

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

CASE NUMBER: 8-08-

PAUL ROBERT GUNTER
and
ZIBIAH JOY GUNTER

8:08 MJ 1106 TBM

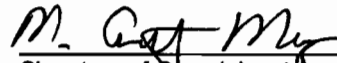
I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least as early as in or about the spring of 2005 through the present, in the Middle District of Florida and elsewhere, the defendants did

conspire to commit, and commit substantive acts of, mail fraud, wire fraud, securities fraud, and money laundering

in violation of Title 18, United States Code, Sections 371, 1341, 1343, 1348, 1349, 1956, 1957 and 2. I further state that I am a Special Agent with United States Secret Service, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: Yes No



Signature of Complainant
M. Anthony Magos

Sworn to before me and subscribed in my presence,

March 13, 2008

at

Tampa, Florida

Thomas B. McCoun, III
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

I. AFFIANT'S BACKGROUND

I, Special Agent M. Anthony Magos, U.S. Secret Service, being duly sworn, do hereby depose and state:

1. I am a Special Agent ("SA") with the United States Secret Service ("USSS"), and have been so employed since May 2003. I am currently assigned to the Tampa Field Office and serve on a financial crimes task force comprised of Secret Service agents as well as local law enforcement officers. I have investigated several individuals for a wide variety of federal and state felony offenses. My experience as a USSS SA has included the investigation of cases involving bank fraud, wire fraud, mail fraud, access device fraud, and the use of computers and the Internet to commit fraud. Additionally, I am certified in the Secret Service Electronic Crimes Special Agent Program. In this program, I received specialized training in computer crimes and computer forensics. I have also participated in the execution of search warrants involving the search and seizure of computer equipment.

II. PURPOSE

2. This affidavit is submitted in support of a Criminal Complaint against PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER.

3. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not purport to set forth all of my knowledge or all of the details of the investigation of this matter. Rather, I have set forth only those facts that I believe necessary to establish probable cause to believe that PAUL ROBERT

GUNTER and ZIBIAH JOY GUNTER have conspired to commit, and have committed substantive acts of, mail fraud, wire fraud, securities fraud, and money laundering, in violation of Title 18, United States Code, Sections 371, 1341, 1343, 1348, 1349, 1956, 1957, and 2. The facts set forth in this affidavit are based on my personal knowledge, information obtained from other individuals, including other law enforcement officers, my review of documents and computer records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only. The information contained in this affidavit is true and correct to the best of my knowledge and belief.

4. The fraudulent activity that is the subject of this investigation is a conspiracy to commit, and substantive acts of, mail fraud, wire fraud, securities fraud, and money laundering involving publicly-traded shell companies. This affidavit focuses primarily on one example of this activity involving a publicly-traded shell company called MobileStream, Inc. Specifically, the individuals identified in this affidavit conspired to and did find an existing, dormant, publicly-traded company called MobileStream, Inc.; hijacked that company's identity, history, and shareholder base through false statements to organizations involved in the operation and regulation of securities markets; authored a fraudulent opinion concerning the company's securities and, thereby, caused the issuance of free-trading shares in the company to conspirators; sold restricted and virtually worthless shares of stock in said company to victim-investors in the United Kingdom through high pressure and misleading sales

techniques; caused the victim-investors to wire their investment funds from the United Kingdom to bank accounts in the Middle District of Florida; and used the victim-investors' funds to perpetuate the scheme for their own personal enrichment. The evidence amassed to date indicates that there are approximately 53 other publicly-traded shell companies that have been and are being used in the same or a similarly fraudulent manner by at least some of the same group of conspirators.

5. For the reasons set forth below, I submit that there is probable cause to believe that PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER, are criminally liable for the fraudulent activity described in this affidavit in that they have conspired to commit, and have committed substantive acts of, mail fraud, wire fraud, securities fraud, and money laundering, in violation of Title 18, United States Code, Sections 371, 1341, 1343, 1348, 1349, 1956, 1957, and 2.

III. JOINT INVESTIGATION

United States

6. This investigation is being conducted jointly by agents of the USSS and the U.S. Immigration and Customs Enforcement ("ICE"). The agents conducting the investigation include, but are not limited to, USSS Special Agents Michael Paulhus, John Croes, and Brian Zapoticzny of the Newark, New Jersey Field Office, and ICE SA Anthony Cerreta of the Office of Investigations, Special Agent in Charge, Tampa, Florida.

7. The agents have been aided by information and assistance received, via an official access request, from the U.S. Securities and Exchange Commission ("SEC"), Enforcement Division, Washington, D.C.

United Kingdom

8. In addition, the agents have received information and assistance from the City of London Police ("CLP"). The CLP is responsible for coordinating "Operation Archway," the national intelligence reporting system for "boiler room fraud," where victim-investors are cold-called by fake stockbrokers and persuaded to buy shares in worthless, non-existent, or near bankrupt companies. Operation Archway has identified dozens of boiler rooms, mostly located in Spain, that are bilking UK investors out of millions of dollars. CLP officers have advised that property has been seized, bank accounts frozen, and boiler room activities disrupted as a result of this initiative. Operation Archway has identified MobileStream, Inc. as one of the companies in which UK victims have been fraudulently persuaded to invest by fake stockbrokers working in boiler rooms in Spain.

Canada

9. The agents have also received information from the Ontario Securities Commission ("OSC") and the British Columbia Securities Commission ("BCSC"), which regulatory agencies have been involved in an investigation involving another hijacked publicly-traded shell company called Rocky Mountain Gold Mining. Based upon the information provided to the agents to date, it appears that Rocky Mountain Gold Mining

was used by at least some of the same individuals and in the same manner as MobileStream, Inc.

IV. INVESTIGATION

A. DEFINITIONS

Committee on Uniform Securities Identification Procedures (CUSIP)

10. Formed in 1962, the Committee on Uniform Securities Identification Procedures (“CUSIP”) developed and implemented a system that uniformly and uniquely identifies most securities, specifically U.S. and Canadian registered stocks and U.S. government and municipal bonds, through the use of what are known as CUSIP numbers. CUSIP numbers are the universally-recognized means of identification for more than 8.4 million unique financial instruments issued by corporations, municipalities, and government agencies. A CUSIP number consists of a unique nine-character combination of letters and numbers, which, among other things, identifies the issuer of the security and the type of security to which it has been assigned. The CUSIP number appears on the face of the security. CUSIP numbers are issued by the CUSIP Bureau, which is operated by Standard and Poor’s on behalf of the American Bankers Association in New York, New York.

Transfer Agent

11. A transfer agent is a trust company, bank, or similar financial institution assigned by an issuer of securities to maintain records of investors and account balances and transactions, to cancel and issue certificates, to process investor mailings, and to deal with any associated problems (i.e., lost or stolen certificates).

Companies that have publicly-traded securities typically use transfer agents to keep track of the individuals and entities that own their stocks and bonds. Although most transfer agents are banks or trust companies, sometimes a company will act as its own transfer agent.

National Association of Securities Dealers

12. The National Association of Securities Dealers ("NASD") is a self-regulatory organization of the securities industry responsible for the operation and regulation of the NASDAQ Stock Market and Over-The-Counter markets. It also administers exams for investment professionals, such as the Series 7 exam. The SEC has oversight of the NASD.

13. In 2007, the NASD merged with the New York Stock Exchange's Regulation Committee to form the Financial Industry Regulatory Authority ("FINRA"). Accordingly, the NASD is now known as FINRA.

National Association of Securities Dealers Automated Quotation System

14. The National Association of Securities Dealers Automated Quotation System ("NASDAQ") is an electronic stock market that uses a computerized system to provide brokers and dealers with price quotes. The NASDAQ is comprised of two separate markets: (1) the NASDAQ National Market, which trades the largest and most active securities, and (2) the NASDAQ Smallcap Market, which lists a smaller number of emerging growth companies. For a company to trade on the NASDAQ, it must meet a number of listing requirements, such as having a minimum market capitalization and number of publicly held shares. NASDAQ has a department called Corporate Data

Operations, which handles trading symbol assignment and re-assignment. This department is commonly referred to as "NASDAQ REORG."

Over-The-Counter Bulletin Board

15. Provided by the NASD, the Over-The-Counter ("OTC") Bulletin Board is a quotation medium for market makers, that is, market participants who quote the securities. The issuers who are quoted on the OTC Bulletin Board are required to report to the SEC or another regulatory authority. Typically, OTC Bulletin Board issuers are smaller issuers.

