

# COMPREHENSIVE RECORD OF EMAILS SENT TO AND RECEIVED FROM GARRETT KNIGHT ASSOCIATES

Updated to 9<sup>th</sup> October 2017

THIS EMAIL RECORD IS THE SUPPORTING DOCUMENT FOR 'MY  
STORY' AND SHOWS HOW GARRETT KNIGHT ASSOCIATES LEFT  
NICHOLAS PAPENFUS ALMOST FINANCIALLY RUINED.

Sent : 18<sup>th</sup> January, 2016



# APPENDIX 1

## FORM W-8BEN

### CERTIFICATE OF FOREIGN STATUS OF BENEFIAL OWNER FOR UNITED STATES TAX WITHHOLDING AND REPORTING (INDIVIDUALS)

Form <b>W-8BEN</b> (Rev. February 2014) Department of the Treasury Internal Revenue Service		<b>Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)</b> ► For use by individuals. Entities must use Form W-8BEN-E. ► Information about Form W-8BEN and its separate instructions is at <a href="http://www.irs.gov/form8ben">www.irs.gov/form8ben</a> . ► Give this form to the withholding agent or payer. Do not send to the IRS.		OMB No. 1545-1021
<b>Do NOT use this form if:</b> <ul style="list-style-type: none"><li>• You are NOT an individual</li><li>• You are a U.S. citizen or other U.S. person, including a resident alien individual</li><li>• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the U.S. (other than personal services)</li><li>• You are a beneficial owner who is receiving compensation for personal services performed in the United States</li><li>• A person acting as an intermediary</li></ul>				<b>Instead, use Form:</b> <ul style="list-style-type: none"><li>W-8BEN-E</li><li>W-9</li><li>W-8ECI</li><li>8233 or W-4</li><li>W-8IMY</li></ul>
<b>Part I Identification of Beneficial Owner</b> (see instructions)				
1 Name of individual who is the beneficial owner		2 Country of citizenship		
3 Permanent residence address (street, apt. or suite no., or rural route). <b>Do not use a P.O. box or in-care-of address.</b>				
City or town, state or province. Include postal code where appropriate.				Country
4 Mailing address (if different from above)				
City or town, state or province. Include postal code where appropriate.				Country
5 U.S. taxpayer identification number (SSN or ITIN), if required (see instructions)			6 Foreign tax identifying number (see instructions)	
7 Reference number(s) (see instructions)		8 Date of birth (MM-DD-YYYY) (see instructions)		
<b>Part II Claim of Tax Treaty Benefits</b> (for chapter 3 purposes only) (see instructions)				
9 I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.				
10 <b>Special rates and conditions</b> (if applicable—see instructions): The beneficial owner is claiming the provisions of Article _____ of the treaty identified on line 9 above to claim a _____ % rate of withholding on (specify type of income): _____				
Explain the reasons the beneficial owner meets the terms of the treaty article: _____				
<b>Part III Certification</b>				
Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:				
<ul style="list-style-type: none"><li>• I am the individual that is the beneficial owner (or am authorized to sign for the individual that is the beneficial owner) of all the income to which this form relates or am using this form to document myself as an individual that is an owner or account holder of a foreign financial institution,</li><li>• The person named on line 1 of this form is not a U.S. person,</li><li>• The income to which this form relates is:<ul style="list-style-type: none"><li>(a) not effectively connected with the conduct of a trade or business in the United States,</li><li>(b) effectively connected but is not subject to tax under an applicable income tax treaty, or</li><li>(c) the partner's share of a partnership's effectively connected income,</li></ul></li><li>• The person named on line 1 of this form is a resident of the treaty country listed on line 9 of the form (if any) within the meaning of the income tax treaty between the United States and that country, and</li><li>• For broker transactions or barter exchanges, the beneficial owner is an exempt foreign person as defined in the instructions.</li></ul>				
Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner. I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.				
<b>Sign Here</b> ►		Signature of beneficial owner (or individual authorized to sign for beneficial owner)		
Print name of signer		Date (MM-DD-YYYY)		
Capacity in which acting (if form is not signed by beneficial owner)				



## Brokerage Account Application

FOR INTERNAL OFFICE USE ONLY		
Account	Security Code	Representative Code

GARRETT KNIGHT  
19-28 Avenue,  
Minto No. 1, Tokyo,  
Japan No. 3  
Phone: +81 3 65401163  
Fax: +81 3 43301946

### APPLICATION FORM

Please fill in BLOCK CAPITAL letters. For faster processing, ensure that the application is fully completed and all required documents are submitted together with this application form.

