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RICHARD HOFMAN ESQ. SBN 110692
29219 CANWOOD ST, NO 101,
AGOURA HILLS, CA 91301
Tel: (818) 203-6777
EMAIL: Hofman.R@gmail.com

FOR Plaintiff

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

HOFMAN ET AL
Plaintiff,
V.
FIDELITY INVESTMENTS ET AL
Defendants.

Case No. 2:23-cv-00881-MCS-PVC
EMERGENCY Declaration of Richard Hofman in opposition to MOTIONS TO DISMISS OF DEFENDANTS & IN OPPOSITON TO MOTION TO COMPEL ARBITRATION of Fidelity and Request for Immediate Discovery

Date: 4-17-2023
Time: 9AM
CTRM: 7c:

TO THE HONERABLE COURT & TO ALL PARTIES AND THEIR COUNSEL OF RECORD:
Plaintiff submits this declaration in support of its opposition to all Defendants' motions to dismiss as well as the Motion to Compel Arbitration, as follows: Please note, that this supplements the new facts referred to in the Hofman Declaration in the 3-27-2023 filings that could not have been reflected in the current complaint. What is attached to this Declaration is extremely disturbing information, that somehow was

1 not ever disclosed by Defendants and does not appear in their FAQ and seriously impeaches the
2 credibility and integrity of Defendants.. This relates to FOIA documents which were received on or about
3 April 1, 2023.

4
5 DECLARATION OF RICHARD HOFMAN
6

7 I, Richard Hofman, present this declaration in support of the opposition to Defendants'
8 motions to dismiss and motion to compel arbitration and for immediate discovery and the
9 turnover of the Blue Sheets. The following facts are true and correct and based on my own
10 personal knowledge.

11
12 1. Defendants have basically asserted that despite the fact investors paid monies and have
13 received nothing as of today (as admitted by Fidelity on or about 3-21-2023 in a written
14 communication and as admitted to by Finra in their 3-16-2023 FAQ) that there is nothing wrong
15 and the brokers can take care of it. Moreover, at no time has Finra admitted or disclosed that
16 Finra's Chief cop and former senior enforcement counsel at the SEC had investigated Fraud
17 claims related to the initial trading of MMTLP in or about November 2021 and discussed that
18 with others at Finra & the SEC.

19
20
21 2. At no point in time, has Finra admitted that prior to December 1, 2022, that they received
22 multiple tips from people asserting Fraud regarding MMTLP and its short trading.

23
24 3. At no point in time has Finra or the Sec disclosed the fact that the Sec also received tips
25 regarding Fraud related to MMTLP prior to 12-1-2022 but did nothing and in fact, and
26 seemingly contrary to the facts, signed off on S1s and permitted the situation to marinate and get
27 worse.

1 4. At no point in time did Finra or the Sec indicate that the MMTLP situation was under criminal
2 investigation prior to 12-5-2022.

3
4 5. There has been no disclosure by the SEC or Finra why they let MMTLP trade after 12-2-2023
5 in light of the evidence of fraud known by Finra & the Sec's top cops and why they completely
6 abrogated their mandate to protect investors and manage markets in an orderly and transparent
7 manner.

8
9
10 6. Despite my request and permitting redactions, I have received no response re my requests for
11 the Blue sheets (which would seemingly establish an accurate share count and establish that
12 millions of excess counterfeit shares exist in MMAT & MMTLP and now Next Bridge
13 Hydrocarbons ("NB")). Obviously per the attached emails, Defendants are stonewalling and
14 know that the corruption of Defendants as reflected in the Blue Sheet records, even exceeds the
15 hundreds of millions of Counterfeit shares that investors believe exist. I previously claimed and
16 still claim that the non-responsive and stonewalling defendants, as reflected in the response to
17 the FOIA request attached hereto, are criminally obstructing Justice in light of the evidence of
18 criminality and a conspiratorial coverup by Finra and the Sec's top cops. (the gap in time as to
19 documents produced of one full year between November 2021 & December 2, 2022 in response
20 to the FOIA request also suggest unethical and impermissible spoilation of evidence).

