission also objects to this request to the extent that it seeks documents protected by the attorney-client privilege, the work-product privilege, or any other privilege, protection, or immunity applicable under the governing law. The Commission also objects to this request on the grounds that it seeks documents that are equally accessible and available to Darren Lee. The Commission also objects to this request on the grounds that it seeks documents that are neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates by reference the exhibits referenced in ¶¶ 17, 43-52, 60 and 62-64 of Plaintiffs' MSJ and attached thereto.

3. Please produce all documents and communications between you and the alleged 140 customers.

The Commission objects to this request on the grounds that it is overly broad and unduly burdensome. The Commission also objects to this request on the grounds that it fails to describe the documents requested with reasonable particularity. The Commission also objects to this request on the grounds that it is vague and ambiguous in that it does not define "communications." The Commission also objects to this request on the grounds that it seeks

documents protected by the attorney-client privilege, the work-product privilege, or any other privilege, protection, or immunity applicable under the governing law. The Commission also objects to this request on the grounds that it seeks documents that are equally accessible and available to Darren Lee. The Commission also objects to this request on the grounds that it seeks documents that are neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants.

4. Please produce all documents that you intend to use to support your allegations that you intend to assert.

The Commission objects to this request on the grounds that it is overly broad and unduly burdensome. The Commission also objects to this request on the grounds that it fails to describe the documents requested with reasonable particularity. The Commission also objects to this request to the extent that it seeks documents protected by the attorney-client privilege, the work-product privilege, or any other privilege, protection, or immunity applicable under the governing law. The Commission also objects to this request on the grounds that it seeks documents that are equally accessible and available to Darren Lee. The Commission also objects to this request to the extent that it seeks documents that are neither relevant to the subject matter of this lawsuit as it pertains to Darren Lee nor reasonably calculated to lead to the discovery of admissible evidence concerning Darren Lee. The Commission further objects to this request to the extent it seeks discovery on behalf of Defendants. Without waiving its general and specific objections, the Commission incorporates by reference the exhibits referenced in ¶¶ 1-71 of Plaintiffs' MSJ and attached thereto.

5. Please produce all documents concerning or relating to your responses to each Interrogatory set forth above (including, but not limited to, all documents referenced, consulted, reviewed or relied upon in responding to the interrogatories). For each document produced or required to be produced, indicate the Interrogatory response or responses which each document concerns.

Without waiving its general and specific objections, the Commission incorporates by reference its response to Request for Production #4.

6. Please produce all documents that you intend to introduce during trial.

Without waiving its general and specific objections, the Commission incorporates by reference its response to Request for Production #4.

7. Please produce all documents identified in, or relating to, or concerning your Fed. Rule Civ. Procedure 26(a) disclosures.

Without waiving its general and specific objections, the Commission incorporates by reference its response to Request for Production #4.

Dated: September 9, 2010

ATTORNEYS FOR THE PLAINTIFF
U.S. COMMODITY FUTURES TRADING
COMMISSION



Gretchen L. Lowe
Associate Director
James H. Holl, III
Chief Trial Attorney
Katherine S. Driscoll
Trial Attorney
1155 21st Street NW
Washington, DC 20581
Telephone: (202) 418-5000
Facsimile: (202) 418-5538

EXHIBIT 3

Via E-Mail dalee26@yahoo.com
Darren Lee
2676 PALMETTO HALL BLVD
MOUNT PLEASANT, SC 29466
RE: CFTC et al. v. Prestige Ventures Corp. et al.
Case No. 09-CV-1284

Dear Mr. Lee:

This letter responds to your email of today wherein you attached a document titled "Relief Defendant Darren A. Lee's First Set of Request For Admissions, Interrogatories, and Document Requests to James Holl (Plaintiff U.S. Commodity Futures Trading Commission)(hereinafter "Discovery Requests")," along with a copy of the First Amended Complaint filed in this action.

First, please be advised that I am not a party to this action - the U.S. Commodity Futures Trading Commission is the party - thus you should not direct discovery requests etc. to me personally, but rather to the Commission.

Second, your discovery requests may be viewed one of two ways: as new requests or as an attempt to clarify your earlier requests. I will address both possibilities, but suffice it to say that we stand behind our original responses/objections and contend that we have followed the applicable rules correctly in both letter and spirit.

In the event that your discovery requests are intended to be new requests, they are both out of time and the interrogatories exceed the permissible number under the Federal Rules of Civil Procedure ("Rules"). The discovery cutoff in this case is less than 30 days from now, and new discovery requests require 30 days for the party to respond. Thus, your requests are out of time. Further, the Rules limit the number of interrogatories that can be made by any one party to a case. I refer you to the Rules for the specifics, but in the event that these requests are new requests, it is our position that you have exceeded the number available to you as a party.