#### New Account Application Form

What type of account are you opening?

☐ Individual  
☐ Joint Tenant  
☐ Trust  
☐ Others

☐ Sole Ownership  
☐ Corporate  
☐ Partnership

☐ Community Property  
☐ Custodian  
☐ Investment Club

#### Account Holder Information

Primary Account Holder

Last Name First Name Middle Name

Address

City

State

ZIP

Home Phone

Work Phone

Date of Birth

City

State

ZIP

Are you a director, 10% shareholder or an officer of a publicly traded company?

Are you associated with a brokerage firm, a member of a stock exchange or the NASD?

Have you ever filed an arbitration or sought other legal remedies against a brokerage firm?

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Are you associated with a brokerage firm, a member of a stock exchange or the NASD?

Have you ever filed an arbitration or sought other legal remedies against a brokerage firm?

#### Investment Profile

Securities industry regulations require that we collect all of the following information. For joint accounts please indicate combined answers.

Investment Objective for this account (Please select one)	<input type="checkbox"/> Capital preservation Minimize the potential for any loss of principal	<input type="checkbox"/> Income Provide current income rather than growth of principal
	<input type="checkbox"/> Growth Increase investment value over time while accepting some fluctuations	<input type="checkbox"/> Speculation Assume the highest degree of risk for potentially highest returns
Investment Experience	<input type="checkbox"/> None <input type="checkbox"/> Limited <input type="checkbox"/> Good <input type="checkbox"/> Excellent	
Annual Income (in USD)	<input type="checkbox"/> 0-50,000 <input type="checkbox"/> 50,000-100,000 <input type="checkbox"/> 100,000-150,000 <input type="checkbox"/> 150,000-200,000 <input type="checkbox"/> 200,000-250,000 <input type="checkbox"/> 250,000-300,000 <input type="checkbox"/> 300,000-350,000 <input type="checkbox"/> 350,000-400,000 <input type="checkbox"/> 400,000-450,000 <input type="checkbox"/> 450,000-500,000 <input type="checkbox"/> 500,000-550,000 <input type="checkbox"/> 550,000-600,000 <input type="checkbox"/> 600,000-650,000 <input type="checkbox"/> 650,000-700,000 <input type="checkbox"/> 700,000-750,000 <input type="checkbox"/> 750,000-800,000 <input type="checkbox"/> 800,000-850,000 <input type="checkbox"/> 850,000-900,000 <input type="checkbox"/> 900,000-950,000 <input type="checkbox"/> 950,000-1,000,000 <input type="checkbox"/> 1,000,000+	
Approximate Net Worth (in USD) (including residences)	<input type="checkbox"/> 0-50,000 <input type="checkbox"/> 50,000-100,000 <input type="checkbox"/> 100,000-150,000 <input type="checkbox"/> 150,000-200,000 <input type="checkbox"/> 200,000-250,000 <input type="checkbox"/> 250,000-300,000 <input type="checkbox"/> 300,000-350,000 <input type="checkbox"/> 350,000-400,000 <input type="checkbox"/> 400,000-450,000 <input type="checkbox"/> 450,000-500,000 <input type="checkbox"/> 500,000-550,000 <input type="checkbox"/> 550,000-600,000 <input type="checkbox"/> 600,000-650,000 <input type="checkbox"/> 650,000-700,000 <input type="checkbox"/> 700,000-750,000 <input type="checkbox"/> 750,000-800,000 <input type="checkbox"/> 800,000-850,000 <input type="checkbox"/> 850,000-900,000 <input type="checkbox"/> 900,000-950,000 <input type="checkbox"/> 950,000-1,000,000 <input type="checkbox"/> 1,000,000+	
Approximate Liquid Net Worth (in USD) (cash, stocks, etc.)	<input type="checkbox"/> 0-50,000 <input type="checkbox"/> 50,000-100,000 <input type="checkbox"/> 100,000-150,000 <input type="checkbox"/> 150,000-200,000 <input type="checkbox"/> 200,000-250,000 <input type="checkbox"/> 250,000-300,000 <input type="checkbox"/> 300,000-350,000 <input type="checkbox"/> 350,000-400,000 <input type="checkbox"/> 400,000-450,000 <input type="checkbox"/> 450,000-500,000 <input type="checkbox"/> 500,000-550,000 <input type="checkbox"/> 550,000-600,000 <input type="checkbox"/> 600,000-650,000 <input type="checkbox"/> 650,000-700,000 <input type="checkbox"/> 700,000-750,000 <input type="checkbox"/> 750,000-800,000 <input type="checkbox"/> 800,000-850,000 <input type="checkbox"/> 850,000-900,000 <input type="checkbox"/> 900,000-950,000 <input type="checkbox"/> 950,000-1,000,000 <input type="checkbox"/> 1,000,000+	