21
22 7. My pending complaint was based in large part on information and belief, alleging things like
23 corruption, the existence of counterfeit short shares, tax evasion and other criminality. However,
24 the 3-16-2023 FAQ unilaterally prepared and published by Finra filled in a lot of the details,
25 confirmed many of my allegations and were referenced in the multiple 3-27-2023 oppositions I
26 filed.

1 8. Attached hereto as Exhibit 1 and incorporated fully herein by reference is a true and correct
2 copy of the relevant portions of the response to a FOIA request from December 16 2022. It is a
3 public official document published and provided by the SEC. I have redacted the name of the
4 recipient as well as the request no. for privacy purposes. This enclosure letter is dated 3-30-2023
5 but was received on or about 4/1/2023. I have numbered the pages of the letter as 1, 2 3. I
6 provide this declaration with the attachment to inform the Court of the contents of the FOIA
7 reply as well as to disclose the level of deception and concealment that Defendants will resort to
8 in concert.

9
10 9. These documents were received after the 3-16-2023 materially false and now obviously
11 “deceptive” FAQ unilaterally put out by Finra. They establish that the SEC & Finra had
12 knowledge of the facts and wrongdoers related to Fraud claims back to 2021 as to the trading of
13 MMTLP in 2021 but did nothing to stop it. That it received multiple fraud tips and
14 communications from individuals regarding the shorting of stock and had knowledge of the
15 Fraud related to the trading of MMTLP in 2022 long before any trading halt was instituted.
16 Moreover, the emails evidence that starting at latest on December 2, 2022, that Defendants had a
17 plan in existence to halt trading of MMTLP stock after the close of business on December 8,
18 2022 to protect its allies such as hedge funds, market makers and the like and for individual and
19 collective financial gain. Moreover, that this preplanned halt was designed to prevent shorts in
20 the money from closing their positions and recognizing and paying any taxes. Moreover, that
21 they concealed that Pre-planned halt from investors until after it was too late to act and then even
22 concealed relevant facts including those produced per the FOIA request.

23
24
25 10. As to the response to the FOIA request, although even these documents nail defendants to
26 the wall, there are numerous documents and people referenced in the 23 pages produced that are
27 being intentionally hidden from plaintiff and investors. There is no reason not to disclose those
28 people at the SEC who have any culpability for participating in this scam. If nothing else, we

1 need to protect the financial system of this country by actively making responsible parties pay
2 for their misconduct.

3
4 11. The attached FOIA cover letter is specific in that it concerns MMTLP as it clearly states that.
5 It is also signed by the Foia branch chief. It is on SEC letterhead and although it is not timely
6 filed and omits seemingly numerous responsive documents that should be provided, it is
7 evidence of disturbing misconduct by Finra & the Sec & concealment and obstruction of
8 Justice. In fact, in light of blacked out SEC.Gov. names and the extent of public despair
9 expressed by retail shareholders, it seems likely that SEC chairman Gary Gensler was copied on
10 the Dec 2022 emails. Whoever was copied at the SEC in both the November 2021 and the
11 December 2022 emails has certainly done nothing to resolve the problem and has also failed to
12 supervise Finra and the other defendants who are continuing to undertake intentional
13 misconduct (like the type that occurred at Silicon Valley Bank before other purported
14 regulators). It is my understanding that numerous FOIA requests were submitted to the
15 defendants and the SEC but this is amongst the only responses received (and incomplete)
16

17
18 12. The SEC produced 23 total pages, much of what omits information, names, are duplicates and
19 such. I intend just to address a few of those pages, but that will be enough for the Court to
20 ascertain the nature of the obstruction, concealment, criminality and misconduct.

21
22 13. The real issue the Country and its citizens are facing is the combination of incompetence and
23 corruption in our regulatory systems. We just saw the systematic collapse of several banks based
24 in part on the failure of regulators to do their jobs. Silicon Valley Bank, for example, was
25 referenced as being on the verge of collapse by Seeking Alpha almost three months prior to its
26 collapse. However Federal Regulators, the FDIC and the Fed itself were either incompetent or
27 corrupted or more likely both. The facts herein that Defendants such as Finra have attempted to
28

1 conceal material information, and are still engaged in such suppression, suggests they have
2 something to hide and that the conduct concealed is more than just de minimus.

