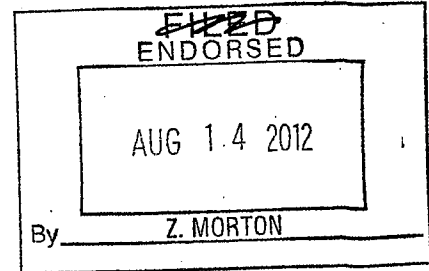


1 KAMALA D. HARRIS
Attorney General of California
2 RONALD D. SMETANA
Senior Assistant Attorney General
3 CAROLINE CHEN
Deputy Attorney General
4 State Bar No. 213051
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550

6 [REDACTED]
7 E-mail: [REDACTED]
Attorneys for People of the State of California

TC Ellis XRef: 1758455

TJ Ellis XRef: 3813544



9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF SACRAMENTO

12 THE PEOPLE OF THE STATE OF
13 CALIFORNIA,

14 Plaintiff,

15 v.

16 TAZE CLAIBORNE ELLIS,
17 TAZE JORDAN ELLIS,

18 Defendants,

Case No. 12F05271

FELONY COMPLAINT

19 The People of the State of California upon oath of the undersigned, upon information and
20 belief complain against the defendants above named for the crimes as follows:

21 COUNT ONE

22 On or about and between May 1, 2008, and June 30, 2009, at and in the County of
23 Sacramento, State of California, defendant Taze Claiborne Ellis did commit a felony namely: a
24 violation of Section 487(a) of the Penal Code of the State of California, in that said defendant did
25 unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars
26 (\$950), to wit, money, the property of [REDACTED]

27 ///

28 ///

1 **COUNT TWO**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charge set forth in Count One hereof: On or about and between May 1,
4 2008, and June 30, 2009, at and in the County of Sacramento, State of California, defendant Taze
5 Claiborne Ellis did commit a felony namely: a violation of Sections 25110/25540 of the
6 Corporations Code of the State of California, in that said defendant did offer or sell a security in
7 this state in an issuer transaction that has not been qualified and is not exempt to [REDACTED]

8 **COUNT THREE**

9 For a further and separate cause of action, being a different offense from but connected in
10 its commission as the charges set forth in Counts One and Two hereof: On or about and between
11 May 1, 2008, and June 30, 2009, at and in the County of Sacramento, State of California,
12 defendant Taze Claiborne Ellis did commit a felony namely: a violation of Sections 25401/25540
13 of the Corporations Code of the State of California, in that said defendant did offer or sell a
14 security in this state by means of any written or oral communication which includes an untrue
15 statement of a material fact or omits to state a material fact necessary in order to make the
16 statements made, in the light of the circumstances under which they were made, not misleading to
17 [REDACTED]

18 **COUNT FOUR**

19 For a further and separate cause of action, being a different offense from but connected in
20 its commission as the charges set forth in Counts One through Three hereof: On or about and
21 between May 1, 2008, and June 30, 2009, at and in the County of Sacramento, State of California,
22 defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section 25541 of the
23 Corporations Code of the State of California, in that said defendant did willfully employ, directly
24 or indirectly, any device, scheme, or artifice to defraud in connection with the offer, purchase, or
25 sale of any security, or did willfully engage, directly or indirectly, in any act, practice, or course
26 of business which operates or would operate as a fraud or deceit upon any person in connection
27 with the offer, purchase, or sale of any security to [REDACTED]

28 ///

1 **COUNT FIVE**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Four hereof: On or about and
4 between August 1, 2008, and May 30, 2009, at and in the County of Sacramento, State of
5 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully take
7 money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit,
8 money, the property of [REDACTED]

9 **COUNT SIX**

10 For a further and separate cause of action, being a different offense from but connected in
11 its commission as the charges set forth in Counts One through Five hereof: On or about and
12 between August 1, 2008, and May 30, 2009, at and in the County of Sacramento, State of
13 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
14 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer
15 or sell a security in this state in an issuer transaction that has not been qualified and is not exempt
16 to [REDACTED]

17 **COUNT SEVEN**

18 For a further and separate cause of action, being a different offense from but connected in
19 its commission as the charges set forth in Counts One through Six hereof: On or about and
20 between August 1, 2008, and May 30, 2009, at and in the County of Sacramento, State of
21 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
22 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
23 or sell a security in this state by means of any written or oral communication which includes an
24 untrue statement of a material fact or omits to state a material fact necessary in order to make the
25 statements made, in the light of the circumstances under which they were made, not misleading to
26 [REDACTED]

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11

COUNT EIGHT

For a further and separate cause of action, being a different offense from but connected in its commission as the charges set forth in Counts One through Seven hereof: On or about and between August 1, 2008, and May 30, 2009, at and in the County of Sacramento, State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section 25541 of the Corporations Code of the State of California, in that said defendant did willfully employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person in connection with the offer, purchase, or sale of any security to [REDACTED]

12
13
14
15
16
17
18
19

COUNT NINE

For a further and separate cause of action, being a different offense from but connected in its commission as the charges set forth in Counts One through Eight hereof: On or about and between August 1, 2008, and March 30, 2009, at and in the County of Sacramento, State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit, money, the property of [REDACTED]

20
21
22
23
24
25
26
27
28

COUNT TEN

For a further and separate cause of action, being a different offense from but connected in its commission as the charges set forth in Counts One through Nine hereof: On or about and between August 1, 2008, and March 30, 2009, at and in the County of Sacramento, State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer or sell a security in this state in an issuer transaction that has not been qualified and is not exempt to [REDACTED]

///

///

1 **COUNT ELEVEN**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Ten hereof: On or about and
4 between August 1, 2008, and March 30, 2009, at and in the County of Sacramento, State of
5 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
7 or sell a security in this state by means of any written or oral communication which includes an
8 untrue statement of a material fact or omits to state a material fact necessary in order to make the
9 statements made, in the light of the circumstances under which they were made, not misleading to
10 [REDACTED]

11 **COUNT TWELVE**

12 For a further and separate cause of action, being a different offense from but connected in
13 its commission as the charges set forth in Counts One through Eleven hereof: On or about and
14 between August 1, 2008, and March 30, 2009, at and in the County of Sacramento, State of
15 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
16 25541 of the Corporations Code of the State of California, in that said defendant did willfully
17 employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the
18 offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act,
19 practice, or course of business which operates or would operate as a fraud or deceit upon any
20 person in connection with the offer, purchase, or sale of any security to [REDACTED]

21 **COUNT THIRTEEN**

22 For a further and separate cause of action, being a different offense from but connected in
23 its commission as the charges set forth in Counts One through Twelve hereof: On or about and
24 between August 1, 2008, and December 30, 2008, at and in the County of Sacramento, State of
25 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
26 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully take
27 money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit,
28 money, the property of [REDACTED]

1 **COUNT FOURTEEN**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Thirteen hereof: On or about and
4 between August 1, 2008, and December 30, 2008, at and in the County of Sacramento, State of
5 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer
7 or sell a security in this state in an issuer transaction that has not been qualified and is not exempt
8 to [REDACTED]

9 **COUNT FIFTEEN**

10 For a further and separate cause of action, being a different offense from but connected in
11 its commission as the charges set forth in Counts One through Fourteen hereof: On or about and
12 between August 1, 2008, and December 30, 2008, at and in the County of Sacramento, State of
13 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
14 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
15 or sell a security in this state by means of any written or oral communication which includes an
16 untrue statement of a material fact or omits to state a material fact necessary in order to make the
17 statements made, in the light of the circumstances under which they were made, not misleading to
18 [REDACTED]

19 **COUNT SIXTEEN**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission as the charges set forth in Counts One through Fifteen hereof: On or about and
22 between August 1, 2008, and December 30, 2008, at and in the County of Sacramento, State of
23 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
24 25541 of the Corporations Code of the State of California, in that said defendant did willfully
25 employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the
26 offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act,
27 practice, or course of business which operates or would operate as a fraud or deceit upon any
28 person in connection with the offer, purchase, or sale of any security to [REDACTED]

1 **COUNT SEVENTEEN**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Sixteen hereof: On or about and
4 between July 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
5 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully take
7 money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit,
8 money, the property of [REDACTED]

9 **COUNT EIGHTEEN**

10 For a further and separate cause of action, being a different offense from but connected in
11 its commission as the charges set forth in Counts One through Seventeen hereof: On or about and
12 between July 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
13 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
14 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer
15 or sell a security in this state in an issuer transaction that has not been qualified and is not exempt
16 to [REDACTED]