OTC Market and the Pink Sheets

16. The OTC market includes issuers who are not required to report to the SEC or another regulatory authority on an ongoing basis. The OTC market includes, but is not limited to, some securities quoted on the Pink Sheets.

17. The Pink Sheets is a privately-owned, electronic quotation medium for market makers. If a market maker wants to quote a security on the Pink Sheets, that market maker must first file a form, known as a 15c2-11 Form, with FINRA in accordance with Rule 15c2-11, promulgated pursuant to the Securities Exchange Act of 1934. This is a one-time filing requirement. Once the form is filed and a company becomes Pink Sheets-eligible, the market maker may quote that security on the Pink Sheets. Thirty (30) days later, any market maker may quote that security. Generally, once a company becomes Pink Sheets-eligible, it remains Pink Sheets-eligible. There is no requirement of any further or ongoing due diligence or filings. As a result, Pink Sheets securities can be among the most risky of investments.

Stock Subscription Agreement

18. A stock subscription agreement is a document used by individuals and entities who sell stock to investors. A thorough subscription agreement protects both the issuer of stock and prospective investors by disclosing all material information, including the risks associated with investing in the stock, such that a prospective investor can make an informed decision about whether or not to invest. A subscription agreement can also solicit information concerning a prospective investor's sophistication, past investment experience, income, net worth, and other relevant information. The issuer may use this information to determine whether the prospective investor is a so-called "accredited investor" to which certain unregistered securities may be offered for sale under certain circumstances.

Securities Act of 1933, Regulation D, Rule 504

19. Regulation D, Rule 504 provides an exemption from the registration requirements of the Securities Act of 1933 for certain offerings of up to \$1,000,000 of securities in any 12-month period to accredited investors.

Securities Act of 1933, Regulation S

20. Regulation S ("Reg-S") securities are U.S. securities available to foreign investors, with few exceptions (i.e., officers of the issuing company). If purchased by foreign investors, Reg-S securities are restricted and may not be re-sold or transferred to other investors unless and until certain regulatory requirements are satisfied. Normally, Reg-S securities may not be resold for a period of one year or more.

Publicly-Traded Shell Company

21. Typically, a shell company exists in name only and/or is not operated for itself; it has no independent assets or operations, but is used by its owners to conduct specific business or maintain control of other companies or assets. Shell companies are valuable when they are listed on a stock exchange because they provide a cheap way for another company to acquire a listing by “reversing” into the shell.

B. UK VICTIM COMPLAINT TRIGGERED INVESTIGATION

22. In June 2006, USSS SA Michael Paulhus was contacted via telephone and email by a private investigator named Rick Riskie about a possible stock fraud involving several companies, including New Jersey-based MobileStream Oil. Riskie advised that David Evans, a victim-investor located in the UK, invested approximately \$256,000 in multiple U.S. companies, including RegalTech, Asante Networks, Communications Research, Inc., and MobileStream Oil. According to Riskie, Evans received shareholder stock certificates, printed by Precise Printing, of Brooklyn, New York, via mail at his address in the UK. Riskie added that Precise Printing told him that an attorney in Houston, Texas [hereinafter “Conspirator 6”] ordered the stock certificates and that the blank certificates were usually delivered to a specified transfer agent in New York, New York.

23. Riskie further advised that among the documents related to the stock purchases received by Evans were wire transfer instructions containing the following passage: “It is acknowledged that Global Resources Advisors will receive a fee of 1%

in connection with this sale, which is included in the Purchase Price.” The wiring instructions identified the recipient banks as follows:

<u>COMPANY NAME/ADDRESS</u>	<u>WIRE INSTRUCTIONS</u>
MobileStream 7914 U.S. Hwy. 19 Port Richey, Florida 34668 (866) 978-6155 (954) 827-0713 Fax	Sun Trust Bank 6218 U.S. Hwy. 19 New Port Richey, Florida 34652 ROUTING# 061000104 ACCT# 1000031661381
Regal Tech 210 South Pinellas Ave. Tarpon Springs, Florida 34689 (727) 937-0996 (727) 937-0733 Fax	Sun Trust Bank 6218 U.S. Hwy. 19 New Port Richie, Florida 34652 ROUTING# 061000104 ACCT# 1000026485655

C. 3E INTERNATIONAL, A PUBLICLY-TRADED SHELL COMPANY, WAS HIJACKED

24. On or about November 24, 1998, a company called 3E International (hereinafter “3E 1998”) was incorporated in the state of Delaware. The Delaware Division of Corporations lists 3E 1998 as corporation number 2879329. Corporate filings indicate that 3E 1998’s president is Murray Stark, 79 Barbara Crescent, Kitchner, Ontario, Canada. The corporation was formed for the purpose of television broadcasting in Akra, Ghana. In 1999, 3E 1998 applied to the CUSIP Bureau for a CUSIP number, and to NASDAQ REORG for a trading symbol. 3E 1998 was issued CUSIP number 88555A-10-1 and trading symbol TEIL. On or about March 20, 2000, Murray Stark filed a 10SB form, a general form for registration of securities of small business issuers, with the SEC. On or about March 1, 2003, the company was “voided” by the Delaware Division of Corporations for non-payment of taxes in the amount of \$226,170.49.

25. In the summer of 2005, Conspirator 6, an attorney in Houston, Texas, hired by another Houston attorney [hereinafter "Conspirator 5"] to perform legal work on an hourly basis, hijacked 3E 1998 at Conspirator 5's request on behalf of another individual [hereinafter "Conspirator 1"]. Conspirator 6 has spoken with and produced records to the SEC, Canadian securities regulators, and federal law enforcement, pursuant to proffer letters, concerning this hijacking as well as the hijacking of approximately 53 other publicly-traded shell companies. Conspirator 6 advised that she learned how to hijack publicly-traded shell companies and received most of the templates of documents to effect such hijackings from Conspirator 5.

26. On or about June 29, 2005, Conspirator 6 filed paperwork with the Delaware Division of Corporations to incorporate a second company named 3E International Corp. (hereinafter "3E 2005") in the state of Delaware. The Certificate of Incorporation identifies Conspirator 5 as the incorporator and purports to bear his signature. According to Conspirator 6, she signed Conspirator 5's name at his request and with his authorization. The Delaware Division of Corporations lists 3E 2005 as corporation number 3993120.

27. On or about July 24, 2005, Conspirator 6 prepared a Consent of the Board of Directors of 3E 2005. The Consent reports that 3E 2005's board of directors approved a change in the name of the company to MobileStream, Inc. as well as a reverse stock split of one (1) new share of stock for 1,000 old shares. The Consent purports to be signed by Conspirator 5, and Conspirator 6 said that she signed his name at his request and with his authorization.

28. On or about July 25, 2005, Conspirator 6 filed a Certificate of Amendment of Certificate of Incorporation with the Delaware Division of Corporations. The Certificate of Amendment changed the name of the company from 3E 2005 to MobileStream, Inc. The Certificate of Amendment purports to be signed by Conspirator 5 in his capacity as President of MobileStream, Inc. Again, Conspirator 6 said that she signed his name at his request and with his authorization.

29. On or about August 2, 2005, Conspirator 6 submitted a request to the CUSIP Bureau for assignment of a new CUSIP number to MobileStream, Inc. In support of her request, Conspirator 6 attached the Certificate of Amendment of Certificate of Incorporation for 3E 2005 because a company name change necessitates the assignment of a new CUSIP number. In so doing, Conspirator 6 fraudulently led the CUSIP Bureau to believe that MobileStream, Inc. was the new name of the pre-existing publicly-traded company 3E 1998, rather than a new company with no trading history whatsoever. On August 2, 2005, based upon this fraudulent misrepresentation, the CUSIP Bureau assigned new CUSIP number 60742Y-10-2 to MobileStream, Inc.

30. On or about August 5, 2005, Conspirator 6 sent a letter, via facsimile from her office in Texas to NASDAQ REORG in Connecticut, in which she reported that 3E International Corp. had changed its name to MobileStream, Inc., and that the company had effected a reverse stock split of one (1) new share for 1,000 old shares. Conspirator 6 attached copies of the Certificate of Amendment of Certificate of Incorporation and the Consent of the Board of Directors described in paragraphs 27 and 28 above. In addition, Conspirator 6 reported that NASDAQ REORG's required

Transfer Agent Verification Form had been sent by the company's transfer agent, Manhattan Transfer Registrar Co.