3
4 14. Attached as page 4 of Exhibit 1, as the First dated email that was sent in response to the
5 FOIA response, it is dated November 29, 2021, and was sent from Sam Draddy at Finra to some
6 unnamed people at the SEC and Patricia Casimates at Finra. There is no reason that the
7 individual names at the SEC were blacked out. Is Gary Gensler one of the names who was on
8 notice but is blacked out?. It relates to (but the FOIA response improperly does not attach the
9 inquiry) to MMTLP as referred to in the subject line. However, this partial email supports the
10 fact that there was a fraud investigation at least into MMTLP as early as November 2021. This
11 confirms the prior allegations that in or about October 2021 that there had been objections made
12 against permitting MMTLP to trade and that it was not authorized and was undertaken with
13 fraudulent documents (Finra has also not produced the form 211 or related documents). This
14 confirms that as of 2021 both Finra & the SEC were on notice of the fraud claims and did
15 nothing other than let MMTLP continue to trade illegally and increase the amount of counterfeit
16 short shares.

17
18 15. Sam Draddy is a Sr. VP for National Cause & National Financial Crimes Prevention. He
19 was also former Senior counsel at the SEC in the division of enforcement. Patricia Casimates
20 was in the Finra market operations group, was in the “transparency department” and also had
21 been involved in the enforcement section at the SEC. Besides whoever else is not referenced but
22 received notice in this 2021 email, Finra and the SEC were all on notice of trading fraud that was
23 happening regarding MMTLP and did nothing to protect investors.

24
25 16. Draddy and Casimates were Finra’s chief cops using sophisticated technologies to monitor
26 unusual stock activity. Clearly they knew the facts as did the SEC individuals whose names are
27
28

1 strangely and repeatedly redacted (despite an sec.gov email address) I also am aware of the fact
2 that starting in 2013 Draddy set up an intelligence type analytics group at Finra, including
3 software, investigative techniques, as well as routine review of social media and all information
4 available as public. There is no way that his team (Finra & therefore the SEC) would not have
5 known the true facts as to the Fraud and criminality impacting MMTLP starting in 2021.

6
7 17. As to the November 2021 email that refers to an inquiry, where is the actual inquiry? How
8 many were there? Who sent it? When? What was the reply? What happened in reply to this
9 email? What did the SEC do? Who did they speak with? What about the guilty hedge funds?
10 How about the market makers who traded it illegally? No other documents are in the FOIA
11 response for over one year until the ones dated 12-2-2022. The November 2021 email, however,
12 indicates that Casimates of Finra is reaching out or going to reach out to some unnamed person
13 at the SEC to discuss the matter thereafter.? What happened? **Where are the documents?** Why
14 was the FOIA response not only tardy but wholly incomplete. Is this more coordinated
15 concealment? It makes no sense that there would be no other communications existing regarding
16 an MMTLP investigation that began in 2021 for over one year. Have the Defendants destroyed
17 documents to further hide their misconduct?. This gap in production is really troubling and
18 suggests that we are missing lots of information.

19
20
21 18. We know that many of the redacted names are SEC employees as it ends in SEC.Gov. We
22 are not seeking the personal information as to any SEC employee, just the name of the
23 Witnesses.. The B6 code relates to a privacy exemption. However, the (b) (7) (c) exemption can
24 relate to ongoing criminal investigations. So the fact that Defendants and the SEC let MMTLP
25 continue to trade after 2021 in light of the detection of Fraud and seeming ongoing criminal
26 proceedings suggests a criminal coverup at the highest levels of Defendants. As there is no
27 documents produced reflecting a conclusion to the 2021 inquiry, this is further evidence of the
28

1 fact that it is likely that documents relating to this matter prior to 12-2-2022 were intentionally
2 omitted or are still being concealed by Defendants..