17 **COUNT NINETEEN**

18 For a further and separate cause of action, being a different offense from but connected in
19 its commission as the charges set forth in Counts One through Eighteen hereof: On or about and
20 between July 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
21 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
22 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
23 or sell a security in this state by means of any written or oral communication which includes an
24 untrue statement of a material fact or omits to state a material fact necessary in order to make the
25 statements made, in the light of the circumstances under which they were made, not misleading to
26 [REDACTED]

27 ///

28 -//-

1 **COUNT TWENTY**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Nineteen hereof: On or about and
4 between July 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
5 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 25541 of the Corporations Code of the State of California, in that said defendant did willfully
7 employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the
8 offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act,
9 practice, or course of business which operates or would operate as a fraud or deceit upon any
10 person in connection with the offer, purchase, or sale of any security to [REDACTED]

11 **COUNT TWENTY-ONE**

12 For a further and separate cause of action, being a different offense from but connected in
13 its commission as the charges set forth in Counts One through Twenty hereof: On or about and
14 between June 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
15 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
16 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully take
17 money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit,
18 money, the property of [REDACTED]

19 **COUNT TWENTY-TWO**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission as the charges set forth in Counts One through Twenty-One hereof: On or about
22 and between June 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
23 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
24 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer
25 or sell a security in this state in an issuer transaction that has not been qualified and is not exempt
26 to [REDACTED]

27 ///

28 -/-

1 **COUNT TWENTY-THREE**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Twenty-Two hereof: On or about
4 and between June 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
5 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
7 or sell a security in this state by means of any written or oral communication which includes an
8 untrue statement of a material fact or omits to state a material fact necessary in order to make the
9 statements made, in the light of the circumstances under which they were made, not misleading to
10 [REDACTED]

11 **COUNT TWENTY-FOUR**

12 For a further and separate cause of action, being a different offense from but connected in
13 its commission as the charges set forth in Counts One through Twenty-Three hereof: On or about
14 and between June 1, 2008, and November 30, 2008, at and in the County of Sacramento, State of
15 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
16 25541 of the Corporations Code of the State of California, in that said defendant did willfully
17 employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the
18 offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act,
19 practice, or course of business which operates or would operate as a fraud or deceit upon any
20 person in connection with the offer, purchase, or sale of any security to [REDACTED]

21 **COUNT TWENTY-FIVE**

22 For a further and separate cause of action, being a different offense from but connected in
23 its commission as the charges set forth in Counts One through Twenty-Four hereof: On or about
24 and between August 1, 2008, and September 30, 2009, at and in the County of Sacramento,
25 State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of
26 Section 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully
27 take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to
28 wit, money, the property of [REDACTED]

1 **COUNT TWENTY-SIX**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Twenty-Five hereof: On or about
4 and between August 1, 2008, and September 30, 2009, at and in the County of Sacramento, State
5 of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
6 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer
7 or sell a security in this state in an issuer transaction that has not been qualified and is not exempt
8 to [REDACTED]

9 **COUNT TWENTY-SEVEN**

10 For a further and separate cause of action, being a different offense from but connected in
11 its commission as the charges set forth in Counts One through Twenty-Six hereof: On or about
12 and between August 1, 2008, and September 30, 2009, at and in the County of Sacramento, State
13 of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
14 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
15 or sell a security in this state by means of any written or oral communication which includes an
16 untrue statement of a material fact or omits to state a material fact necessary in order to make the
17 statements made, in the light of the circumstances under which they were made, not misleading to
18 [REDACTED]

19 **COUNT TWENTY-EIGHT**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission as the charges set forth in Counts One through Twenty-Seven hereof: On or about
22 and between August 1, 2008, and September 30, 2009, at and in the County of Sacramento, State
23 of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
24 25541 of the Corporations Code of the State of California, in that said defendant did willfully
25 employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the
26 offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act,
27 practice, or course of business which operates or would operate as a fraud or deceit upon any
28 person in connection with the offer, purchase, or sale of any security to [REDACTED]

1 **COUNT TWENTY-NINE**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Twenty-Eight hereof: On or about
4 and between December 1, 2009, and December 30, 2009, at and in the County of Sacramento,
5 State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of
6 Section 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully
7 take money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit,
8 money, the property of [REDACTED]

9 **COUNT THIRTY**

10 For a further and separate cause of action, being a different offense from but connected in
11 its commission as the charges set forth in Counts One through Twenty-Nine hereof: On or about
12 and between December 1, 2009, and December 30, 2009, at and in the County of Sacramento,
13 State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of
14 Section 25110/25540 of the Corporations Code of the State of California, in that said defendant
15 did offer or sell a security in this state in an issuer transaction that has not been qualified and is
16 not exempt to [REDACTED]

17 **COUNT THIRTY-ONE**

18 For a further and separate cause of action, being a different offense from but connected in
19 its commission as the charges set forth in Counts One through Thirty hereof: On or about and
20 between December 1, 2009, and December 30, 2009, at and in the County of Sacramento, State of
21 California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of Section
22 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
23 or sell a security in this state by means of any written or oral communication which includes an
24 untrue statement of a material fact or omits to state a material fact necessary in order to make the
25 statements made, in the light of the circumstances under which they were made, not misleading to
26 [REDACTED]

27 ///

28 -//

1 **COUNT THIRTY-TWO**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Thirty-One hereof: On or about
4 and between December 1, 2009, and December 30, 2009, at and in the County of Sacramento,
5 State of California, defendant Taze Claiborne Ellis did commit a felony namely: a violation of
6 Section 25541 of the Corporations Code of the State of California, in that said defendant did
7 willfully employ, directly or indirectly, any device, scheme, or artifice to defraud in connection
8 with the offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in
9 any act, practice, or course of business which operates or would operate as a fraud or deceit upon
10 any person in connection with the offer, purchase, or sale of any security to [REDACTED]

11 **COUNT THIRTY-THREE**

12 For a further and separate cause of action, being a different offense from but connected in
13 its commission as the charges set forth in Counts One through Thirty-Two hereof: On or about
14 and between October 1, 2008, and November 30, 2008, at and in the County of Sacramento, State
15 of California, defendant Taze Jordan Ellis did commit a felony namely: a violation of Section
16 487(a) of the Penal Code of the State of California, in that said defendant did unlawfully take
17 money and personal property of a value exceeding Nine Hundred Fifty Dollars (\$950), to wit,
18 money, the property of [REDACTED]

19 **COUNT THIRTY-FOUR**

20 For a further and separate cause of action, being a different offense from but connected in
21 its commission as the charges set forth in Counts One through Thirty-Three hereof: On or about
22 and between October 1, 2008, and November 30, 2008, at and in the County of Sacramento, State
23 of California, defendant Taze Jordan Ellis did commit a felony namely: a violation of Section
24 25110/25540 of the Corporations Code of the State of California, in that said defendant did offer
25 or sell a security in this state in an issuer transaction that has not been qualified and is not exempt
26 to [REDACTED]

27 ///

28 ///

1 **COUNT THIRTY-FIVE**

2 For a further and separate cause of action, being a different offense from but connected in
3 its commission as the charges set forth in Counts One through Thirty-Four hereof: On or about
4 and between October 1, 2008, and November 30, 2008, at and in the County of Sacramento, State
5 of California, defendant Taze Jordan Ellis did commit a felony namely: a violation of Section
6 25401/25540 of the Corporations Code of the State of California, in that said defendant did offer
7 or sell a security in this state by means of any written or oral communication which includes an
8 untrue statement of a material fact or omits to state a material fact necessary in order to make the
9 statements made, in the light of the circumstances under which they were made, not misleading to
10 [REDACTED]

11 **COUNT THIRTY-SIX**

12 For a further and separate cause of action, being a different offense from but connected in
13 its commission as the charges set forth in Counts One through Thirty-Five hereof: On or about
14 and between October 1, 2008, and November 30, 2008, at and in the County of Sacramento, State
15 of California, defendant Taze Jordan Ellis did commit a felony namely: a violation of Section
16 25541 of the Corporations Code of the State of California, in that said defendant did willfully
17 employ, directly or indirectly, any device, scheme, or artifice to defraud in connection with the
18 offer, purchase, or sale of any security, or did willfully engage, directly or indirectly, in any act,
19 practice, or course of business which operates or would operate as a fraud or deceit upon any
20 person in connection with the offer, purchase, or sale of any security to [REDACTED]

21 **SPECIAL ALLEGATION -EXCESSIVE TAKING**

22 It is further alleged as to Counts One, Five, Nine, Thirteen, Seventeen, Twenty-One,
23 Twenty-Five, and Twenty-Nine that in the commission of the above offenses the said defendant,
24 Taze Claiborne Ellis, with the intent to do so, took, damaged and destroyed property of a value
25 exceeding \$3,200,000, within the meaning of Penal Code Sections 12022.6(a)(4).