#### Financial Activities

Primary Account Holder

Marital Status

☐ Single  
☐ Married  
☐ Divorced  
☐ Widowed

Number of Dependents (Including Self)

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18<sup>th</sup> January, 2016

# APPENDIX 3

Dear Mr. Papenfus,

Welcome to Garrett Knight Associates, this is just a brief mail to confirm that your initial order of 100 shares in Skyworks Solutions Inc. (SWKS) at a price of \$60.67 or less has been entered and accepted, there is no need to reply.

In order to follow your investment you can use various websites, we recommend <http://finance.yahoo.com>, simply type in the ticker or trading symbol "SWKS" and click "GET QUOTES" for up to date quotes, historical charts and press releases.

David Morgan will be in regular contact regarding any major price movements or press releases.

Our Senior Manager for Client Services will also be in contact with you today to introduce himself, so that you will have two direct contacts here at Garrett Knight Associates.

Sincerely,

Ryan Smith  
Client Services Support

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

19<sup>th</sup> January, 2016

# APPENDIX 4

Dear Mr. Papenfus,

Congratulations, your order of 100 shares in Skyworks Solutions Inc. (SWKS) has been successfully completed at \$59.97 USD per share. Your **invoice** is attached herewith.



If you have any questions about the invoice or about any additional services please contact Mr. David Morgan.

Sincerely,

Christopher James  
Accounts Receivable

Garrett Knight Associates  
Aria Shinagawa, Level 22, 1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone :+81 3 4540 6163  
Fax :+81 3 4330 1946

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE INVOICE

Client Name & Address  
Nicholas Papenfus  
Address on File

Date 19 January 2016

Account# 8878/MD

Reference#



998878

Representative Agent  
David Morgan  
Chief Trader

Settlement T+3

Due Date 22 January 2016

Payment Method Bank Transfer

Date	Ticker Symbol	Price	Quantity	Total
19 Jan 16	Skyworks Solutions Inc. (SWKS)	\$59.97	100	\$5,997.00

Subtotal	\$5,997.00
Commission	\$0.00
Adjustments	\$0.00
Other	\$0.00
Grand Total	\$5,997.00

### Notes:

Any errors or mistake on this trade invoice must be reported to your client service immediately.  
This trade was confirmed verbally with a compliance officer.  
This invoice is for information purpose only.  
Settlement on this trade must be completed on or before agreed date.