3
4 19. The next email produced and attached as page 5 is dated December 2, 2022. It is from
5 Richard Boyle of Finra's National Cause Financial Crimes Detection Program (like Draddy). He
6 is emailing Jay Gibbons (who seemingly was demoted from manager at the Detection program
7 unit to Principle Finra investigator). We do not know who else was copied on this email but at
8 least 1 person's name is being hidden. The email suggests it is external, so one has to wonder
9 why Boyle is discussing sensitive financial information in a non-protected email server. The
10 provided email **admits that "prior to 12-2-2022" that both Finra and the SEC received**
11 **multiple tips relating to Fraud relating to the trading of MMTLP.** Why are names blacked
12 out? If they received multiple tips re fraud prior to 12-2-2022, why didn't Finra or the SEC
13 intervene ? How did they benefit financially and who were they trying to protect? Where are the
14 actual records of the actual tips that are referenced? How many, from whom and when? The
15 attachment line refers to an attachment that was not provided. This email also suggests that at
16 least as of this date, Defendants had a plan as to how to cease the trading of MMTLP while at the
17 same time protecting their allies for their own personal financial gain. This was long before the
18 tactual trading halt was imposed, and long before I bought my shares in MMTLP

19
20
21 20. So although from the 2021 email we know that Finra & the SEC were aware of the Fraud re
22 MMTLP in 2021 (recall two unauthorized market makers got Finra to permit the unlawful
23 trading of MMTLP based on false documents) even if somehow these technological geniuses did
24 not know about the scam then, they admit that both Finra & the SEC knew about Fraud related to
25 the trading of MMTLP, counterfeit short positions etc. at latest at the end of November 2022
26 (but despite knowledge of fraud from multiple sources still let it trade and let it be illogically
27 shorted on the 8th of December). Who were they protecting? It certainly was not consistent with
28 the mission statements of Finra to protect investors and help with orderly markets. **Absent**

1 covering up or covering up other criminal conduct engaged in by others, there was no
2 reason to permit MMTLP to trade after 12-2-2023 unless Defendants were criminally
3 corrupted.

4
5 21. Next we have by far the most damaging evidence produced to date. It is a December 5, 2022
6 (907am) email from Draddy to several unnamed SEC people (I suspect that Mr. Gensler was
7 copied) which included both Mr. Boyle & Mr. Gibbons of Finra but appears to be directed at the
8 SEC which I have marked as page 6.. Troubling that on 12-5-2022, **Draddy admits that the**
9 **MMAT/MMTLP situation has now hit his Fraud Radar Team and many others.** He asks if
10 his fraud team could speak with what seems the SEC fraud team. He also indicates that Finra
11 (SEC) are looking at the two issuers. As of now I have yet to name the issuers in my complaint
12 as I need further confirmation , however, I believe that they engaged in the fraudulent trading of
13 MMTLP in the first place in 2021. I know others have asserted that GTS (Ari Rubenstein who
14 the German government is investigating for improper securities practices) and Canaccord were
15 the bad actors but although the issuers are mentioned by category , they are not referenced by
16 Name Why not? What has occurred? Moreover, as in other deficiencies, the email refers to an
17 inquiry but no documentation re an inquiry is provided nor is a description stated. However,
18 clearly there are admissions that Defendants knew about the Fraud long before any halt was
19 suspiciously implemented.

20
21
22 22. Even more concerning about the 12-5-2022 email is that it provides direct evidence of an
23 intentional cover up . Draddy & Casemates and others in the SEC knew about the MMTLP
24 fiasco and fraud in 2021 per the email. The fact that he contends that his fraud team did not learn
25 about it until about November 2022 **would make no sense and is not credible.** Even if the
26 Fraud team did not learn about it until November 2022, they should not have permitted an
27 obviously fraudulent security to trade thereafter. The fact that it continued to trade only
28 benefitted those with short positions who did not have to cover their positions at any time. This

1 also suggests that the Chief Finra cops and those of the SEC did nothing from 2021 to December
2 2022 to deal with a fraud that was disclosed in 2021. There must have been a corrupt personal
3 motive that drove this egregious misconduct. The fact that Draddy admits that a lot of others
4 (unrelated to Finra or the SEC) were aware of the issue, further suggests that there were other
5 corrupt reasons for letting retail be harmed by the Fraud and corruption referenced.

6
7 23. If nothing else, Defendants should not have permitted trading at any time after December 2,
8 2022 other than to close only. However, they permitted trading despite knowledge of the fraud
9 and directly harmed investors like me who bought counterfeit MMTLP shares from Fidelity after
10 December 5, 2022.