26 ///

27 ///

1 **SPECIAL ALLEGATION -WHITE COLLAR CRIME ENHANCEMENT**

2 It is further alleged, pursuant to Penal Code 186.11(a), that the offenses set forth in Counts
3 One, Five, Nine, Thirteen, Seventeen, Twenty-One, Twenty-Five, and Twenty-Nine are related
4 felonies, a material element of which is fraud and embezzlement, which involve a pattern of
5 related felony conduct, and the pattern of related felony conduct involves the taking of more than
6 five hundred thousand dollars (\$500,000).

7 **SPECIAL ALLEGATION – LIMITATION ON GRANT OF PROBATION**

8 It is further alleged as to Counts One, Five, Nine, Thirteen, Seventeen, Twenty-One,
9 Twenty-Five, and Twenty-Nine that the theft was of an amount exceeding one hundred thousand
10 dollars (\$100,000), within the meaning of section 1203.045(a) of the Penal Code.

11 **JURISDICTIONAL CLAUSE**

12 It is further alleged as to Counts One through Thirty-Two, pursuant to Penal Code Section
13 778a, that defendant Taze Claiborne Ellis with the intent to commit crimes, did acts in
14 Sacramento County in execution of that intent, culminating in the commission of crimes, within
15 and without the State of California.

16 **STATUTE OF LIMITATIONS ALLEGATIONS**

17 It is further alleged that the above violations as charged in Counts One through Twenty-
18 Eight were not discovered until on or about May 2009, when defendant Taze Claiborne Ellis
19 ceased making interest payments, and that no victim of said violation and no law enforcement
20 agency chargeable with the investigation and prosecution of said violation had actual and
21 constructive knowledge of said violation prior to said date because of active concealment, within
22 the meaning of Penal Code Section 803(c).

23 It is further alleged that the above violations as charged in Counts Twenty-Nine through
24 Thirty-Two were not discovered until on or about December 2009, when defendant Taze
25 Claiborne Ellis failed to provide information regarding the victim's investment money, and that
26 no victim of said violation and no law enforcement agency chargeable with the investigation and
27 prosecution of said violation had actual and constructive knowledge of said violation prior to said
28 date because of active concealment, within the meaning of Penal Code Section 803(c).


1 It is further alleged that the above violations as charged in Counts Thirty-Three through
2 Thirty-Six were not discovered until on or about March 2009, when defendant Taze Jordan Ellis
3 had ceased making interest payments, and that no victim of said violation and no law enforcement
4 agency chargeable with the investigation and prosecution of said violation had actual and
5 constructive knowledge of said violation prior to said date because of active concealment, within
6 the meaning of Penal Code Section 803(c).

7 Pursuant to Penal Code section 1054.5(b), the People are hereby informally requesting that
8 defense counsel provide discovery to the people as required by Penal Code section 1054.3.

9 Dated: August 13, 2012

Respectfully Submitted,

10 KAMALA D. HARRIS
11 Attorney General of California

12 
13 CAROLINE CHEN
14 Deputy Attorney General
15 *Attorneys for People of the State of*
16 *California*



1 KAMALA D. HARRIS
2 Attorney General of California
3 RONALD D. SMETANA
4 Senior Assistant Attorney General
5 CAROLINE CHEN
6 Deputy Attorney General
7 State Bar No. 213051
8 1300 I Street, Suite 125
9 P.O. Box 944255
10 Sacramento, CA 94244-2550
11 Telephone: [REDACTED]
12 Fax: [REDACTED]
13 E-mail: [REDACTED]
14 *Attorneys for People of the State of California*

TC Ellis XRef: 1758455

TJ Ellis XRef:

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SACRAMENTO

12 **THE PEOPLE OF THE STATE OF**
13 **CALIFORNIA,**

14 Plaintiff,

15 v.

16 **TAZE CLAIBORNE ELLIS,**
17 **TAZE JORDAN ELLIS,**

18 Defendants,

Case No.

**DECLARATION IN SUPPORT OF
ISSUANCE OF ARREST WARRANTS**

19 I, Jason Nichols, declare:

20 I have been employed as a Special Agent with the California Department of Justice (CA
21 DOJ) since November of 1999. As of March 1, 2012, I was assigned to work for the CA DOJ,
22 Bureau of Investigation (BI), eCrime Unit (eCU) in Sacramento, CA. Prior to my current
23 assignment, I worked for the Professional Standards Group (PSG) and Special Crimes Unit
24 (SCU), Sacramento, CA, the Bureau of Narcotic Enforcement, Fresno Regional Office and the
25 CA DOJ Advanced Training Center (ATC), Sacramento, CA.

26 I graduated from Middle Tennessee State University (MTSU), Murfreesboro, TN, in 1998.
27 I have a Bachelor of Science Degree in Psychology with minors in Criminal Justice
28

1 Administration, and Sociology. I completed a Commission on Peace Officers Standard and
2 Training (POST) certified Specialized Basic Investigator Course academy hosted by the CA
3 DOJ/ATC in Sacramento, CA, in February 2000. Since then, I have earned my POST Specialized
4 Law Enforcement Basic, Intermediate and Advanced Certificates.

5 While assigned to the CA DOJ/SCU from November 2006 through August 2010 and since
6 being assigned to the eCU, I have investigated a wide variety of complex criminal securities
7 frauds, including the marketing of securities over the Internet in addition to grand theft, mortgage
8 fraud, investment fraud as well as identity theft. I have been involved with no less than 25 cases
9 related to the preceding and have been the lead or case agent on no less than 10 cases. I have
10 authored and served no less than 30 search warrants for the preceding crimes for residences,
11 banks and third party record holding companies.

12 I have maintained on-going training with an emphasis on financial and internet crimes over
13 the past six years. I have received in excess of 70 hours in computer crimes investigations,
14 attended specialized training related to the following; fraud investigations, identity theft, financial
15 crimes investigations, and computer forensic investigations. I have conducted computer forensic
16 examinations, and have assisted sworn personnel in the Sacramento Valley High Tech Crimes
17 and the Napa County Computer Crimes task forces with computer crimes investigations. I am
18 aware of fraud schemes perpetrated via the Internet, and have conducted investigations involving
19 various Internet scams.

20 SUMMARY

21 In January of 2010, I began an investigation into the activities of Taze Claiborne Ellis (TC
22 Ellis) after being contacted by the Law Offices of K. Greg Peterson in Sacramento, California.
23 By way of letter dated January 19, 2010, and during an in person meeting, attorney Greg Peterson
24 (Peterson) informed me that his office had filed a civil lawsuit against TC Ellis, Joy Renee Ellis
25 (JR Ellis), Taze Jordan Ellis (TJ Ellis), FOREX Knowledge Brokers, Inc. (FXKB, Inc.),
26 Blacksand, Inc., and Blacksand Enterprises, Inc., *Mirrow, et al. v. Taze C. Ellis, et al.*,
27
28

1 Sacramento Superior Court Case No. 34-2009-00063061, on behalf of individuals alleging they
2 had been scammed out of money by the fraudulent activities of the named civil defendants.

3 I interviewed victims of TC Ellis' fraudulent activities and searched the bank records of TC
4 Ellis, JR Elis, TJ Ellis, FXKB, Inc. and Blacksand, Inc. This investigation has revealed that since
5 2007, TC Ellis and TJ Ellis have unlawfully taken at least \$7,091,625 with a total loss of
6 approximately \$3,429,800 from multiple investors who believed TC Ellis was investing their
7 money in real estate foreclosures or in the foreign currency market. For most of his victims, TC
8 Ellis presented what he purported to be as investment opportunities in real estate under
9 foreclosure. He instructed his victims to wire their monies to the business accounts of Blacksand,
10 Inc. and FXKB, Inc. When his victims wired their monies to these accounts, the money was not
11 spent on the purchase of foreclosed homes or otherwise in real estate investments. Rather, the
12 victims' monies were spent on what appears to be TC Ellis' personal expenses, to pay unrelated
13 third parties, or transferred to FOREX Capital Markets (FXCM) or MB Trading Futures, both
14 foreign currency trading platforms.

15 For one victim [REDACTED] TC Ellis offered services in foreign currency trading through
16 what he represented as his investment brokerage business, FXKB, Inc. However, after the money
17 was wired to the business account of FXKB, Inc., it was spent on the TC Ellis' personal expenses
18 or to pay unrelated third parties. There is no indication in the bank records of the Ellis', FXKB,
19 Inc., or Blacksand, Inc., that the victim's money was used to open a foreign currency trading
20 account.