31. On or about August 8, 2005, a specified individual with Manhattan Transfer Registrar Co., in New York, faxed a Transfer Agent Verification Form to NASDAQ REORG in Connecticut. The Transfer Agent Verification Form fraudulently represented MobileStream, Inc. as the new name of the pre-existing publicly-traded company 3E 1998, rather than a new company with no trading history whatsoever, by specifically identifying the CUSIP numbers assigned to each. In other words, the Transfer Agent Verification Form identified the "current issuer" as 3E 1998 with a CUSIP number of 88555A-10-1, and the "new issuer name" as MobileStream, Inc. with CUSIP number 60742Y-10-2. Based upon this fraudulent representation, directed by Conspirator 6 and communicated by the transfer agent, NASDAQ REORG assigned the new trading symbol MBSM to MobileStream, Inc.

32. As a result of her participation in this scheme, Conspirator 6 effectively hijacked 3E 1998's CUSIP number, trading symbol, and pre-existing shareholder base. Further, as Conspirator 6 has stated, the reverse stock split effectively diluted the holdings of the pre-existing shareholder base and paved the way for other individuals to claim a controlling interest in the company. Further, the hijacking allowed MobileStream, Inc. to be held out as a company which had sold shares of stock in the past, had press releases, had a trading symbol – in other words, had a history – that potential investors could evaluate before making an investment decision.

33. As part of the investigation, SA Paulhus contacted April Wright, Administrator, Delaware Department of Corporations, concerning 3E 1998 and 3E

2005. Wright advised that two Delaware companies exist with the name 3E International, but that they have "no relationship with each other." Wright stated that 3E 1998 remains dormant and owes the state of Delaware \$226,170.49 in back taxes, and that 3E 2005 changed its name to MobileStream, Inc. Wright added that once a Delaware corporation is voided for non-payment of taxes, the corporation's name is no longer protected from use by others. In other words, it is not unlawful for someone to incorporate a new entity using the name of a dormant or voided corporation.

34. SA Paulhus also spoke with Gerard Faulkner, Director of CUSIP Operations, CUSIP Bureau. Faulkner advised that a corporation's CUSIP number acts like a person's Social Security Number in that the CUSIP number is unique to the particular issuer and type of security to which it is assigned, and it is not re-issued. Faulkner stated that a change in the issuer's name necessitates a change of the CUSIP number, and that the CUSIP Bureau requires proof of the name change, including a copy of the certificate of amendment filed with the state, before it will assign a new CUSIP number. Faulkner observed that it would be a fraudulent misrepresentation to associate a CUSIP number with a company to which that CUSIP number was not issued. Thus, 3E 2005 had no right to make use of, or otherwise represent itself as having been assigned, 3E 1998's CUSIP number, even though the corporations originally shared the same name.

35. Your affiant spoke with Tara Petta, Director of NASDAQ Corporate Data Operations, which is sometimes referred to as NASDAQ REORG. Petta advised that her department processes requests for trading symbol changes only when such a change is necessitated by a change in a company's name or a reverse split of the stock

or under other limited circumstances. A company applying for a trading symbol change must provide certain documentation evidencing the change of name or reverse stock split to NASDAQ REORG, including, but not limited to, a board of directors resolution, any filings with the state, and confirmation, in the form of a Transfer Agent Verification Form, that the transfer agent is aware of the changes and is prepared to “mirror operationally what the company is doing legally.”

36. Petta further advised that once her department receives all of the required documentation, the department acts on the corporate action by making the appropriate changes in NASDAQ’s internal systems and communicating the changes to the marketplace. Specifically, the day before the effective date of the changes, her department makes adjustments to NASDAQ’s internal systems to reflect the changes in the company’s name, the number of shares, the price per share, the CUSIP number, and the trading symbol, and her department announces such changes to the marketplace via the appropriate “daily list” on NASDAQ’s website. NASDAQ maintains two “daily lists” – one for the OTC Bulletin Board, and another for the OTC market, which includes securities quoted on the Pink Sheets. These daily lists are accessed and used by, among others, the Depository Trust Corporation (“DTC”), which is the primary holder of securities records for financial institutions and brokers, as well as vendors, such as Bloomberg, Yahoo Finance, and the Pink Sheets. The DTC and the vendors make the changes announced by NASDAQ via its “daily list” in their internal systems and, thereby, integrate the changes into the marketplace.

37. Petta observed that until recently, NASDAQ REORG relied almost exclusively on the representations and documentation supplied by the company in

making trading symbol changes. If a company falsely represented its name, CUSIP number, or other pertinent data in connection with a request for a new trading symbol, NASDAQ REORG's action on such request would propagate the fraud throughout the marketplace.

C. BOGUS LEGAL OPINION WAS AUTHORED AND HIJACKED COMPANY'S UNRESTRICTED SHARES WERE DISTRIBUTED TO CONSPIRATORS

38. On or about August 18, 2005, Conspirator 6 drafted a legal opinion, commonly referred to as a "504 opinion" letter, concerning one million (1,000,000) shares of common stock in MobileStream, Inc. to be issued to shareholders specified in an attachment to the letter. Conspirator 6 opined that because, among other factors, the shares were being offered to a limited number of accredited investors, as that term is defined in Regulation D (Securities Act of 1933), who reside or are domiciled in Texas, and the offering would not exceed \$1 million, "the Shares are not required to be registered under the Securities Act of 1933, and the certificates for such Shares may be issued without a restrictive legend." The opinion letter is on the letterhead of a named law firm in Houston, Texas, and purports to be signed by Conspirator 5. Conspirator 6 said that she received the template for this letter from Conspirator 5, that Conspirator 5 approved the 504 opinion letter, and that she signed Conspirator 5's name to the letter at his request and with his authorization. Conspirator 6 appended to the 504 opinion letter an Annex A, naming each of two shareholders – Atlantic Venture Partners and Latinum Partners, LLC – as the recipients of 500,000 shares of unrestricted common stock in MobileStream, Inc. According to Conspirator 6, Atlantic Venture Partners and Latinum Partners, LLC are two of the Costa Rican companies owned and/or controlled

by Conspirator 1. Conspirator 6 provided the 504 opinion letter and attachment to Manhattan Transfer Registrar Co.

39. Conspirator 6 explained that she incorporated a Texas shell corporation and participated in the preparation of subscription agreements in an effort to make the transactions described in paragraph 38 appear legitimate. Specifically, on or about August 17, 2005, Conspirator 6 incorporated GJ Technology Group, Inc. in the state of Texas, identifying Conspirator 5 as the registered agent and a named individual, of San Jose, Costa Rica, as the director, so that the shell company could be used as a pass-through to Conspirator 1's Costa Rican companies. She also helped prepare three subscription agreements which purport to evidence the sales of common stock by MobileStream, Inc. to GJ Technology Group, Inc., and then by GJ Technology Group, Inc. to Atlantic Venture Partners and Latinum Partners, LLC. The first subscription agreement purports to evidence the sale of one million (1,000,000) shares of common stock by MobileStream, Inc. to GJ Technology Group, Inc. for \$20,000 on August 18, 2005. The second subscription agreement purports to evidence the sale of 10,000 shares of common stock by GJ Technology Group, Inc. to Atlantic Venture Partners, of San Jose, Costa Rica, for \$10,000 on the same date. The third subscription agreement purports to evidence the sale of 10,000 shares of common stock by GJ Technology Group, Inc. to Latinum Partners, LLC, of San Jose, Costa Rica, for \$10,000 on the same date. All three subscription agreements purport to be signed on behalf of GJ Technology Group, Inc. by the same named individual.

40. On or about August 24, 2005, Conspirator 6 placed an order with Precise Corporate Printing, of Brooklyn, New York, for 1,000 common stock certificates in the

name of MobileStream, Inc. and bearing the CUSIP number fraudulently obtained from the CUSIP Bureau. Conspirator 6 paid for the order using her MasterCard credit card. Conspirator 6 directed Precise Corporate Printing to ship the blank common stock certificates to Manhattan Transfer Registrar Co. Conspirator 6 stated that she directed a named individual with Manhattan Transfer Registrar Co. to ship the common stock certificates to Conspirator 1 at an address in Costa Rica, using Conspirator 6's Federal Express account number.