11
12 24. Recall above I referenced that I requested the Blue Sheets but none have been provided
13 (again adding suspicion as to the contents and how it further implicates Defendants). However
14 note that in this 12-5-2022 email, that Finra indicates that as of 12-5-2022 the **Blue Sheeting**
15 **of both MMAT & MMTLP** was ongoing. Thus all Defendants and the SEC knew the true share
16 count prior to the trading halt but are refusing to disclose it. Where are those documents?

17
18
19 25. Clearly after seeing the Blue Sheets, and despite their earlier knowledge as of 2021, Finra, the
20 SEC & the other Defendants are trying to conceal this information because it establishes the very
21 facts that I, as plaintiff, have asserted throughout. The presence of hundreds of millions of
22 counterfeit shares. **Plaintiff would request, for clarity of the Court, that Defendants**
23 **immediately produce a redacted version of the Blue Sheets, that show the total share**
24 **counts of both MMAT & MMTLP.** Again, I have informally requested these documents but
25 they have been provided.

1 26. There is another December 5, 2022 email, attached as page 7, at 929am that sets a zoom
2 meeting regarding the MMTLP situation. Where is the contents of that meeting? Where are the
3 notes on that meeting? Who attended? When, what was discussed and what was produced. **Did**
4 **Gary Gensler participate?** Again, there is reference to an inquiry but none are produced. We
5 have the same omissions of SEC individual names. There is another email that pushes the time
6 back of the meeting that I have not attached. There is also an unattached email from CEO
7 Robert Cooke on or about 12-11-2022 where he acknowledges his awareness of the situation.

8
9
10 27. Unbelievably, no documents have been provided between 12-5-2022 and 12-10-2022 even
11 though the trading halt was imposed sometime on the 9th. Again, it appears that Defendants are
12 concealing further information. It makes no sense that there would be no communications
13 regarding a trading halt of the status of MMTLP after the fraud issue is raised starting on 12-2-
14 2022 up until the 12-11-2022 date. It is not credible nor does it make sense. There must be some
15 communication that describes the logic and gives the order to invoke the halt. Where have these
16 documents gone? Have they been destroyed by Defendants?. They certainly have not been
17 produced per any FOIA request.

18
19 28. So we are left, with a deficient FOIA response, with the following:

20
21 A. That as of November 2021 that both the Finra & the Sec were aware of the fraud with
22 regard to the initial trading of MMTLP in 2021 .

23
24 B. Finra's assertion that the U3 halt was for settlement purposes, is directly contradicted by
25 the produced emails. Besides being on notice of fraud re MMTLP as of November 2021, at no
26 point in any of the emails provided **is the settlement issue even whispered.** In light of known
27 facts in December 2022, unless short holders had been tipped by Defendants prior to 12-8-2022
28

1 that there would be a halt and they would not have to close, the trading activity of the shorts on
2 12-8-2022 (which would greatly increase their risk at the time they should have been doing the
3 direct opposite) makes no sense. That is bolstered by the fact that despite the knowledge as late
4 as 12-5-2022, Defendants still did not stop the trading until after the 8th (**large short volume**
5 **could not cover and large profit on 8th was never recognized for tax purposes and can't be**
6 **because NB cant trade**).

7
8 C. That both Finra & the SEC were aware of Fraud as to MMTLP prior to December 1, 2022
9 and intentionally still let it trade. That at latest on 12-2-2022 they were already working on a
10 plan on how to close out the trading of MMTLP without the short positions having to close out
11 their positions. Moreover, that the 12-9-2022 trading halt was preplanned with intent to harm
12 and had nothing to do with settlement (**other than that this was agreed to be the stated but**
13 **false reason**).

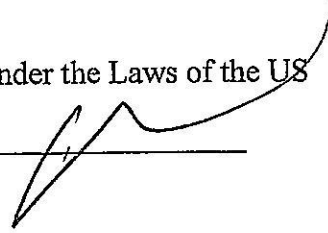
14
15 D. That Finra and the other Defendants permitted me to purchase MMTLP shares after 12-
16 5-2022 when they knew that no trading should be allowed and that the shorts would not need to
17 fully cover their positions and that I would be purchasing counterfeit and illegally diluted shares.
18

19
20 E. That defendants including Finra, and the SEC are concealing documents and the Blue
21 Sheets in this matter.
22