21 TC Ellis did not disclose to his real estate or foreign currency investors the material fact
22 that he has felony convictions from 2002 for violating Penal Code section 487(a) (grand theft),
23 Penal Code section 182(a)(4) (conspiracy to defraud), and a felony conviction for willful intent to
24 defraud tax return, and was sentenced to the California Department of Corrections and
25 Rehabilitation (CDCR) for four (4) years. To keep up the façade that the investors' money had
26 been invested, TC Ellis made payments to them that he represented as investment returns. In fact,
27 the "returns" came from money TC Ellis received from other, unrelated third parties or the
28

1 investors were paid with their own money. TC Ellis never provided full disclosure to his
2 investors regarding how or where their money was spent or invested. TC Ellis' schemes began
3 falling apart in 2009 when he stopped making "returns" to his victim investors.

4 The California Department of Corporations (DOC) has not issued a permit or other form of
5 qualification authorizing any person to offer or sell in this State these investment opportunities in
6 foreclosed real estate. Neither TC Ellis, TJ Ellis, FXKB, Inc., Blacksand, Inc. nor JR Ellis is
7 registered to sell any securities in California. For the schemes perpetrated on each victim, I
8 believe that TC Ellis is guilty of violating Penal Code section 487(a) (grand theft), Corporations
9 Code section 25110 (qualification of securities), Corporations Code section 25401 (false
10 statement or omission in sale of securities), and Corporations Code section 25541 (fraudulent
11 practices).

12 This investigation also has revealed that in late 2008, TC Ellis' son, TJ Ellis, promised to
13 invest \$40,000 of [REDACTED] money in the foreign currency market and instead, used at
14 least half of the money for his own personal expenses. In effecting his scheme, TJ Ellis visited
15 [REDACTED] at his home where he prepared and executed a promissory note for [REDACTED] promising
16 60% annual return on the principle in monthly payments for five years. Based on his actions, I
17 believe that TJ Ellis is guilty of violating Penal Code section 487(a) (grand theft), Corporations
18 Code section 25110 (qualification of securities), Corporations Code section 25401 (false
19 statement or omission in sale of securities), and Corporations Code section 25541 (fraudulent
20 practices).

21 CALIFORNIA SECURITIES LAW

22 The sale of investment opportunities to the public is subject to California's Corporate
23 Securities Law. The statutory scheme covers more than stocks; it exists to protect the public
24 against the imposition of unsubstantial, unlawful and fraudulent investment schemes (*People v.*
25 *Syde* (1951) 37 Cal.2d 765-766) and to promote the full and fair disclosure of all information
26 necessary to make informed and intelligent investment decisions. *People v. Park* (1978) 87
27 Cal.App.3d 550, 565; see also *Silver Hills Country Club v. Sobieski* (1961) 55 Cal.2d 811.

1 Corporations Code section 25019 defines a security to include any " . . . note; . . . evidence
2 of indebtedness . . . participation in any profit-sharing agreement . . . investment contract; . . . or
3 in general, any interest or instrument commonly known as a 'security'" This definition is
4 expansive and is designed to insure that the regulatory purpose of the law will meet " . . . the
5 countless and variable schemes devised by those who seek the use of the money of others on the
6 promise of profits." *SEC v. Howey Co.* (1946) 328 U.S. 293, 299; see also *Silver Hills Country*
7 *Club v. Sobieski, supra*, 55 Cal.2d at p. 814. Keeping this purpose in mind, courts have "adhered
8 to the principal that substance governs over form." *People v. Figueroa* (1986) 41 Cal.3d 714,
9 734.

10 The primary test in California to determine whether an offering is a security is the "risk
11 capital" analysis developed in *Silver Hills Country Club v. Sobieski, supra*. By that test, an
12 offering is a security where there is " . . . an attempt by an issuer to raise funds for a business
13 venture or enterprise; an indiscriminate offering to the public at large where the persons solicited
14 are selected at random; a passive position on part on the investor; and the conduct of the
15 enterprise by the issuer with other people's money." 55 Cal.2d at 815. The basic test for
16 distinguishing a security from other commercial dealings is whether the scheme involves an
17 investment of money in a common enterprise with profits to come solely from the efforts of
18 others. *People v. Smith* (1989) 215 Cal.App.3d 230, 237, relying on *SEC v. Howey Co., supra*;
19 see also *People v. Figueroa, supra*, 41 Cal.3d at p. 734. *Reiswig v. Department of Corporations*
20 (2006) 144 Cal. App.4th. 327, 334, says that the test for determining whether a transaction is a
21 security:

22 " . . . requires a consideration of the following factors: (1) whether funds are being
23 raised for a business venture or enterprise; (2) whether the transaction is offered
24 indiscriminately to the public at large; (3) whether the investors are substantially
25 powerless to effect the success of the enterprise; and (4) whether the investors'
26 money is substantially at risk because it is inadequately secured." (Citing
27 *Moreland v. Department of Corporations* (1987) 194 Cal.App.3d 506, 519.)

28 Case law demonstrates that the most important risk capital factor is collateralization, or
adequate security. If the investor is adequately protected, the courts are less likely to consider the

1 note a security. In *Hamilton Jewelers v. Department of Corporations* (1974) 37 Cal. App.3d 330,
2 the court found the investors fully secured and the investments not a security because the
3 investors received diamonds that had a market value equal to what they paid for them. Contrast
4 that with two cases, cited with approval in *Figueroa* (41 Cal.3d at p. 736). In *People v. Leach*
5 (1930) 106 Cal.App. 442, unsecured promissory notes on real property were held to be securities.
6 In *People v. Walberg* (1968) 263 Cal.App.2d 286, unsecured, interest bearing promissory notes
7 were held to be securities despite the appearance of a loan transaction. In another case, *People v.*
8 *Schock* (1984) 152 Cal.App.3d 379, the court found that inadequately collateralized fractional
9 interests in promissory notes secured by deeds of trust were securities per se under the risk-capital
10 test. See also *People v. Corey* (1995) 35 Cal.App.4th 717 [interests in a Michael Jackson board
11 game]; *People v. Miller* (1987) 192 Cal.App.3d 1505 [funds borrowed for investment purposes].
12 More recently, in *People v. Simon* (1995) 9 Cal. 4th 494, 497 fn.4, the court stated "unsecured
13 promissory notes are securities if the investor relies on the skill, services, solvency, success, and
14 services of the issuer to ensure payment."

15 From May 2008 through at least April 2009, TC Ellis, residing in Sacramento, County of
16 Sacramento, State of California, offered and sold securities in the State of California in the form
17 of investment contracts to California and non-California investors. The investment contracts
18 involved TC Ellis' offers to invest in the purchase and resale of foreclosed real estate.

19 The victim investors played a passive role limited to giving monies to TC Ellis for the
20 purchase and resale of real estate. TC Ellis represented that he could purchase foreclosed homes
21 or lots at a cheap price, refurbish them, and resell them at a profit to be split with the investors.

22 In its Desist and Resist Order issued on August 11, 2011, against TC Ellis, TJ Ellis, JR
23 Ellis, and FXKB, Inc., the DOC determined these investment contracts to be securities offered or
24 sold in the State of California in issuer transactions. The DOC has not issued a permit or other
25 form of qualification authorizing any person to offer or sell these securities in this State. Neither
26 TC Ellis, TJ Ellis, FXKB, Inc., Blacksand, Inc. nor JR Ellis is registered to sell any securities in
27 California.
28

1 (Based on the foregoing, pursuant to Corporations Code section 25532, the DOC issued the
2 Desist and Refrain Order on TC Ellis, TJ Ellis, JR Ellis and FXKB, Inc. to desist and refrain from
3 the offer and sale of securities in California including investment contracts until qualification has
4 been made under the law or unless exempt. TC Ellis and TJ Ellis have been personally served
5 with the order. JR Ellis has yet to be served. The California Corporations Commissioner is of the
6 opinion that TC Ellis, TJ Ellis, JR Ellis and FXKB, Inc. violated Corporations Code section
7 25401).

8 In connection with the offer and sale of these investment contracts, TC Ellis misrepresented
9 or failed to disclose to the victim investors some or all of the following material facts: a) failed to
10 disclose that in 2002, TC Ellis received felony convictions for violating Penal Code section
11 487(a) (grand theft), Penal Code section 182(a)(4) (conspiracy to defraud), and a felony
12 conviction for willful intent to defraud tax return, and was sentenced to the California Department
13 of Corrections and Rehabilitation (CDCR) for four (4) years; b) misrepresented that the
14 investors' money would be invested in purchasing foreclosed real estate to resell. In connection
15 with the offer and sale of these investment contracts, TC Ellis willfully employed a scheme to
16 defraud the victims.