# APPENDIX 5

20<sup>th</sup> January, 2016

Hello Garrett (Knight)

Having had time to process the events of the past couple of days, **I do not want to go through with investing in Skyworks** at this time for the following reasons:

- (a) The money that I intended to use for the investment of 100 shares in Skyworks has not been forthcoming as I hoped – I spoke to the debtor, and he indicated it may still take a while before I get the funds. So the only way to finance these shares would be for me to leverage the funds from my current account, or cash in one of my other investments, which I would prefer not to do at this present time.
- (b) My business is in a growth phase, but this requires substantial funding – investing the equivalent of R100 000 now would result in a strain on my cash reserves.
- (c) I have had a look at the Skyworks share price, and it has been falling since June last year, and it currently in sharp decline. This you did not point out to me – and I wonder how you can advise me to get shares that are dropping in value so fast? On the other hand I realise that the drop does present in opportunities for the future, once the market has turned – lets say gained 10% from its lowest point?
- (d) As you know the rand is at a record low, so buying in dollars does not make sense. I believe the rand will strengthen however, so I would rather wait.
- (e) I find **your selling approach too pressured** – I need lots of facts, but I also need time to process, which I am currently now doing.
- (f) Last night I emailed my broker in SA who has advised me in the past, and he cautioned me ‘not to invest in anything that is **not FSB approved**’. Are these shares ‘FSB approved’?

I am sorry if I have wasted your time, but please take the above points into consideration. I would also prefer that we communicate via email than on the phone – again this allows me to process and examine the facts slowly and carefully.

Regards

Nicholas

# APPENDIX 6

27<sup>th</sup> January, 2016

Dear Mr. Papenfus,

Please find attached the Banking Instructions for your recent trade.

Sincerely,

Christopher James  
Accounts Receivable

Garrett Knight Associates  
Aria Shinagawa, Level 22, 1-9-36  
Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone :+81 3 4540 6163  
Fax :+81 3 4330 1946



## Banking Instructions

Beneficiary Name: **ROSENDALE WORLDWIDE LIMITED**

Beneficiary Bank: **BANK OF COMMUNICATIONS CO., LTD**  
NO. 188, YINCHENG ZHONG ROAD  
SHANGHAI 200120  
CHINA

Swift Code: **COMMCN3XOBU**

Account No.: **OSA90000090045100**

Amount: **\$ 5,997.00 USD**

Reference Number: **998878**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking instructions please write: PAYMENT FOR INVOICE 998878

This will help us to allocate your payment against your trade.



# APPENDIX 7

3<sup>rd</sup> February, 2016

Dear Mr. Papenfus,

Please find attached your payment receipt.



If you have any questions about any additional services please contact your client services representative.

Sincerely,

Christopher James  
Accounts Receivable

Garrett Knight Associates  
Aria Shinagawa, Level 22, 1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone :+81 3 4540 6163  
Fax :+81 3 4330 1946


**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

Date03 February 2016

Account#8878/MD

NameNicholas Papenfus

Reference#  
998878

**OFFICIAL RECEIPT**

Please note the following payment has been received and allocated to your account

Date	Amount	Currency	Receiving Account
03 Feb 16	5,997.00	USD	OSA90000090045100



# APPENDIX 8

9<sup>th</sup> Feb, 2016

Dear Nicholas,

It was very enjoyable speaking with you earlier today and I am very much looking forward to the future. As discussed, I will handle your account personally from this point forward. My direct line for your reference is +81 345 888 767.

The **trade attached** will provide a good initial return and I am confident that with this springboard, we can achieve in excess of \$20,000 equity by the end of this month. Please sign and return to me this afternoon.

I will be in touch to confirm receipt and to forward you the Remittance Details pertaining to the balance.

I hope this finds you well.

Sincerely,

**Adam Manning**

Assistant to Daniel Rosenthal  
Director of Institutional Trading



**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address	Date	09 February 2016
Nicholas Jacques Papenfus	Account#	8878/MD
Address on File	Reference#	 998890
Representative Agent	Settlement	T+4
Daniel Rosenthal	Due Date	15 February 2016
Director of Institutional Trading	Payment Method	Bank Transfer

Date	Action	Symbol	Price	Quantity	Commission	Total
09 Feb 16	Sell	NASDAQ: SWKS	\$62.75	100	\$0.00	\$6,275.00
09 Feb 16	Buy	NASDAQ: MFLX	\$16.50	750	\$0.00	\$12,375.00