23 F That if Fraud was not sufficient to prevent it from trading up though 12-8-2022, that it
24 should not have been halted and should have forced shorts to close and pay any and all taxes
25 due.
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1 G. That it is possible that Gary Gensler was on notice of all of this and was one of the
2 excised SEC names in the emails in light of the gravity and magnitude of the harm occasioned
3 on retail investors. Moreover if he was on notice he did nothing to combat the fraud that was
4 omnipresent and the SEC is part of the Systemic problem..
5

6 29. Plaintiff respectfully requests that the Court consider all of the above in opposition to any
7 and all pending motions of Defendants and deny all of same with prejudice. Moreover, that in
8 light of the intentional concealment of documents and possible obstruction of Justice, **that the**
9 **Court order that Defendants immediately produce to me a redacted but complete version**
10 **of both the MMAT & MMTLP Blue Sheets which the FOIA emails stated exists.**
11 **Moreover, that in light of the stonewalling perpetrated by Defendants, that the Court order**
12 **that the parties may immediately commence discovery.**
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19 I declare under penalty of Perjury that the above is true and correct under the Laws of the US
20 and State of California. Executed this 2nd day of April 2023. BY  _____
21
22

23 RICHARD HOFMAN
24
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27
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EX ↓



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

March 30, 2023

~~1~~
~~2~~
~~3~~

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. ~~2022-00000~~

Dear Mr. Acoff:

This letter is in response to your request, dated and received in this office on December 16, 2022, for information from MMTLP Trading from Dec 1, 2022, through Dec 14, 2022, from FINRA, and information leading up to the U3 Halt. You also requested the short percentage, and all failure to delivery information from Oct 1, 2022 through Dec 14, 2022.

Reference is made to our December 23, 2022, letter where we addressed your request for expedited processing and a fee waiver.

Some of the information you have requested is exempt from disclosure under the FOIA pursuant to 5. U.S.C. § 552(b)(4). Exemption 4 of the FOIA protects commercial or financial information obtained from a person that is privileged or confidential, and (a) is customarily treated as private by the submitter, and (b) was provided to the Commission under an assurance of confidentiality.

The enclosed 23 pages are released with the exception of SEC staff names and email addresses. This information is withheld under 5 U.S.C. § 552(b)(6) and (7)(C), for the following reasons.

Under Exemption 6, the release of these records would constitute a clearly unwarranted invasion of personal privacy. Under Exemption 7(C), the release of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy. Further, public identification of Commission staff could conceivably subject them to harassment in the conduct of their official duties and in their private lives.

1

Mr. Howard Acoff
March 30, 2023
Page 2

23-00564-FOIA

Please be advised that I have considered the foreseeable harm standard in preparing this response.

For your information, we are including a link to our website, <https://www.sec.gov/data/foiadocsfailsdatahtm>, which contains the National Securities Clearing Corporation's (NSCC) aggregated fails-to-deliver data (by security), which may be helpful.

I am the deciding official with regard to this adverse determination. You have the right to appeal my decision to the SEC's General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(f)(1). The appeal must be received within ninety (90) calendar days of the date of this adverse decision. Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

You may file your appeal by completing the online Appeal form located at https://www.sec.gov/forms/request_appeal, or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address.

If you have any questions, please contact Gloria Walker of my staff at walkergl@sec.gov or (202) 551-2336. You may also contact me at foiapa@sec.gov or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at foiapa@sec.gov or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,



Adrienne M. Santos
FOIA Branch Chief

Enclosure

2

ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at ogis@nara.gov. Information concerning services offered by OGIS can be found at their website at Archives.gov. Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.

Non Responsive Record

From: Draddy, Sam <Sam.Draddy@finra.org>

Sent: Monday, November 29, 2021 5:03 PM

To: (b)(6); (b)(7)(C) @ SEC.GOV>; (b)(6); (b)(7)(C) @ SEC.GOV>

Cc: (b)(6); (b)(7)(C) @ SEC.GOV>; Casimates, Patricia
<Patricia.Casimates@finra.org>

Subject: RE: Inquiry

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

(b)(6); (b)(7)(C) —I believe it was Patti Casimates from our Market Ops group who reached out to
(b)(6); I have included her on the email so you can reach out to her directly. Hope all is well!