17 [REDACTED]
18 In 2007, [REDACTED] was contacted by a relative about an investment
19 opportunity in foreign currency trading involving a person named TC Ellis. Through that contact,
20 [REDACTED] came to know TC Ellis and eventually gave TC Ellis money to invest in foreign currency
21 trading for him. After some time and relative lack of success in foreign currency trading, in mid
22 2008, TC Ellis introduced [REDACTED] to investment opportunities in foreclosed real estate in and
23 around the greater Sacramento area.

24 [REDACTED] who was located in Grand Junction, Colorado, flew to Sacramento, California, to
25 meet TC Ellis. During the visit, TC Ellis welcomed [REDACTED] to what he, TC Ellis, represented was
26 his home, drove [REDACTED] by a number of houses that TC Ellis claimed he owned as rental
27 properties or potential properties for purchase. TC Ellis was aware that [REDACTED] had experience in
28

1 buying and selling foreclosed properties in Colorado. [REDACTED] felt comfortable with what TC
2 Ellis was saying about the foreclosure market in Sacramento. TC Ellis told [REDACTED] he owned a
3 remodeling company and hired crews to cheaply refurbish the foreclosed properties and turned
4 around and sold the properties for a profit. TC Ellis said he would purchase the properties under
5 the name of his business, FXKB, Inc. TC Ellis did not disclose his felony convictions to [REDACTED]

6 For [REDACTED]'s first investment with TC Ellis in foreclosed real estate, TC Ellis provided
7 documentation regarding the property they were allegedly purchasing to fix up and resell. TC
8 Ellis promised a return of up to 40%. After [REDACTED] received the promised return on the initial
9 investment on a timely basis, [REDACTED] trusted TC Ellis and invested some more money with TC
10 Ellis in real estate without requiring that documentation for the investment be produced to him.
11 After [REDACTED] received timely returns from TC Ellis as promised, [REDACTED] began introducing TC
12 Ellis to his family and friends. [REDACTED] family and friends were interested in investing their
13 money and were aware that [REDACTED] was having success with TC Ellis.

14 Some of [REDACTED] friends spoke directly with TC Ellis over the telephone or through email.
15 Some of [REDACTED] friends relied on [REDACTED] to communicate with TC Ellis. Some of [REDACTED]
16 friends met TC Ellis in person in New York while they were all in town for a conference. At
17 times, [REDACTED] friends asked [REDACTED] if there were any good investment opportunities and
18 [REDACTED] let TC Ellis know of his friends' interest. TC Ellis would email [REDACTED] what he
19 represented as an investment opportunity in certain homes in foreclosure and for sale, and [REDACTED]
20 would forward that information including promised rates of return by email to his friends. TC
21 Ellis represented that he could purchase bundled lots of houses in foreclosure at a reduced rate
22 from banks and that he could refurbish the houses and sell them for a profit. TC Ellis also
23 informed the investors he had buyers already lined up so the purchase would be quick and the
24 transaction would be smooth. TC Ellis represented that the investment returns TC Ellis paid his
25 investors came from that profit. If [REDACTED] friends were interested in investing, it was agreed
26 among [REDACTED] TC Ellis and the friend that [REDACTED] would share with the friend 50% of the
27 return, and TC Ellis would recover the other 50% of the return, or a similar apportionment of the
28

1 profit. [REDACTED] believed TC Ellis was sharing genuine investment opportunities with himself and
2 his friends.

3 Up until about April 2009, TC Ellis was producing the promised returns to [REDACTED] and his
4 friends on a timely basis. Knowing from his real estate background that escrow often did not
5 close on time [REDACTED] asked TC Ellis how the real estate deals were closing on every date
6 specified by TC Ellis. At that point, TC Ellis told [REDACTED] that not all of the foreclosures had
7 closed on the date indicated and that when they were expected to be delayed, TC Ellis had fronted
8 the money to [REDACTED] and his friends until the actual closing dates. [REDACTED] told TC Ellis that he
9 did not have to keep fronting the money and that he and his friends understood that the real estate
10 market could be delayed at times. From that point in time, Ellis delayed his payments to [REDACTED]
11 and his friends further and further. When this occurred, [REDACTED] suspected that TC Ellis had been
12 defrauding himself and his friends of their investment monies.

13 TC Ellis had directed [REDACTED] and the other victim investors to wire their money to Union
14 Bank of California (Union Bank [REDACTED] held in the name of FXKB, Inc. or Union Bank of
15 California [REDACTED] held in the name of Blacksand, Inc. FXKB, Inc is a California
16 Corporation and TJ Ellis is listed as the President. JR Ellis is listed as an authorized agent for
17 FXKB, Inc. According to Department of Corporations, TC Ellis was an officer and authorized
18 agent involved in the management of FXKB, Inc. Blacksand, Inc. is registered as a Nevada
19 Corporation, doing business as (dba) Blacksand Enterprises, Inc. JR Ellis is listed as the
20 President of Blacksand, Inc.

21 A search warrant for the known bank accounts of TC Ellis and FXKB, Inc. including Union
22 Bank of California account [REDACTED] and [REDACTED] produced bank records, which were
23 reviewed by California Department of Justice, Investigative Auditor (IA) Robert Smith.
24 According to IA Smith, the signatories to Union Bank of California account [REDACTED] appear
25 to be TC Ellis and TJ Ellis. The signatories to Union Bank of California account [REDACTED]
26 appear to be TC Ellis and TJ Ellis.

27 ///

1 Mirrow wired money to Union Bank of California Blacksand, Inc. account number
2 [REDACTED] in 2008 on May 23, June 10, June 18, July 8, July 9, July 23, July 25, July 28.
3 Mirrow wired money to invest to FXKB's Union Bank of California account, number
4 [REDACTED] in 2008 on August 28, September 19, September 26, October 14, Oct 23, Oct 24,
5 Nov 20, Dec 12, Dec 30; and in 2009 on Jan 6, Feb 27, and April 17. Prior to mid 2009, [REDACTED]
6 was repaid what he believed to be principle plus interest at least three times and on a timely basis.
7 [REDACTED] gave Ellis a total of \$2,761,125 to invest in foreclosed houses.

8 According to IA Smith, the bank records show the transfer of [REDACTED] money by wire into
9 FXKB's Union Bank account and show that the funds subsequently were spent on personal
10 expenses, payment to third parties for unknown reasons, transferred to foreign currency trading
11 platforms FXCM and MB Trading and not used toward purchasing or refurbishing foreclosed
12 homes. From approximately May 1, 2008 through June 30, 2009, TC Ellis unlawfully took a total
13 of \$2,761,125 from [REDACTED] [REDACTED] total loss is \$1,347,000.

14 [REDACTED]
15 [REDACTED] resides in Fresno, CA. In the spring of 2008, [REDACTED] introduced
16 [REDACTED] to TC Ellis. In the summer of 2008, [REDACTED] met TC Ellis at TC Ellis' residence in
17 Sacramento County. TC Ellis told [REDACTED] that he, TC Ellis, was seeking investment money to
18 purchase foreclosed houses in and around Sacramento County. TC Ellis told [REDACTED] that since he,
19 TC Ellis, had large sums of money flow through certain banks, the banks approach him and offer
20 "a lot" or a number of houses to be purchased together in a bundle. TC Ellis told [REDACTED] the
21 houses needed modest refurbishment and could then be flipped and sold for a profit. TC Ellis
22 told [REDACTED] that he and his wife, JR Ellis, owned and operated FXKB, Inc. and that TC Ellis
23 purchased all of the houses under the business name of FXKB, Inc. TC Ellis did not disclose his
24 felony convictions to [REDACTED] Based on TC Ellis' representations and directions, on or about the
25 following dates, [REDACTED] wired or deposited the amounts set forth below to FXKB's Union Bank
26 account to invest in foreclosed houses:

27 ///

1 August 26, 2008 \$25,000 (On October 16, 2008, TC Ellis wired from FXKB
2 Union Bank account to [REDACTED] \$75,000.00 plus \$12,500.00
3 for a total of \$87,500.00).
4 October 17, 2008 \$75,000.
5 December 22, 2008 \$250,000.
6 January 15, 2009 \$ 90,000.00.
7 January 21, 2009 \$140,000.00 (On or about January 26, 2009, TC Ellis wired to
8 [REDACTED] the principle \$140,000.00 plus \$18,200.00 for a total
9 of \$158,200).
10 January 30, 2009 \$156,000.

11 TC Ellis promised a return on the January 30, 2009 investment to [REDACTED] by April 15, 2009. TC
12 Ellis did not make any payments to [REDACTED] in return for this investment. In May 2009, [REDACTED]
13 emailed TC Ellis asking him when he could expect the repayment and TC Ellis gave excuses and
14 did not explain where [REDACTED] money went. [REDACTED] gave TC Ellis the \$156,000 to invest in
15 foreclosed houses and not for any other purpose and not to invest in foreign currency trading.