41. Records obtained from Precise Corporate Printing reflect that Conspirator 6 ordered and paid for various blank stock certificates in the names of numerous hijacked corporations. Further, the records show that the finished stock certificates were usually shipped to Manhattan Transfer Registrar Co.

42. Records supplied by the SEC, pursuant to an access request, show that BMA Securities, of Rolling Hills Estates, California, maintained a brokerage account for Conspirator 1, of Interlink 1159, 7801 NW 37th Street, Miami, Florida 33166, from at least December 1, 2005 through at least December 31, 2006. Account statements reflect that Conspirator 1 owned shares of stock of, among other hijacked companies, MobileStream, Inc.

43. According to Conspirator 6, Conspirator 1 is an attorney licensed to practice in New York, and he lives in Florida and Costa Rica. Conspirator 6 advised that Conspirator 1 engaged Conspirator 5 to obtain hijacked publicly-traded shell companies for his clients. Conspirator 6 stated that she worked with Conspirator 1 for three years, beginning in the spring of 2004, and that she communicated with him via email and telephone. Conspirator 6 explained that Conspirator 1 sent her emails in

which he identified his clients who were buying publicly-traded shell companies, the clients who were receiving 504 opinion letters, and the number of “504 exempt” shares the clients were to receive. According to Conspirator 6, Conspirator 1 is very sophisticated, and he understands the process of acquiring the publicly-traded shell companies, even though the mechanics of the process are not his greatest strength. Conspirator 6 characterized Conspirator 1 as more of a “deal maker” than a detail lawyer such as she.

D. CONSPIRATOR 1 BROKERED SALE OF MOBILESTREAM SHELL

44. In the summer 2005, a named individual, of New Jersey, was introduced to Conspirator 1. The individual told SA Paulhus that Conspirator 1 identified himself as an “SEC” attorney for MobileStream, Inc., and told him that MobileStream, Inc. was for sale. The individual told SA Paulhus that he had been looking for a publicly-traded shell company into which he could merge his pre-existing recycled tires and plastics business. The individual explained that accomplishing a reverse merger into an existing publicly-traded shell company would be the least expensive route to taking his company public.

45. The individual advised SA Paulhus that he saw press releases about MobileStream, Inc. selling stock and about MobileStream, Inc. going into the oil business before he acquired it. The individual said that in or about January or February 2006, he and his wife traveled to Costa Rica, where he met with Conspirator 1 and his wife. The individual said that the MobileStream, Inc. shell was exactly what he was looking for and that the deal was finalized sometime between November 2005 and February 2006. The individual admitted that he did not pay anything for the

MobileStream, Inc. shell. The individual became the President of MobileStream, Inc. In or about March 2006, the company's name was changed again to MobileStream Oil, Inc.

46. The individual reported that shortly after his trip to Costa Rica, money started coming in to the company from Conspirator 1's people, who were marketing MobileStream. The individual stated that he believed the money came into the company, via Costa Rica, from all off-shore investors. The individual stated that the company received approximately \$1.6 million as a result of the Regulation-S stock offering.

E. RESTRICTED SHARES OF STOCK IN MOBILESTREAM WERE SOLD TO VICTIM INVESTORS IN THE UK

47. On or about November 9, 2007, your affiant received a report from the City of London Police ("CLP") regarding their investigation into boiler room fraud targeting UK citizens, as well as the statements of 18 victim-investors with whom the CLP had already spoken. According to the report, in late 2005 and early 2006, numerous UK investors were taken in by boiler room telemarketers claiming to be brokers selling shares in companies. The statements of the victim-investors, most of whom are either retired or semi-retired, all tell a similar story.

48. The victim-investors reported that they received unsolicited telephone calls from people claiming to be selling shares in companies poised to increase in value. The victim-investors stated that the callers were persistent and persuasive in their sales pitches. Most of the victim-investors said that they were given the

impression that there was little to no risk involved and that the value of their shares was almost guaranteed to increase significantly.

49. The victim-investors provided the CLP with various documents relating to their stock purchases, including, but not limited to, cover letters, subscription agreements, stock certificates, UPS envelopes, and wire transfer confirmations. Your affiant has reviewed the documents.

50. These cover letters are in the names of MobileStream, Inc., Regal Technologies, Inc., Neupara Corporation, Turquoise Development Company, TransGlobal Oil and Technology Corp., Vocalscape Networks, Inc., and Rocky Mountain Gold Mining Corp. The cover letters refer to enclosed subscription agreements. With the exception of the cover letter regarding Rocky Mountain Gold Mining Corp., the cover letters ask the victim-investors to sign the subscription agreements and return them via facsimile, using fax numbers with Florida area codes, including 813, 954, and 305. The subscription agreements for MobileStream, Inc., TransGlobal Oil and Technology Corp., Turquoise Development Company, and Vocalscape Networks, Inc. all appear to share the same format and are otherwise very similar. A document concerning Vocalscape Networks, Inc. identifies Conspirator 1 as a director and beneficial owner of four million shares of common stock of the company. A subscription agreement for Turquoise Development Company identifies another individual [hereinafter "Conspirator 4"] as president of the company.¹

¹ Florida Department of State, Division of Corporations records reflect that Conspirator 4, of 6014 U.S. Highway 19, Suite 505, New Port Richey, Florida, is both president and a director of Turquoise Development Company.

51. The cover letters also set forth the amount of shares the investor purchased, the amount of money the investor owes, and instructions on where to wire the money owed. Most of these letters also advise that a named entity will “receive a fee [] in connection with this sale” of either \$50 or 1% of the sales price, thereby leading the victim-investors to believe that the overwhelming majority of their investment funds would be invested in the company issuing the stock. The victim-investors told the CLP investigators that they believed their money was being invested in genuine companies doing legitimate business. All of the letters are very similar in appearance, and all of the letters instruct the victim-investors to wire their funds to overseas bank accounts.

52. Your affiant has confirmed that all of the bank accounts identified in the cover letters provided by the UK victim-investors to the CLP are controlled by PAUL ROBERT GUNTER and/or ZIBIAH GUNTER, and all but one of the bank accounts were with financial institutions located in the Middle District of Florida. In particular, those victim-investors who purchased shares of stock in MobileStream, Inc., Regal Technologies, Inc., and/or Transglobal Oil and Technology Corp. were directed to wire their investment funds to accounts on which both PAUL ROBERT GUNTER and ZIBIAH GUNTER were signatories:

Sun Trust Bank
6218 U.S. Hwy 19, New Port Richey, Florida 34652
Bank Routing Number: 061000104
Swift Number: SNTRUS3A

Account name: MobileStream, Inc.
Account numbers: 1000031661332
1000031661381
1000031525743
1000031661373

Account name: Regal Technologies
Account number: 1000026485655

Account name: Transglobal Oil 3
Account number: 1000048461999

53. Those victim-investors who purchased shares of stock in Turquoise Development Company and/or Vocalscape Networks, Inc., were directed to wire their investment funds to accounts on which ZIBIAH GUNTER was the signatory:

Bank of America
116 South Pinellas Avenue
Tarpon Springs, FL 34689
ABA Number: 026009593
Swift Number: BOFAUS3N

Account name: Vocalscape
Account number: 005505097416

Account name: Turquoise Development
Account number: 003760551171

54. Those victim-investors who purchased shares of stock in Neupara Corporation were directed to wire their investment funds to an account on which both PAUL ROBERT GUNTER and ZIBIAH GUNTER were signatories:

RG Crown Bank
311 Wells Road
Orange Park, Florida 32073
ABA Number: 263190812

Account beneficiary: Equinox Neupara Escrow 3
Account number: 0800054678

55. According to the CLP report, the victim-investors who purchased shares of stock and had access to the internet checked the value of their shares on sites such as nasdaq.com or Bloomberg.com. The victim-investors reported that these sites reflected the increase in value of the shares predicted by brokers. As a result, the victim-

investors often purchased more shares in Mobilestream, Inc. or another company in which they had invested, or they purchased shares in other companies promoted by the boiler rooms.

F. BOILER ROOMS LOCATED IN SPAIN

56. According to the CLP report, the CLP has determined, based upon evidence obtained from a variety of sources, that the majority of the unsolicited telephone calls received by these UK victim-investors originated in Spain.