Subtotal	\$6,100.00
Adjustments	\$0.00
Other	\$0.00
Grand Total	\$6,100.00

	
Signature	Date

10<sup>th</sup> Feb, 2016

# APPENDIX 9

## Banking Instructions



Beneficiary Name: **ROSENDALE WORLDWIDE LIMITED**

Beneficiary Bank: **BANK OF COMMUNICATIONS CO., LTD**  
**NO. 188, YINCHENG ZHONG ROAD**  
**SHANGHAI 200120**  
**CHINA**

Swift Code: **COMMCN3XOBU**

Account No.: **OSA90000090045100**

Amount: **\$6,100.00 USD**

Reference Number: **998890**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking instructions please write: PAYMENT FOR INVOICE 998890

This will help us to allocate your payment against your trade.

CUSTOMER ADVICE  
2016/02/15  
CLEARWATER  
OUTWARD TELETRANSMISSION  
REFERENCE NO 160215 1206 TT 8671


BENEFICIARY	ROSENDALE WORLDWIDE LIMITED		
BENEFICIARY BANK	CHASE NEW YORK		
PAYING BANK	CHASE NEW YORK		
VALUE DATE	2016/02/17		
PRINCIPAL AMOUNT	USD	6100.00	
EXCHANGE RATE		15.918300000	
SUPPLEMENT AMOUNT	ZAR	97101.63	
TOTAL AMOUNT PAID	ZAR	97716.56	
CUSTOMER ACCOUNT NO	1206 0 002 126 261 6		
CUSTOMER REFERENCE	ROSENDALE WORLDWIDE		

BANK CHARGES			
COMMISSION	ZAR	504.93	
TRANSMISSION	ZAR	110.00	
SUNDRIES	ZAR	0.00	
TOTAL CHARGES	ZAR	614.93	



**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

Date 18 February 2016  
Account# 8878/MD  
Name Nicholas Jacques Papenfus  
Reference# 

998885

### OFFICIAL RECEIPT

Please note the following payment has been received and allocated to your account

Date	Amount	Currency	Receiving Account
18 Feb 16	6,100.00	USD	COMMCN3XOBU - OSA90000090045100

19<sup>th</sup> Feb, 2016

# APPENDIX 10

Dear Nicholas,

It was nice to speak with you earlier. Further to the conversation, please find attached the **Trade Confirmation** for your signature. NVDA moved higher on positive Q4 profits last night and I have obtained a small position for your account.

I will confirm receipt of the signed Trade Confirmation and I wish you a very pleasant weekend.

Sincerely,

Adam Manning  
Assistant to Daniel Rosenthal  
Director of Institutional Trading

Garrett Knight Associates, Tokyo  
Phone: +81 3 4540 6163




**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Representative Agent  
Daniel Rosenthal  
Director of Institutional Trading

Date 19 February 2016  
Account# 8878/MD  
Reference#   
998914  
Settlement N/A  
Due Date N/A  
Payment Method N/A

Date	Action	Symbol	Price	Quantity	Commission	Total
19 Feb 16	Sell	NASDAQ: MFLX	\$24.05	750	\$180.38	\$17,857.12
19 Feb 16	Buy	NASDAQ: NVDA	\$27.45	650	\$14.62	\$17,857.12

Subtotal \$0.00  
Adjustments \$0.00  
Other \$0.00  
Grand Total \$0.00

Signature \_\_\_\_\_ Date \_\_\_\_\_

19<sup>th</sup> Feb, 2016

Dear Nicholas,

Thank you for the signed Trade Confirmation. Have a nice weekend.

Sincerely,

Adam Manning  
Assistant to Daniel Rosenthal  
Director of Institutional Trading

Garrett Knight Associates,  
Tokyo  
Phone: +81 3 4540 6163



# APPENDIX 11

8<sup>th</sup> March, 2016

Dear Nicholas,

Great to speak with you today. Please find the **sale** confirm for **NVDA** and the **buy** for **CHK**. Please sign and send back.