16 The bank records showed the deposit of [REDACTED] money into FXKB's Union Bank account
17 and show that the funds were spent by TC Ellis on personal expenses and payment to third parties
18 for unknown reasons and not used toward purchasing or refurbishing foreclosed homes. From
19 approximately August 1, 2008 through May 30, 2009, TC Ellis unlawfully took a total of
20 \$736,000 from [REDACTED] [REDACTED] total loss is \$27,800.

21 [REDACTED]
22 [REDACTED] resides in Canyon Lake, TX. In the summer of 2008, [REDACTED] learned
23 from [REDACTED] of TC Ellis' purported real estate investment opportunities. [REDACTED] informed
24 [REDACTED] that TC Ellis was offering short term investments in foreclosed real estate in Sacramento,
25 CA. [REDACTED] told [REDACTED] that TC Ellis had been prompt in paying returns on the investments and
26 that he, [REDACTED] and other investors at the time, summer 2008, had not experienced any problems
27 with TC Ellis. [REDACTED] never spoke with TC Ellis directly.
28

1 [REDACTED] expressed to [REDACTED] her interest in investing with TC Ellis, and thereafter, [REDACTED]
2 forwarded to [REDACTED] emails from TC Ellis. In the emails, TC Ellis discussed the real estate
3 investment opportunities he had for [REDACTED] specifically. TC Ellis indicated that the investment
4 opportunities were for [REDACTED] and provided instructions regarding which bank [REDACTED] was to wire
5 her investment funds.

6 On August 18, 2008, [REDACTED] wired \$300,000 from her Royal Bank of Canada (RBC)
7 account to the FXKB's Union Bank account as indicated in TC Ellis' wiring instructions. After
8 she wired this money, [REDACTED] received a phone call from RBC branch manager [REDACTED]
9 [REDACTED] told [REDACTED] that she, Alexander, had received a phone call from a
10 government agency indicating that [REDACTED] money had been shipped to an offshore account.
11 [REDACTED] immediately called Mirrow and told him what she learned, and [REDACTED] in turn,
12 immediately called TC Ellis and asked for an explanation. TC Ellis told [REDACTED] that the bank
13 must have made a mistake, and [REDACTED] relayed this information to [REDACTED] Mirrow advised [REDACTED]
14 to follow up with her bank to see if there was anything wrong. [REDACTED] did not hear from [REDACTED]
15 anymore about the issue. After learning from [REDACTED] that banks often make mistakes and that
16 TC Ellis believed the bank had made a mistake, [REDACTED] was relieved and no longer concerned.

17 [REDACTED] wired the following additional investment monies to FXKB's Union Bank account
18 for the purpose of investing in real estate in foreclosure:

19	September 22, 2008	\$2,000
20	September 22, 2008	\$78,000
21	October 8, 2008	\$7,500
22	October 8, 2008	\$30,000

23 [REDACTED] stated that TC Ellis paid her \$10,000, on November 28, 2008; \$4,500 on January 26, 2009;
24 and \$30,500 on January 26, 2009, by wire from FXKB's Union Bank account.

25 The bank records showed the wiring and deposit of [REDACTED] money into FXKB's Union
26 Bank account and that the funds were spent by TC Ellis on personal expenses and payment to
27 third parties for unknown reasons and not used toward purchasing foreclosed homes. From
28

1 approximately August 1, 2008 through March 30, 2009, TC Ellis unlawfully took a total of
2 \$417,500 from [REDACTED] [REDACTED] total loss is \$337,500.

3 [REDACTED]
4 [REDACTED] resides in Grand Junction, Colorado. In 2008, [REDACTED] introduced Hasty to TC
5 Ellis. In August 2008, [REDACTED] spoke with TC Ellis over the telephone with [REDACTED] present on the
6 call. During the phone conversation, TC Ellis presented to [REDACTED] an investment opportunity in
7 the foreclosure housing market in the greater Sacramento area. TC Ellis told [REDACTED] that he would
8 use [REDACTED] money to purchase foreclosed houses, which he would resell at a profit to buyers he,
9 TC Ellis, already had. In the phone conversation, TC Ellis described the real estate investment
10 and the expected investment return.

11 IA Smith created a spreadsheet summarizing bank records of TC Ellis obtained on search
12 warrant. I reviewed the spreadsheet with [REDACTED] [REDACTED] invested \$75,000 and \$150,000, via wire
13 transfer on or about August 28, 2008, into FXKB's Union Bank account. [REDACTED] invested an
14 additional \$160,000 on or about October 29, 2008, into the same account. Lastly, [REDACTED] invested
15 \$350,000 on or about November 25, 2008, into the same account for a grand total of \$735,000.

16 According to the spreadsheet created by IA Smith, TC Ellis invested \$500,000 on August
17 28, 2008, and an additional \$250,000 on October 31, 2008, into FXCM, a foreign currency
18 trading platform. Neither investment would have been possible if TC Ellis had not received
19 [REDACTED] investment money. Of [REDACTED] \$350,000 wired on or about November 25, 2008,
20 \$225,000 was used to purchase a cashier's check on November 28, 2008, made payable to "Big S,
21 LLC." According to IA Smith the cashier's check was not used. The cashier's check was re-
22 deposited into FXKB's Union Bank account on or about December 4, 2008, and the money was
23 withdrawn in cash.

24 From approximately August 1, 2008 through December 30, 2008, TC Ellis unlawfully took
25 a total of \$735,000 from [REDACTED] [REDACTED] total loss is \$700,000.

26 ///

27 ///

1 [REDACTED]
2 [REDACTED] met TC Ellis in New York City in or about early 2008. TC Ellis presented [REDACTED]
3 with an investment opportunity in purchasing foreclosed houses in and around the area of
4 Sacramento, CA. TC Ellis told [REDACTED] he could invest [REDACTED] money to purchase a certain
5 number of houses which he, TC Ellis, could purchase from the bank for a low price. TC Ellis
6 said he would perform necessary repairs on the houses and turn around and sell them for an
7 approximate 30 to 40 percent return profit within a short period of time. TC Ellis told [REDACTED] that
8 the return profit would be split among [REDACTED] TC Ellis and Mirrow. TC Ellis informed [REDACTED] the
9 reason for the short turn around time on the sale of the houses was because they were "pre-sold"
10 to buyers known to TC Ellis. [REDACTED] never authorized TC Ellis to invest his money in the foreign
11 currency market or to use the money to pay for personal expenses. TC Ellis communicated this
12 investment opportunity to [REDACTED] in person in New York City and subsequently on the telephone
13 and through email correspondence.

14 TC Ellis sent an email correspondence dated July 13, 2008, addressed to [REDACTED]
15 [REDACTED] setting forth one purported real estate investment. TC Ellis's email stated that [REDACTED]
16 would receive 50% of the profit and the other 50% would be split between TC Ellis and [REDACTED]
17 The email provided wiring instructions for [REDACTED] money to be wired to Blacksand's Union
18 Bank of California account [REDACTED] TC Ellis initially sent the email to [REDACTED] [REDACTED]
19 then forwarded the email to [REDACTED] [REDACTED] said he wired all of his funds for investment with TC
20 Ellis to [REDACTED] or FXKB's bank accounts.

21 IA Smith created a spreadsheet summarizing the bank records related to [REDACTED]
22 investments. The spreadsheet showed the money invested by [REDACTED] and how his money was
23 spent by TC Ellis. I reviewed those figures with [REDACTED] [REDACTED] agreed he initially invested
24 \$135,000 on or about July 14, 2008 with TC Ellis for the purchase of foreclosed houses. This
25 money was wired to Blacksand's Union Bank account. According to the spreadsheet created by
26 IA Smith, the \$135,000 was subsequently spent on a personal mortgage payment, an AT&T
27 Wireless bill, and a credit card bill. Ten thousand dollars (\$10,000) of the money was withdrawn
28

1 in cash; \$32,000 of it was paid to three individuals for unknown reason; and \$10,000 of it was
2 invested with Forex Capital Markets, LLC, (FXCM) a foreign currency trading company.

3 According to IA Smith's spreadsheet, on July 24, 2008, TC Ellis wired co-mingled funds
4 from different people totaling \$140,000 to his Wells Fargo Bank (WFB) account [REDACTED]
5 This money was added to other funds in TC Ellis' WFB account and used to pay back [REDACTED] and
6 other individuals.

7 On or about July 24, 2008, Tylich wired another \$220,000 investment to [REDACTED] Union
8 Bank account for the purchase of more foreclosed houses in and around Sacramento, CA. One
9 hundred, sixty-five thousand dollars (\$165,000) of the wire transfer was paid to another investor,
10 [REDACTED] on July 25, 2008. TC Ellis used the balance of the funds to make credit card
11 payments, a house payment and pay for multiple meals.