57. Information provided by PAUL ROBERT GUNTER also indicates that the unsolicited telephone calls received by the UK victim-investors originated in Spain. On April 13, 2007, PAUL ROBERT GUNTER, who resides in the Middle District of Florida and has applied to become a naturalized United States citizen, was arrested by the UK's Serious Fraud Office, working through the Norfolk Constabulary. On April 14, 2007, GUNTER was questioned and told Detective Constables of the Norfolk Constabulary that he had worked as an administrator for two Spanish companies, Millennium Business Services and Lightport Services SL, that acted as "landlords" and provided fully functioning office suites, including "telecommunications [and] power," to tenants who were "financial advisors" engaged in the business of selling shares. GUNTER added that he did not involve himself in the business of selling shares. When asked whether he had any concerns about the businesses selling shares, GUNTER responded, "No . . . I didn't have any concerns about them. Our tenants were our tenants." GUNTER identified Conspirator 4 as another person involved in running Millennium Business Services and later Lightport Services SL.

58. In addition to interviewing PAUL ROBERT GUNTER, the UK's Serious Fraud Office, working through the Norfolk Constabulary, seized GUNTER's laptop computer, a memory stick, and other items. GUNTER's memory stick contained a letter, in a Microsoft Word document file, on the letterhead of Millennium Business Services S.L., of Barcelona, Spain. The letter provides, in pertinent part, as follows:

"Please be advised that Mr. Paul Gunter has been employed by this company as Director for International Development since March of 2002. We consider him to be a permanent and important member of our company, and his efforts in the U.S. and the UK. are important to our growth."

The letter is signed by Conspirator 4 in his capacity as "Administrador."

59. GUNTER's memory stick also contained an "invoice," in a Microsoft Word document file, on the letterhead of Millennium Business Services S.L., of Barcelona, Spain. The invoice is to "Larry Hart, Westbay, Costa Rica" for "Marketing and consulting services from June 9th 2004 to invoice Date." Based upon the investigation to date, your affiant submits that "Larry Hart" refers to Conspirator 1.

60. According to the report of his arrest, PAUL ROBERT GUNTER had the following items on his person at the time of arrest: (1) "Caixa Abierta card 4508501168429021, Paul Gunter"; (2) "papers from La Caixa"; and (3) "Bank of Cyprus Visa Card 4548912100098216, Suncoast Management".² The Caja de Ahorros y Pensiones de Barcelona ("La Caixa") is Spain's largest savings bank, headquartered in

² Based upon the review of bank records performed to date, it has been discovered that between April 5, 2006 and August 21, 2006, at least \$226,534.88 in victim-investors' funds was wired from an account in the name of Business Administration Escrow Service/Escrow 2 at Wachovia Bank, with PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER as signatories, into an account in the name of Suncoast Management at First Curacao International Bank.

Barcelona, with more than 4700 branches across the country. La Caixa has one of the best online banking facilities available in Spain, and non-Spanish speakers have a special interface so that they can perform bank transactions electronically, in Spain or abroad, in their own language.

G. VICTIM FUNDS WERE WIRED TO THE UNITED STATES

61. Pursuant to the wiring instructions they were provided, the UK victim-investors who invested in MobileStream, Inc., wired their funds into the SunTrust Bank accounts identified in paragraph 52 above, that is, account numbers 1000031661332, 1000031661381, 1000031525743, and 1000031661373.

62. Records supplied by SunTrust Bank reveal that these accounts are in the name of Business Administration and Escrow Services, and that the signatories are PAUL ROBERT GUNTER and ZIBIAH GUNTER. SunTrust Bank records reflect that Business Administration and Escrow Services was once located at 210 Pinellas Avenue, Suite 154, Tarpon Springs, Florida. In October 2007, SunTrust Bank identified the address of Business Administration and Escrow Services as 3603 U.S. Alternate 19, Suite C, Palm Harbor, Florida 34683.

63. U.S. Attorney's Office Auditor George Heinemann has performed a preliminary analysis of these four (4) SunTrust Bank accounts. Based upon his analysis to date, Mr. Heinemann has determined that the only source of "outside deposits"³ into these four (4) accounts is wire transfers from financial institutions in the

³ By "outside deposits," Mr. Heinemann is referring to all deposits, except those transferred internally between accounts.

UK. Mr. Heinemann has calculated the approximate amount of the outside deposits into these four (4) SunTrust Bank accounts to be \$7.4 million.

64. ICE SA Cerreta has obtained records for six (6) additional SunTrust Bank accounts into which MobileStream, Inc. victim-investor funds were wired. Mr. Heinemann has also performed a preliminary analysis of these six (6) SunTrust Bank accounts. Like the four (4) accounts described in paragraphs 52 and 61 - 63 above, Mr. Heinemann has determined that the only source of outside deposits into these six (6) additional accounts is wire transfers from financial institutions in the UK.

65. Mr. Heinemann has calculated the approximate total amount of outside deposits into the ten (10) SunTrust Bank accounts into which MobileStream, Inc. victim-investor funds were wired to be in excess of \$20 million.

66. Further, ICE SA Cerreta has identified at least 80 more bank accounts linked to this scheme at SunTrust Bank, Bank of America, Wachovia Bank, Washington Mutual Bank, and RG Crown Bank. Specifically, these accounts are linked in the following ways: (1) all of the accounts are in the business names of Business Administration and Escrow Services, Tarpon Escrow Enterprises, Inc., n/k/a Tarpon Administration, Inc., or Equinox Escrow, Inc., n/k/a Equinox Administration, Inc., all of which were reportedly located at 3603 U.S. Alternate 19, Suite C, Palm Harbor, Florida 34683; (2) all of the addresses reflected in bank records for the accounts are in the Middle District of Florida; (3) the signatories on all of the accounts include PAUL ROBERT GUNTER and/or ZIBIAH GUNTER; and (4) all of the accounts, except one (1)

account ⁴, are described in bank records as associated with publicly-traded shell companies, which companies were hijacked by Conspirator 6 for Conspirator 1, that is, Regal Technologies, Inc., Transglobal Oil and Technology Corp., Turquoise Development Company, and Vocalscape Networks, Inc. Like the bank accounts described above, Auditor Heinemann has determined that the only source of outside deposits into these other accounts is wires from financial institutions in the UK.

67. Notably, Conspirator 4 is a signatory, along with ZIBIAH GUNTER, on at least seven (7) of the bank accounts in the name of Equinox Escrow, Inc., n/k/a Equinox Administration, Inc., which was reportedly located at 3603 U.S. Alternate 19, Suite C, Palm Harbor, Florida 34683. Conspirator 4 was originally identified as both the incorporator and the registered agent for Equinox Escrow, Inc. in records obtained from the Florida Department of State, Division of Corporations. Such records reflect that the registered agent was later changed to PAUL ROBERT GUNTER. In addition, Conspirator 4 is the sole signatory on a bank account in the name of Turquoise Development Company.

68. Mr. Heinemann has estimated the total amount of all of the outside deposits into the accounts at SunTrust Bank, Bank of America, Wachovia Bank, Washington Mutual Bank, and RG Crown Bank to be in excess of \$70 million.

69. USSS SA Paulhus participated in an interview conducted by the SEC of a certified public accountant [hereinafter "CPA"], whose office is located at 2759 State

⁴ Although, to date, Neupara Corporation has not been identified as having been hijacked by Conspirator 6, it is a publicly-traded shell and has been used in the same manner as the other publicly-traded shell companies described in this affidavit.

Road 580, Suite 211, Clearwater, Florida 33761. The interview was conducted on May 21, 2007. The CPA stated that he was introduced to PAUL ROBERT GUNTER by another individual, and that he knew GUNTER as an insurance salesman from the Tampa, Florida area. In early 2005, GUNTER called the CPA at his office and told the CPA that he was going to start an escrow company and make it easier for people overseas to wire money into the United States. Thereafter, GUNTER hired the CPA as his accountant and had the CPA reconcile his business accounts on a monthly basis. The CPA stated that he performed that function from the time he was hired through the present. The CPA identified GUNTER's escrow businesses as Business Administration and Escrow Services, Inc., Tarpon Escrow Enterprises, Inc., Equinox Administration, Inc., Crown Escrow Services, Inc., and Knightsbridge Escrow Services, Inc. The CPA added that ZIBIAH GUNTER plays an active role in the operation of the escrow businesses. The CPA said ZIBIAH GUNTER is the owner of Tarpon Escrow Services, Inc., and that she comes into his office on occasion to work with one of his employees on account issues. The CPA denied knowledge of Conspirator 1, Conspirator 6, and other names associated with this investigation.