Sam

Non Responsive Record

4

From: Boyle, Richard
To: (b)(6); (b)(7)(C)
Cc: Gibbon, Jay
Subject: Meta Materials Inc. (MMAT and MMTLP) / Next Bridge Hydrocarbons, Inc.
Date: Friday, December 2, 2022 10:46:34 AM
Attachments: image001.png

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning (b)(6); (b)(7)(C) I believe you've had conversations with FINRA's OTC Corporate Actions team regarding the above issuer and its proposed spin-off transaction. Would one of you have time on Monday or Tuesday to discuss this matter? FINRA's Market Fraud Investigations team recently received several tips that appear to have also been sent to the SEC. Below are some proposed times to discuss but we can work around your schedules if these don't work for you. Thanks.

Monday – between 11:30 ET and 2:30 ET or between 4:30 ET and 5:30 ET

Tuesday – between 4:30 ET and 5:30 ET

Rich Boyle

National Cause and Financial Crimes Detection Programs | 15700 Omega Drive, Suite 210 | Rockville, MD 20850
Phone: (240) 386-5008 | richard.boyle@finra.org | www.finra.org

FINRA

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5

Non Responsive Record

From: Draddy, Sam <Sam.Draddy@finra.org>

Sent: Monday, December 5, 2022 9:07 AM

To: (b)(6); (b)(7)(C) @SEC.GOV>

Cc: (b)(6); (b)(7)(C) @SEC.GOV>; (b)(6); (b)(7)(C) @SEC.GOV>; Boyle, Richard <Richard.Boyle@finra.org>; Gibbon, Jay <Jay.Gibbon@finra.org>

Subject: RE: Inquiry

(b)(6); (b)(7)(C): This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

(b)(6); (b)(7)(C)—looks like this MMAT/MMTLP matter has now hit my Fraud team's radar screen (and seemingly a lot of other radar screens as well). I know you have spoken to Patti Casimates and our General Counsel's office—but was wondering if it made sense for my Fraud team to have a conversation directly with you and your folks working on the matter so we are not duplicating efforts. We are looking at the two issuers from a fraud/manipulation angle and, in fact, bluesheeting both MMAT and MMTLP as we speak.

If you think a comparison of notes is worth a quick call—let me know a good day/time. I can set up a zoom and feel free to let me know if (b)(6); (b)(7)(C) or anyone else should be included.

Thanks (b)(6); (b)(7)(C)

Sam

Non Responsive Record

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Non Responsive Record

From: Draddy, Sam <Sam.Draddy@finra.org>

Sent: Monday, December 5, 2022 9:29 AM

To: (b)(6); (b)(7)(C) @SEC.GOV>

Cc: Boyle, Richard <Richard.Boyle@finra.org>; Gibbon, Jay <Jay.Gibbon@finra.org> (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) @SEC.GOV>

Subject: RE: Inquiry

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

(b)(6); (b)(7)(C) I sent you and (b)(6); (b)(7)(C) the zoom invite for 1pm today. Look forward to talking to you.

Non Responsive Record

7

CERTIFICATION OF WORD COUNT & ECF SERVICE

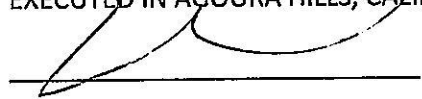
I, CERTIFY THAT ON THE 2ndTH OF April 2023, THE FOREGOING DOCUMENT WAS ELECTRONICALLY FILED WITH THE COURT VIA CM/ECF SYSTEM THAT WILL SEND NOTIFICATION AND THE FILING TO ALL COUNSEL OF RECORD

WORD COUNT:4030 EMERGENCY DECLARATION OF RICHARD HOFMAN

Pursuant to local rules, I hereby certify that the foregoing document contains 4030 words per the Microsoft Word system used in preparation of this document

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I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THIS CERTIFICATION AND PROOF OF SERVICE OF FOREGOING IS TRUE AND CORRECT. THIS DECLARATION IS EXECUTED IN AGOURA HILLS, CALIFORNIA, ON 4-2-2023-.

A handwritten signature in black ink, appearing to read 'Richard Hofman', is written over a solid horizontal line.

RICHARD HOFMAN