12 On or about August 25, 2008, [REDACTED] wired another \$252,000 investment to [REDACTED]
13 Union Bank account for the purchase of foreclosed homes. On or about September 19, 2008,
14 [REDACTED] wired another investment of \$225,000 for the purchase of more foreclosed houses in and
15 around Sacramento, CA. This money was wired to FXKB's Union Bank account. An unknown
16 person by the name [REDACTED] was paid \$92,500 on the same date, September 19, 2008, from
17 this account. Three hundred thousand dollars (\$300,000) was sent to FXCM, LLC, on
18 September 22, 2008, from this account.

19 On or about October 17, 2008, [REDACTED] wired another investment of \$300,000 for the
20 purchase of foreclosed houses in and around Sacramento, CA, to FXKB's Union Bank account.
21 An \$87,500 wire transfer was sent from that account to a person named [REDACTED] on October
22 20, 2008. A \$175,000 wire transfer was sent from that account to investor [REDACTED]
23 [REDACTED] brother, on October 21, 2008. The remaining amounts of [REDACTED] funds were spent on
24 TC Ellis' credit card bills, fuel, food and other miscellaneous expenses.

25 According to IA Smith, [REDACTED] overall dollar loss is estimated to be \$385,000. From
26 approximately July 1, 2008 and November 30, 2008, TC Ellis unlawfully took from [REDACTED] a
27 total of \$ 1,132,000.
28

1 [REDACTED]
2 [REDACTED] introduced [REDACTED] to TC Ellis. [REDACTED] spoke to TC Ellis by phone and also
3 exchanged emails with TC Ellis before and during the time when he invested money in foreclosed
4 real estate with TC Ellis through [REDACTED] Inc. and FXKB, Inc. In the phone calls and emails,
5 TC Ellis offered [REDACTED] investment opportunities in the foreclosure housing market in and
6 around Sacramento, California, and [REDACTED] was interested. TC Ellis originally presented
7 [REDACTED] with single house purchase for a low price, sell for a profit, and worked up to a
8 multiple house purchase where a number of houses were to be purchased at a low price,
9 refurbished and sold for a profit. [REDACTED] was interested in the investment opportunities TC
10 Ellis had to offer and sent his first investment of \$140,000 via wire transfer to Blacksand's Union
11 Bank account on or about June 23, 2008. TC Ellis wired to [REDACTED] a "return" of \$165,000
12 from the same account on July 24, 2008. [REDACTED] believed he had made a \$25,000 profit on his
13 initial \$140,000 investment.

14 TC Ellis' bank records show that [REDACTED] investment was used as follows: a portion of
15 it was transferred to the bank account of a entity named Creegan & D'Angelo; on June 24, 2008,
16 \$9,500 of the investment was transferred to the account of a business named MM Unlimited, Inc.;
17 on June 26, 2008, \$5,000 was cashed; on June 26, 2008, \$14,000 was paid to an unknown person
18 by the name of [REDACTED] on June 26, 2008, \$10,500 was paid to a person named
19 [REDACTED] and on June 30, 2008, \$25,000 was wired to [REDACTED] company, SaveIt, LLC.
20 None of [REDACTED] investment was used to purchase foreclosed real estate.

21 On or about July 31, 2008, [REDACTED] wired TC Ellis \$180,000 to invest in TC Ellis' real
22 estate investment opportunities. [REDACTED] wired the money to FXKB's Union Bank account.
23 On or about September 17, 2008, TC Ellis wired \$205,000 from the FXKB's Union Bank account
24 to [REDACTED] account. [REDACTED] believed this was a return on his investment with TC Ellis.
25 On September 19, 2008, [REDACTED] wired \$290,000 to FXKB's Union Bank account to invest in
26 TC Ellis' real estate investment opportunities. On or about November 17, 2008, [REDACTED]
27
28

1 received \$15,000 from TC Ellis from FXKB's Union Bank account. To date, [REDACTED] loss is
2 estimated to be \$225,000.

3 During the time when [REDACTED] invested with TC Ellis, FXKB, Inc., and Blacksand, Inc.,
4 [REDACTED] name was never placed on title of the house or houses of which his money was used
5 to purchase nor was any of [REDACTED] money used to purchase foreclosed homes. [REDACTED]
6 said he gained confidence in TC Ellis because of the consistent positive return on his first couple
7 of investments. [REDACTED] did not authorize TC Ellis to invest his money in the foreign currency
8 market, to use for personal expenses or to invest in a nightclub.

9 From approximately June 1, 2008 through November 30, 2008, Ellis unlawfully took a total
10 of \$610,000 from [REDACTED] [REDACTED] total loss is \$225,000.

11 [REDACTED]
12 In July 2008, [REDACTED] learned about TC Ellis and his real estate investment opportunities from
13 [REDACTED] [REDACTED] received email correspondence from TC Ellis written to him about particular
14 foreclosed real estate investment opportunities. TC Ellis' emails to [REDACTED] were sent to [REDACTED]
15 who forwarded them to [REDACTED] In his emails, TC Ellis told [REDACTED] that he, TC Ellis, would use
16 [REDACTED] money to purchase foreclosed houses in and around the Sacramento, CA. TC Ellis told
17 [REDACTED] that he, TC Ellis, had a crew that would refurbish or rehabilitate the houses and TC Ellis
18 would turn around and sell the houses for a profit. TC Ellis told [REDACTED] that the profits of the sale
19 were to be split 50/50 with [REDACTED] and [REDACTED] splitting 50% of the profit and TC Ellis keeping
20 50% of the profit.

21 [REDACTED] was interested in TC Ellis' investment opportunities and on August 13, 2008, wired
22 \$150,000 into FXKB's Union Bank account [REDACTED] invested in TC Ellis' opportunities through a
23 company, Sound Investments, in which [REDACTED] and his wife [REDACTED] are 100% stockholders. On
24 September 24, 2008, [REDACTED] received a \$170,000 return from TC Ellis. On September 26, 2008,
25 [REDACTED] invested another \$80,000 and \$10,000 with TC Ellis. On that same day, [REDACTED] also wired
26 TC Ellis \$150,000 for a "two house deal." On March 9, 2009, [REDACTED] received a return from Ellis
27 of \$90,000. On April 14, 2009 [REDACTED] received \$207,500 from TC Ellis, which he believed was a
28

1 return on his investment plus the principle. On or about April 17, 2009, TC Ellis sent an email to
2 [REDACTED] promoting a "56 house deal". TC Ellis' email stated that the projected cost of the project
3 would be \$2.5 million dollars with a profit margin of 10% and projected that [REDACTED] would receive
4 approximately \$21,000 based on a \$210,000 investment. TC Ellis' email was forwarded by
5 [REDACTED] to [REDACTED] decided to re-invest the \$207,500 he just received from TC Ellis and add
6 another \$2,500 toward the "56 house deal" for a \$210,000 investment.

7 [REDACTED] spoke to IA Smith prior to my discussion with him via telephone. IA Smith informed
8 [REDACTED] that his, IA Smith's, records indicate [REDACTED] received \$8,400 in September 2009, from TC
9 Ellis. According to the discussion I had with [REDACTED] he confirmed receipt of the \$8,400; however
10 [REDACTED] estimated loss is still approximately \$132,500.

11 [REDACTED] said he spoke with TC Ellis via telephone a couple of times in November 2008
12 regarding rolling his already invested money into another investment opportunity to purchase
13 more foreclosed houses. [REDACTED] did not authorize TC Ellis to use his investment money for
14 anything other than real estate. Between approximately August 1, 2008 and September 30, 2009,
15 Ellis unlawfully took a total of \$600,000 from [REDACTED] [REDACTED] total loss is approximately
16 \$132,500.

17 [REDACTED]
18 [REDACTED] of Vintage Capital Advisors, LLC, Redding, CA, is an investment
19 broker with a client named [REDACTED] [REDACTED] informed me that on December 2,
20 2009, he invested \$100,000 with TC Ellis and FXKB, Inc. for his client, [REDACTED] [REDACTED] money
21 was deposited into TC Ellis' Bank of America account, account number [REDACTED] by
22 Interactive Brokers LLC. Based on FXKB's website and TC Ellis' statements to [REDACTED] [REDACTED]
23 and [REDACTED] understood that FXKB would place [REDACTED] money in an account with FXCM, an
24 online foreign currency broker. TC Ellis told [REDACTED] that he opened an FXCM account with
25 [REDACTED] money. [REDACTED] was to have review privileges but would not be able to change anything in
26 the account. Later in December 2009, [REDACTED] tried checking with TC Ellis regarding the status
27
28

1 of the funds but was not able to reach him. [REDACTED] then contacted FXCM and inquired about
2 [REDACTED] funds, and FXCM informed [REDACTED] that they had no record of [REDACTED] or [REDACTED] account.
3 [REDACTED] confronted TC Ellis about [REDACTED] funds not being deposited into the FXCM
4 account as agreed. TC Ellis told [REDACTED] that [REDACTED] money along with other money he, TC
5 Ellis, had at other financial institutions had been frozen by court order in a civil lawsuit. At the
6 time, TC Ellis had a civil lawsuit against him in Sacramento Superior Court, *Mirrow, et al. v.*
7 *Ellis, et al.*, Sacramento Superior Court Case No. 34-2009-00063061, in which the court issued an
8 order freezing various bank accounts held by TC Ellis and the other civil defendants. However,
9 the order was not issued until January 4, 2010. Further, TC Ellis had previously told [REDACTED] that
10 he had opened an FXCM account for [REDACTED] with [REDACTED] money.