70. On April 14, 2007, during his interview by the UK's Serious Fraud Office, working through the Norfolk Constabulary, PAUL ROBERT GUNTER stated that he lives in Florida and operates various businesses, including Business Administration Escrow Services. GUNTER described himself as an escrow agent, needing no training or license, who gets paid a fee for holding and disbursing funds for his clients. GUNTER explained that he receives funds via wire transfer from investors overseas, verifies that the investors sent the proper amounts of funds, ships the proper amounts

of stock certificates to the investors, takes his fees, and distributes the remainder of the funds as instructed by his clients. GUNTER stated that he had been averaging \$30,000 per month in United Parcel Services (“UPS”) charges at one time.

71. GUNTER identified his accountant as the CPA. GUNTER added that he did not know how investors were approached or how they were persuaded to make investments.

72. GUNTER further advised that, as an escrow agent, he was the signatory on as many as 30 to 35 bank accounts. GUNTER stated that he had gross income of approximately \$1 million from this business activity the previous year. When the Norfolk Constabulary Detective Constables commented that this is a large amount of money to make for merely receiving and sending wire transfers and mailing packages of stock certificates, GUNTER responded that he “had no comment to make on that.”

H. STOCK CERTIFICATES WERE MAILED TO THE VICTIM INVESTORS

73. Consistent with PAUL ROBERT GUNTER’s statements to the Norfolk Constabulary Detective Constables, the UK victim-investors informed the City of London Police that they received their stock certificates in the mail after wiring their funds to the identified bank accounts in the United States. Some of the victim-investors were able to provide the CLP with copies of the envelopes in which they received their stock certificates. Your affiant has reviewed these envelopes, all of which bear United Parcel Service (“UPS”) shipping labels. All of the UPS labels identify addressees in the UK. Some of the UPS labels reflect return addresses of “Mobile Stream” at 7914 U.S. Hwy. 19 North, Port Richey, Florida. Your affiant has determined that this address is a

valid address, but that it belongs to a pawn shop. Another UPS label reflects a return address in San Jose, Costa Rica.

74. SA Paulhus and USSS SA Will Winans interviewed a specified individual with Manhattan Transfer Registrar Co., in his apartment located at 1 West Street, New York, New York. On the floor of the apartment, the agents observed clear plastic packages containing blank stock certificates for various companies. The individual explained that Conspirator 6 orders the stock certificates; the stock certificates are delivered to his apartment; following which he receives a list of investors and the number of shares to be issued to such investors via email from an attorney or Conspirator 1. The individual added that he prints the stock certificates and sends them, en mass, via Federal Express, to an escrow company for dissemination. He identified the escrow company as:

Zibiah Gunter
Tarpon Springs Escrow Services
3603 U.S. Alternate 19, Suite C
Palm Harbor, Florida 34683
Phone (727) 938-3802; Fax (727) 938-3949

75. Moreover, on or about August 2, 2006, U.S. Customs and Border Protection intercepted a package, shipped via UPS, bearing a return address of a named individual, of Capital Holding Group, San Jose, Costa Rica, and addressed to ZIBIAH GUNTER, 3603 U.S. Alternate 19, Suite C, Palm Harbor, Florida. As noted in paragraph 39 above, this individual, of Costa Rica, was identified as the director of GJ Technology Group, Inc., the pass-through shell corporation created by Conspirator 6 to facilitate the transfer of unrestricted shares of MobileStream, Inc. stock to Costa Rican companies owned and/or controlled by Conspirator 1. The package, which was opened

during the normal course of border inspection, contained a stock certificate for Regal Technologies, Inc., evidencing the ownership of 12,245 shares of stock by a person named Rosemarie Olive Russell.

76. On or about October 11, 2006, U.S. Customs and Border Protection intercepted another package, shipped via UPS, from the same individual, of Capital Holding Group, San Jose, Costa Rica, and addressed to ZIBIAH GUNTER, 3603 U.S. Alternate 19, Suite C, Palm Harbor, Florida. This package, which was also opened during the normal course of border inspection, contained the following: (1) 20 stock certificates for Rocky Mountain Gold Mining bearing the names of 20 different individuals; and (2) a nine-page document entitled "Exhibit A" and bearing the dates October 6 and 11, 2006, which lists all 20 individuals named on the Rocky Mountain Gold Mining stock certificates by name, address, and number of shares, and which lists 41 additional people by name, address, and number of shares. Of the 61 individuals named on the nine-page document, 58 of them are identified as having addresses in the UK. The remaining three (3) persons on the nine-page document are identified as having addresses in Ireland.

I. INVESTORS' FUNDS WERE MISAPPROPRIATED

U.S. Attorney's Office Auditor's Analysis

77. In connection with his preliminary analysis of the records of the ten (10) SunTrust Bank accounts into which MobileStream, Inc. victim-investors' funds were wired, as described in paragraphs 63 - 65 above, Auditor Heinemann has examined the disposition of funds which were deposited into these accounts. Of the more than \$20

million in outside deposits that came into the accounts, only about \$1 million was wired to an account in the name of MobileStream, Inc., at Commerce Bank in Cherry Hill, New Jersey. The bulk of the remaining approximately \$19 million was wired to overseas accounts, including, but not limited to, an account in the name of Lightport Business Services SL at Caja de Ahorros y Pensiones. As noted in paragraph 57 above, PAUL ROBERT GUNTER told Norfolk Constabulary Detective Constables that he had been an administrator for Lightport Services SL in Spain when he was interviewed by them in April 2007.

78. In the course of his analysis, Mr. Heinemann has identified bank records evidencing several wire transfers of note. In particular, Mr. Heinemann identified records evidencing a wire transfer on October 30, 2006, in the amount of \$86,122.45, involving the following parties:

Originator

SunTrust Bank account
Tarpon Escrow Ent Escrow 1
3603 Alt 19, Ste C
Palm Harbor, FL 34683
Account 1000048461932

Beneficiary

Banco Cuscatlan De Costa Rica
Final Credit to Conspirator 1
Account 11710313214599232

79. Mr. Heinemann identified records evidencing a wire transfer on February 23, 2006, in the amount of \$132,500, from a Bank of America account in the name of Tarpon Escrow Enterprises, Inc./Turquoise Development 1, account number 003760551139, to an account at the Banco Cuscatlan De Costa Rica in the name of Conspirator 1's wife.

80. Mr. Heinemann also identified records evidencing a wire transfer on September 22, 2005, in the amount of \$320,000, from a Wachovia Bank account in the name of Business Administration and Escrow Services for which PAUL ROBERT GUNTER and ZIBIAH GUNTER had signatory authority, account number 2000027144617, to an account at the International Bank of Commerce in the name of Conspirator 5.

81. Mr. Heinemann also identified records evidencing two wire transfers – one on August 10, 2005, in the amount of \$40,000, and another on February 3, 2006, also in the amount of \$40,000 – from a Wachovia Bank account in the name of Business Administration and Escrow Services for which PAUL ROBERT GUNTER and ZIBIAH GUNTER had signatory authority, account number 2000021490587, to an account at the International Bank of Commerce in the name of Conspirator 5. The February 3, 2006 wire included a line that read: “OBI=PER LARRY HART.”

82. Mr. Heinemann also identified records evidencing a wire transfer on February 23, 2006, in the amount of \$160,000, from a SunTrust Bank account in the name of Business Administration and Escrow Services/MobileStream 5 for which PAUL ROBERT GUNTER and ZIBIAH GUNTER had signatory authority, account number 1000031661373, to an account at the International Bank of Commerce in the name of Conspirator 5.

83. Further, Mr. Heinemann identified records evidencing two (2) wire transfers on June 8, 2006, in the amounts of \$50,000 and \$47,001.60, respectively, to an account at the National Westminster Bank for the benefit of Conspirator 4. The first wire for \$50,000 originated from a Wachovia Bank account in the name of Business

Administration Escrow Service, Inc./Escrow II for which PAUL ROBERT GUNTER and ZIBIAH GUNTER had signatory authority, account number 2000021490587. The second wire for \$47,001.60 originated from a Bank of America account in the name of Tarpon Escrow Enterprises, Inc., d/b/a Tee, Inc. Escrow 1 for which PAUL ROBERT GUNTER and ZIBIAH GUNTER had signatory authority, account number 003771824499.