Alternatively, to the extent that your discovery requests are clarifications of your prior requests, we stand behind our original responses/objections. While we did object to your requests, as is our right, we nonetheless provided substantive responses that either answered the question posed, or directed you to the source of the information that would respond to your question.

Cordially,
James H. Holl, III
Chief Trial Attorney

EXHIBIT 4

From: Terra Bonnell
To: Ken Lee
Cc: Patty Labarthe ; Holl, James
Sent: Thursday, October 21, 2010 3:50 PM

Mr. Lee:

I just want to let you know that it will be next week before Plaintiffs get back to you regarding possible settlement.

Terra Shamas Bonnell
Enforcement Attorney
Oklahoma Department of Securities
Direct Phone: 405.280.7715
Fax: 405.280.7742
tbonnell@securities.ok.gov

From: Terra Bonnell
To: Ken Lee
Cc: Holl, James ; Patty Labarthe
Sent: Friday, October 15, 2010 1:00 PM
Subject: RE: CFTC, et al. v. Prestige Ventures Corp., et al.,09-1284 (W.D. Okl.) (DLR)

This proposed order is only against Prestige and Federated. Plaintiffs will get back to you in a few days with respect to a proposed consent order for you. If your wife and/or sons are also interested in reaching a settlement with Plaintiffs, please tell them to contact me and let me know.

Terra Shamas Bonnell
Enforcement Attorney Oklahoma Department of Securities
Direct Phone: 405.280.7715
Fax: 405.280.7742 tbonnell@securities.ok.gov

From: Ken Lee [<mailto:klee88@prestigeventures.com>]
Sent: Friday, October 15, 2010 11:48 AM

To: Terra Bonnell
Subject: Re: CFTC, et al. v. Prestige Ventures Corp., et al.,09-1284 (W.D. Okl.) (DLR)

I should have asked, is this order against only Prestige and Federated?

If I were offered a settlement I would consider it. We are destitute and can not afford to travel to OKC for a trial.

Reply Forward

Ken Lee _____ From: Ken Lee
[mailto:klee88@prestigeventure...
1:17 PM (45 minutes ago)

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

From: Terra Bonnell
To: Ken Lee
Cc: Holl, James ; Patty Labarthe
Sent: Friday, October 15, 2010 1:25 PM
Subject: RE: CFTC, et al. v. Prestige Ventures Corp., et al.,09-1284 (W.D. Okl.) (DLR)

We hope to get back in touch with you before the end of next week.

Terra Shamas Bonnell
Enforcement Attorney Oklahoma Department of Securities
Direct Phone: 405.280.7715
Fax: 405.280.7742 tbonnell@securities.ok.gov

From: Ken Lee [mailto:klee88@prestigeventures.com]
Sent: Friday, October 15, 2010 12:23 PM

To: Terra Bonnell
Subject: Re: CFTC, et al. v. Prestige Ventures Corp., et al.,09-1284 (W.D. Okl.) (DLR)

Any ideas on a time frame?
1:10:05 PM

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

From: Terra Bonnell
To: Ken Lee
Cc: Holl, James ; Patty Labarthe
Sent: Friday, October 15, 2010 1:17 PM
Subject: RE: CFTC, et al. v. Prestige Ventures Corp., et al.,09-1284 (W.D. Okl.) (DLR)

Are you asking who you need to contact with respect to settlement? If so, you don't need to contact anyone. Plaintiffs are going to consider it and get back to you in a few days. We have to determine what we can offer you.

We may not have to go to trial if we are able to agree on a proposed order.

Terra Shamas Bonnell
Enforcement Attorney
Oklahoma Department of Securities
Direct Phone: 405.280.7715
Fax: 405.280.7742 tbonnell@securities.ok.gov

EXHIBIT 5

From: Holl, James
To: Terra Bonnell ; Ken Lee
Cc: Patty Labarthe
Sent: Wednesday, October 27, 2010 11:29 AM
Subject: RE:

Mr. Lee

Feel free to give me a call to discuss any outstanding issues you may have. Our "settlement offer" has been before you and the relief defendants the entire time: agree to the terms of the first amended complaint, full restitution, permanent trading bans, and a penalty figure. That is our settlement offer, as we are not in the practice of negotiating against ourselves.

James H. Holl, III
Chief Trial Attorney
Division of Enforcement, U.S. Commodity Futures Trading Commission
1155 21st Street, NW | Washington DC 20581 | Tel: 202.418.5311 | Fax: 202.418.5538