11 A search warrant for TC Ellis' bank accounts produced bank records of Bank of America
12 account [REDACTED]. These were reviewed by IA Smith. The bank records showed the deposit
13 of [REDACTED] money into TC Ellis' bank account, Bank of America account [REDACTED] on
14 December 2, 2009, and show that the funds were spent by TC Ellis on personal expenses and
15 payment to third parties for unknown reasons and not transferred to an FXCM account. In
16 summary, in December 2009, Ellis unlawfully took a total of \$100,000 from [REDACTED] and [REDACTED]
17 total loss is \$100,000.

18 [REDACTED]
19 In March 2011, CA DOJ, Special Agent (SA) Debra Gard (Gard), interviewed [REDACTED]
20 [REDACTED]. SA Gard informed me what [REDACTED] stated. [REDACTED] told SA Gard that he
21 met with TC Ellis' son, TJ Ellis in September and October 2008, at a shopping center in Citrus
22 Heights, CA. In this meeting, TJ Ellis told [REDACTED] that his business, FXKB, Inc. offered
23 investment services in the foreign currency market.

24 [REDACTED] was interested in investing in the foreign currency market. Subsequently, on or
25 about October 1, 2008, TJ Ellis came to [REDACTED] residence at the time on [REDACTED]
26 Citrus Heights, CA 95610, and drafted a promissory note in [REDACTED] living room. The terms of
27 the promissory note were that FXKB, Inc. would pay [REDACTED] back the principle sum of \$40,000
28

(due date not indicated) and interest at the rate of 60% annually in monthly payments of \$2,000 starting October 1, 2013 for five years thereafter. The note promised that \$120,000 will be paid at the end of the five year term, and that upon default of interest or principle payment, the whole sum of the principle and interest would become immediately due at the option of the holder. Both [REDACTED] and TJ Ellis signed the note, and [REDACTED] then gave TJ Ellis a cashier's check for \$40,000 from Safe Credit Union in exchange for the promissory note. TJ Ellis then left [REDACTED] home.

[REDACTED] received his first \$2,000 interest payment on November 1, 2008, in the form of a cashier's check withdrawn by TJ Ellis that was personally delivered to [REDACTED] at his house by TJ Ellis' brother. [REDACTED] received subsequent interest payments of \$2,000 in December 2008, and in January 2009 in cash in an envelope. [REDACTED] then stopped receiving interest payments. [REDACTED] called TJ Ellis to inquire about the missed payments, and TJ Ellis said he was having problems and offered only excuses. After two months of missed payments, [REDACTED] met with TJ Ellis who again offered only excuses. After approximately six months of missed payments, [REDACTED] let TJ Ellis know that he would contact law enforcement regarding the non-payments. Subsequently, [REDACTED] was given another payment of \$500 in the form of check # 2323 signed by TC Ellis from FXKB's Union Bank account. The memo line on the check depicts "For Lil' Taze". [REDACTED] then told TJ Ellis that he wanted to cancel the promissory note and wanted his \$40,000 returned to him immediately. To date, TJ Ellis has not returned [REDACTED] money.

A search warrant of the bank records of TJ Ellis produced bank records of Union Bank account [REDACTED] an account held by TJ Ellis and [REDACTED] IA Smith reviewed the bank records. The bank records include a copy of [REDACTED] \$40,000 cashier's check from Safe Credit Union, which [REDACTED] identified as a copy of the cashier's check that he gave to TJ Ellis. The bank records show that on October 3, 2008, TJ Ellis deposited [REDACTED] \$40,000 cashier's check into TJ Ellis and [REDACTED] Union Bank account minus a \$5,000 cash withdrawal. Prior to the deposit of [REDACTED] money, the Union Bank account balance was \$3,292.78. The bank records show that on October 8, 2008, TJ Ellis withdrew \$20,000 from TJ

1 Ellis and [REDACTED] Union Bank account and on that same day deposited \$20,000 into FXKB,
2 Inc.'s Union Bank account. The bank records show that on October 8, 2008, \$20,000 was
3 transferred from FXKB's Union Bank account to FXCM, LLC.

4 On October 16, 2008, TJ Ellis withdrew \$5,000 in cash from his and [REDACTED] Union
5 Bank account. On October 17, 2008, TJ Ellis withdrew \$4,000 from the same account. The bank
6 records show that the remainder of [REDACTED] money, approximately \$6,000, was spent by TJ
7 Ellis in the form of debit card withdrawals and purchases, rent payment, pet deposit for an
8 apartment and gas, food, electronics and clothing expenses.

9 In summary, between approximately October 1, 2008, and November 30, 2008, TJ Ellis
10 unlawfully took \$20,000 of the \$40,000 [REDACTED] gave TJ Ellis to invest in the foreign currency
11 market. TJ Ellis' total loss is at least \$20,000.

12 CONCLUSION

13 Based on the foregoing I believe that TC Ellis has engaged in a pattern of related felony
14 conduct which includes the commission of two or more related felonies, a material element of
15 which is fraud or embezzlement, resulting in a loss in excess of \$500,000, and that he has
16 violated the state's securities laws by violating California Corporations Code sections 25110,
17 25401, 25540, and 25541, and California Penal Code Section 487.

18 Based on the foregoing I believe that TC Ellis has unlawfully and intentionally taken
19 property amounting to a loss that exceeds three million, two hundred thousand dollars
20 (\$3,200,000).

21 TAZE CLAIBORNE ELLIS is more particularly described as a black male adult, California
22 Department of Motor Vehicles (DMV) Driver's License (CDL) [REDACTED] date of birth (DOB),
23 03/06/1967, brown hair, brown eyes, 6 foot 1 inch tall, and weighs approximately 200 pounds.

24 TC Ellis' CII [REDACTED] history lists two social security numbers, [REDACTED] and [REDACTED]
25 [REDACTED] TC Ellis currently resides at [REDACTED]
26 [REDACTED] State of California.

27 ///

TAZE JORDAN ELLIS is more particularly described as black male adult, DOB 08/03/1989, [REDACTED] is 6 foot tall, weighs approximately 210 pounds and has brown hair and brown eyes.

The Sacramento County bail schedule indicates that bail can be set in the amount of taking, thus I am requesting bail be set at \$3,200,000, or \$3.2 million dollars for TAZE CLAIBORNE ELLIS. I am requesting bail be set at \$20,000 for TAZE JORDAN ELLIS.

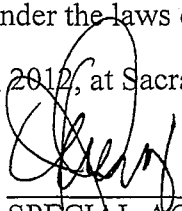
In the event that TAZE CLAIBORNE ELLIS seeks to post bail, I ask that he be required to demonstrate to the court that no portion of said bail or any pledge or consideration provided for such bail was feloniously obtained as required by Penal Code section 1275.1. I am concerned that any assets used to post bail will be from cash or assets acquired through theft from others by the defendant.

Therefore, I request an order directed to the Sacramento County Sheriff's Department, and any other law enforcement agency, that in the event that TAZE CLAIBORNE ELLIS seeks to post bail, that such deposit not be accepted until a hearing is held on the source of the funds.

In the event that TAZE JORDAN ELLIS seeks to post bail, I ask that he be required to demonstrate to the court that no portion of said bail or any pledge or consideration provided for such bail was feloniously obtained as required by Penal Code section 1275.1. I am concerned that any assets used to post bail will be from cash or assets acquired through theft from others by the defendant.

Therefore I request an order directed to the Sacramento County Sheriff's Department, and any other law enforcement agency, that in the event that TAZE JORDAN ELLIS seeks to post bail, that such deposit not be accepted until a hearing is held on the source of the funds.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct. Executed on August 13, 2012, at Sacramento, California.


SPECIAL AGENT JASON NICHOLS
California Department of Justice
Bureau of Investigation, eCrime Unit
Sacramento Regional Office