84. Mr. Heinemann's analysis is consistent with the evidence obtained from PAUL ROBERT GUNTER'S laptop computer and memory stick, which were seized at the time of his arrest on April 13, 2007, by the UK's Serious Fraud Office, working through the Norfolk Constabulary. Images of both GUNTER's laptop computer and the memory stick were provided to your affiant, on DVD and CD media, by the City of London Police.

The "1% Letters"

85. As noted in paragraph 51 above, many UK victim-investors received cover letters along with their subscription agreements. Most of these letters advise that a named entity will "receive a fee [] in connection with this sale" of either \$50 or 1% of the sales price, thereby leading the victim-investors to believe that the overwhelming majority of their investment funds would be invested in the company issuing the stock.

86. The 1% letters contain a material misrepresentation because victim-investors are led to believe that 99% of their investment funds will go to the company in which they decided to invest. Victim-investors are never informed that most, if not all, of their investment funds never make it to the intended company.

87. These 1% letters are linked to PAUL ROBERT GUNTER and Conspirator 1. In particular, a 1% letter, in a Microsoft Word Document file named "Mobile Stream e-mail contract.doc", was found on the memory stick seized from PAUL ROBERT GUNTER by the UK's Serious Fraud Office, working through the Norfolk Constabulary. The 1% letter "Mobile Stream e-mail contract.doc" is actually a template document on MobileStream letterhead, bearing a return address of 7914 U.S. 19 North, Port Richey, Florida 34688 (the address of the pawn shop referenced in paragraph 73 above), with fields to be filled in with a victim-investor's name, address, number of shares to be purchased, settlement date, MobileStream, Inc. account number, and name of the entity that is to receive the 1% fee. This 1% template letter "Mobile Stream e-mail contract.doc" matches hard copies of 1% letters turned over to the City of London Police by UK victim-investors. GUNTER's memory stick also contained a Microsoft Word Document file named "neupara revised cover letter banking inst.doc", which is substantially similar to the hard copy of another 1% letter provided to the CLP by a UK victim-investor.

88. GUNTER's memory stick also contained a 1% letter dated May 19, 2004, on the letterhead of a company called Crescent Communications, Inc., Interlink 119, 7801 NW 37th Street, Miami, Florida 33166. As noted in paragraph 42 above, BMA Securities records of a brokerage account in the name of Conspirator 1 show Conspirator 1's address as Interlink 1159, 7801 NW 37th Street, Miami, Florida 33166. Conspirator 1's Florida driver's license bears this address. Moreover, in June 2007, this address was provided to the U.S. Postal Service as a forwarding address for Conspirator 1 when he moved out of a residence he had been renting in Lutz, Florida.

89. On or about August 2, 2006, U.S. Customs and Border Protection intercepted several packages, shipped via UPS, bearing a return address of a named individual, of Capitol Holding Group, San Jose, Costa Rica, and addressed to individuals in the UK. As noted in paragraph 39 above, the named individual, of Costa Rica, was identified as the director of GJ Technology Group, Inc., the pass-through shell corporation created by Conspirator 6 to facilitate the transfer of unrestricted shares of MobileStream, Inc. stock to Costa Rican companies owned and/or controlled by Conspirator 1. The packages, which were opened during the normal course of border inspection, contained 1% letters like those described above. The companies named in these 1% letters were Mobilestream, Inc., Vocalscape Networks, Inc., and IQ Webquest, Inc.

90. On or about October 11, 2006, U.S. Customs and Border Protection intercepted additional packages, shipped via UPS, bearing a return address of a named individual, of Capitol Holding Group, San Jose, Costa Rica, and addressed to individuals in the UK. These packages, which were opened during the normal course of border inspection, also contained 1% letters like those described above. The companies named in these 1% letters were Rocky Mountain Gold Mining, Inc., Vocalscape Networks, Inc., and IQ Webquest, Inc.

Financial Spreadsheet Files

91. Also found on PAUL ROBERT GUNTER's memory stick was a spreadsheet file named "Mobilestream.xls". The spreadsheet appears to account for all the sales of stock in Mobilestream, Inc. Specifically, the spreadsheet appears to reflect approximately 1641 orders placed from October 12, 2005 through September 15, 2006,

by over 1200 unique victim-investors at a cost of \$20,068,835.32. The spreadsheet also appears to breakdown the bank accounts into which the victim-investors' funds were wired. One bank account on the spreadsheet, referred to as "MS1(1332)," appears to correspond to a SunTrust Bank account in the name of Business Administration and Escrow Services/MobileStream 1, account number 1000031661332. In the "MS1(1332)" section, the spreadsheet shows that for each order, 60% of the victim-investors' funds were to go to the "Floor," 1% was to go to "Escrow," 11% was to go to "A," 13% was to go to "B," and the remaining 15% was in a column labelled "Retain." Based upon the investigation to date, your affiant submits that "Floor" most likely refers to the boiler room that made the sales calls, and that "Escrow" most likely refers to the functions reportedly performed by PAUL ROBERT GUNTER. A second spreadsheet file, named "Cheat sheet.xls", found on GUNTER's memory stick identifies "A" as "Larry" and "B" as "Rich." Your affiant submits that "Larry" refers to Conspirator 1 and that "B" refers to Conspirator 4. The spreadsheet contains nine (9) other sections, which appear to relate to the nine (9) other SunTrust Bank accounts into which MobileStream, Inc. victim-investors' funds were wired.

92. PAUL ROBERT GUNTER's memory stick also contained twelve (12) spreadsheet files and four (4) Microsoft Word files, all of which bear the header "Rich's Money" followed by a date. The dates run from October 24, 2005 to February 28, 2007. Both the spreadsheets and the Microsoft Word files list entities along with dollar amounts. The entities are referred to in the following short-hand terms: "MobileStream," "Nano," "Neupara," "Turquoise," "Regal/Asante," "IQ Web," "TG Oil," "Vocalscape," and "Rocky M." Based upon the investigation to date, your affiant

submits that these short-hand terms refer to the following publicly-traded shell companies hijacked by Conspirator 6 for Conspirator 1: MobileStream, Inc., Nanoforce, Inc., Turquoise Development Company, Regal Technology, Inc., later known as Asante Networks, Inc., IQ Webquest, Inc., Transglobal Oil and Technology, Inc., Vocalscape Networks, Inc., and Rocky Mountain Gold Mining Corp. The spreadsheets also refer to Neupara Corporation. Each file contains a "net total" figure, and the average of the figures is \$208,310.

93. Moreover, GUNTER's memory stick also contained seven (7) spreadsheets and four (4) Microsoft Word files, all of which bear the header "Larry's Money" followed by a date. The dates run from October 11, 2005 to February 28, 2007. Like the "Rich's Money" spreadsheets and documents described in paragraph 92 above, the "Larry's Money" spreadsheets and documents appear to refer to the following publicly-traded shell companies hijacked by Conspirator 6 for Conspirator 1: MobileStream, Inc., Nanoforce, Inc., Turquoise Development Company, Regal Technology, Inc., later known as Asante Networks, Inc., IQ Webquest, Inc., Transglobal Oil and Technology, Inc., Vocalscape Networks, Inc., and Rocky Mountain Gold Mining Corp. The spreadsheets also refer to Neupara Corporation. Each file contains a "net total" figure, and the average of the figures is \$143,292.

Emails and other documents

94. PAUL ROBERT GUNTER's memory stick also contained a Microsoft Word document containing an email conversation between GUNTER, who was using email address paulgunter@hushmail.com, and a person using the email address hartlar@hushmail.com. America Online has identified Conspirator 1 as the subscriber

using a similar email address: hartlar@aol.com. This Microsoft Word file entitled "E-mail re percent points.doc" was found in a directory named "Neupara." The email conversation is about the percentage of money the "company" will retain. Specifically, in the first email, dated September 28, 2006, GUNTER wrote that he thinks payment of UPS shipping costs, escrow, and bank fees should come out of "company retained balances. This way it looks like more of the points are going home." GUNTER added that "we will be ready to rock and roll on Monday and that the website and strike price will be made known to the advisors." The person using hartlar@hushmail.com responded that the company is getting 20%.

95. GUNTER's memory stick also contained an email dated October 27, 2006, paulgunter@hushmail.com to unlisted recipients. GUNTER wrote that he is "about to build the spreadsheet for Neupara and I want to get the percentages right the first time." GUNTER then listed "Guys – 60%," "Company – 20%," "Escrow-2%," "Rich-7.5%," and "Larry-7.5%." GUNTER ended the email by typing the following: "Paul Gunter, Cell Spain - 676 461 346, Cell USA - 727 534 3247."

96. Moreover, GUNTER's memory stick contained a Microsoft Word document entitled "Meeting with Raul, Binoy, Rich and Paul Sept 13th 2004." The following is typed just below the heading: "Quick e-mail to confirm that I understand what we agreed at our meeting at Hotel Arts yesterday . . ." The "agreements" are numbered, and item #4 states, "Work with Larry to resolve address and banking 'sameness' issues regarding the different stock offerings – Action by PAUL."

97. Also on GUNTER's memory stick was a Microsoft Word document entitled "Weekend Business Meeting – 9th and 10th July 2004." This document identifies the

persons present and contains a brief synopsis of the items discussed and proposed at the meeting. Item #7 states, "The treatment of back end commissions was not finalized but it has been proposed that Rich will receive 25% of the back end money distributed and that he will take care of Larry from his piece."

98. Also on GUNTER'S memory stick was a Microsoft Word document entitled "REGAL-the steps as I see them." This document appears to be a list of things to do to set up the Regal Technologies, Inc. operation. The items include, but are not limited to, the following: (1) "Get to grips with the on-line operation of Suntrust Regal escrow a/c," (2) "Get web site hosted," (3) "Get license to do biz in FL," (4) "Get answer service for phone," (5) "Get Fed-ex account set up," (6) "Get company administrator installed," and (7) "Get one more phone line."

99. Also on GUNTER's memory stick was a Microsoft Word document entitled "New Mining Company – Check List." According to the document, the name of the new company is "Canam Uranium Corp." Opposite "Offering Document" is typed "Similar to RMG and also Reg 'S' agreement – Larry." Based upon the investigation to date, your affiant submits that "RMG" refers to Rocky Mountain Gold Mining, and that "Larry" refers to Conspirator 1. Opposite "Offshore Corp" is typed "Non US Ben owner + Non US VP - J Curshen to set up - Rich." Your affiant submits that "Rich" refers to Conspirator 4. The documents lists a number of other tasks, including, but not limited to, "Crown Escrow Banking," "Crown Escrow Agreement with Mining Company," "Crown Escrow Agreement with Offshore Corp," "Contract Note - in the name of Mining Company or Offshore Corp?", which appear to have been assigned to "Paul." You affiant submits that "Paul" refers to PAUL ROBERT GUNTER.

100. A Microsoft Excel spreadsheet entitled "Majorca Meeting To Do List" was also found on GUNTER's memory stick. This list of things to do includes, but is not limited to, the following entries: (1) "Houseclean – all Escrow Files – all hard-drives – fax machines," (2) "Close Regal Corp account," (3) "Destroy Leftover Paperwork," and (4) "Research Switzerland as a home for Escrow accounts." The various tasks are assigned to "PRG," "LH" and "RP." Your affiant submits that these initials refer to PAUL ROBERT GUNTER, Conspirator 1, and Conspirator 4, respectively.

101. GUNTER' memory stick also contained a document entitled "STRICTLY PRIVATE – Gentlemen, Happy New Year" The Microsoft Word properties for this file indicate that the author was "PAUL" and that the document was created on December 19, 2006. The document provides, in pertinent part, as follows:

"In the interests of security and longevity we have made a few changes for 2007.

My clients (the various offering companies) have requested that the anonymity of the advisors be protected wherever possible, consequently . . . we will no longer be sending out wires for 'payroll', rent or utility type payments, it's just too easy to follow the 'money trail'.

. . .

Finally, with the tightening of banking regulations and the seeming paranoia surrounding money laundering and terrorism, I would inform you that having used all due diligence to dispatch wires that have been debited from our account but have either got held up or intercepted en-route, we regret we cannot be held liable for any loss that may arise."

J. SECOND EXAMPLE OF FRAUDULENT ACTIVITY

102. On November 2, 2007, your affiant received reports and documents from the Ontario (Canada) Securities Commission ("OSC") regarding PAUL ROBERT GUNTER. Among the documents was a communication from the Manager of the OSC's Surveillance Enforcement Branch, George Gunn, to the City of London Police concerning approximately \$2.3 million U.S., which was frozen by the Canadian government because of suspected fraud.

103. Specifically, Gunn reported that a Toronto bank, TD Canada Trust, had become suspicious of wire transfers from Europe into particular accounts because the name of the beneficiary of the wires and the name on the accounts did not match. The named beneficiary of the wires was Rocky Mountain Gold, but the name on the accounts was North American Escrow Services, Ltd. TD Canada Trust contacted the OSC about its concern because it did not want to unwittingly violate Canada's anti-money laundering laws.

104. In response, the OSC initiated an investigation, determined that neither Rocky Mountain Gold nor North American Escrow Services, Ltd. were registered companies, and that the operation appeared to be a boiler room. Specifically, Gunn's investigation revealed that a UK citizen named Robert Burn had been solicited to buy shares in a company called Rocky Mountain Gold. Burn made an investment in Rocky Mountain Gold and later learned, via the Internet, that he may have fallen victim to a boiler room scam. Gunn learned that Rocky Mountain Gold was a British Columbia, Canada company. When Gunn contacted the British Columbia Securities Commission ("BCSC") to verify the legitimacy of Rocky Mountain Gold, he was told that the company

had not filed a prospectus and that the shares were being distributed illegally. When the BCSC contacted Rocky Mountain Gold President Ryan Gibson, they were told that Rocky Mountain Gold was not selling any shares.

105. In response to these findings, the OSC sought and obtained a freeze on the bank accounts of North American Escrow Services, Ltd. on October 13, 2006. A total of \$2.3 million in five accounts was frozen. PAUL ROBERT GUNTER was identified as having signatory authority on the accounts. The Ontario Court of Justice sustained the freeze during the administrative investigation.

106. Gunn further reported that on October 18, 2006, PAUL ROBERT GUNTER and ZIBIAH GUNTER arrived in Toronto, went to TD Canada Trust, and learned that the North American Escrow Services, Ltd.'s account had been frozen. TD Canada Trust provided the GUNTERS with Gunn's name to contact for more information. Concurrently, TD Canada Trust alerted the OSC to the GUNTERS' presence, and Gunn and a colleague went to the bank to speak with them. Both PAUL ROBERT GUNTER and ZIBIAH GUNTER were interviewed by OSC investigators voluntarily.

107. PAUL ROBERT GUNTER confirmed to investigators that he is the president of North American Escrow Services, Ltd. GUNTER stated that he was introduced to Rocky Mountain Gold by an attorney, whom GUNTER declined to further identify. GUNTER stated that he understood that several investment advisors were pitching shares of Rocky Mountain Gold to people in Europe. GUNTER added that he conducts due diligence before a client company is accepted by North American Escrow Services, Ltd., and that such due diligence includes steps to insure that shares may be

sold by confirming the existence of a CUSIP number and that the company files documents with the SEC. GUNTER stated that his daughter, ZIBIAH GUNTER, maintains a spreadsheet that lists all clients and how much they invested. GUNTER also stated that North American Escrow Services, Ltd. records how much is distributed to each advisor and to Rocky Mountain Gold.

108. Later, the OSC and PAUL ROBERT GUNTER, through his counsel in Toronto, communicated about the frozen funds. The OSC reported that North American Escrow Services, Ltd. did not claim ownership of the funds. Instead, it claimed only a legal duty to fulfill its role as escrow agent and handle the funds according to the directions of its client, whom it has not identified. The OSC and North American Escrow Services, Ltd. agreed that the frozen funds should be returned to the investors. PAUL ROBERT GUNTER prepared an affidavit facilitating same, and he assured the OSC that there were no other competing claims to the frozen funds. On February 27, 2008, the Ontario Court of Justice approved the parties' agreement and directed TD Canada Trust to return the frozen funds to the UK investors. Of the 166 UK investors identified to date, 153 UK investors have proved their claims and will receive approximately 90 percent of the amounts of their respective investments.

109. Investigation has revealed that Rocky Mountain Gold Mining is another publicly-traded shell company that was hijacked by Conspirator 6 for Conspirator 1. Specifically, USSS SA Paulhus learned from June Bilbrough, Cash Manager, Delaware Division of Corporations, that there is a Delaware company named Greensmart Corporation that went void for non-payment of \$286,000 in back taxes in early 2000. In July 2006, a new company with the same name, Greensmart Corporation, was