Sincerely,


Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address	Date	08 March 2016
Nicholas Jacques Papenfus	Account#	8878/MD
Address on File	Reference#	 998940
Representative Agent	Settlement	N/A
Robert Knight	Due Date	N/A
Director of International Development	Payment Method	N/A

Date	Action	Symbol	Price	Quantity	Commission	Total
08 Mar 16	Sell	NVDA	\$32.34	650	\$0.00	\$21,021.00
08 Mar 16	Buy	CHK	\$3.50	6000	\$21.00	\$21,021.00

Subtotal	\$0.00
Adjustments	\$0.00
Other	\$0.00
Grand Total	\$0.00

	
Signature	Date

# APPENDIX 12

10<sup>th</sup> March, 2016

Dear Nicholas,

Good news the (CHK) stock is at \$4.95 USD pre-market. I have placed the order and just waiting for the fill to come back. As soon as it does I will get the paperwork out for you to sign.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

10<sup>th</sup> March, 2016

# APPENDIX 13

Dear Nicholas,

I have even better news for you. The order has not gone through yet but a short sale has been registered but for **12,000 shares**. The reason is you have warrants attached to your shares at an **exorcise price of \$2.00** USD. [i.e. two warrants for every share].

These warrants need to be exorcised before the **short sale** will be settled. They convert into common shares upon exorcise. This means you make more than double the profit!

I have attached the **invoice** for you to pay and will process the short sale immediately upon payment. The proceeds after the short sale will be approx \$88,000.00 USD (after commission).

I will call you tomorrow to explain any questions you might have.

Sincerely,

Robert Knight

Sent from Samsung Mobile.

## GARRETT KNIGHT ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Representative Agent  
Robert Knight  
Director of International Development

Date 10 March 2016

Account# 8878/MD

Reference#



Settlement T+3

Due Date 15 March 2016

Payment Method Bank Transfer

Date	Action	Symbol	Price	Quantity	Commission	Total
10 Mar 16	Buy	CHK(W)	\$2.00	12000	\$240.00	\$24,240.00

Subtotal	\$24,240.00
Adjustments	\$0.00
Other	\$0.00
Grand Total	\$24,240.00

## Banking Instructions

Beneficiary Name: **ROSENDALE WORLDWIDE LIMITED**  
Beneficiary Bank: **BANK OF COMMUNICATIONS CO., LTD**  
NO. 188, YINCHENG ZHONG ROAD  
SHANGHAI 200120  
CHINA  
Swift Code: **COMMCN3XOBU**  
Account No.: **OSA90000090045100**  
Amount: **\$24,240.00 USD**  
Reference Number: **998957**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking instructions please write: PAYMENT FOR INVOICE 998957  
This will help us to allocate your payment against your trade.

Signature

Date

15<sup>th</sup> March, 2016

Hello Robert

Thank you for letting me know about the attractive opportunity as per your mail below, which I was glad to accept.

However, I did mention that I would have to liquidate some investments in order to fund this, as I had no idea that in order to sell the 6000 CHK shares it was first necessary to buy 12000 CHK (W) warrants.

Notwithstanding I did arrange for the funds yesterday afternoon, but they will only arrive in my bank this Friday 18th Feb. I will then make the bank transfer, either on Friday, or on Saturday, depending on when the funds get to my account.

Please let me know if this is in order.

Best regards

Nicholas

# APPENDIX 14

2016-03-22 18:00 clearwater mall std 011 >> P 1/1

CUSTOMER ADVICE

CLEARWATER 2016/03/22

OUTWARD TELETRANSMISSION

REFERENCE NO 160322 1206 21 0376

BENEFICIARY	ROSENDALE WORLDWIDE LIMITED
BENEFICIARY BANK	CHASE NEW YORK
PAYING BANK	CHASE NEW YORK
VALUE DATE	2016/03/24
PRINCIPAL AMOUNT	USD 24240.00
EXCHANGE RATE	15.403000000
SETTLEMENT AMOUNT	ZAR 373588.11
TOTAL AMOUNT PAID	ZAR 374238.11
CUSTOMER ACCOUNT NO	1206 0 002 126 261 6
CUSTOMER REFERENCE	ROSENDALE WORLDWIDE

BANK CHARGES	
COMMISSION	ZAR 740.00
TRANSMISSION	ZAR 110.00
SUNDRIES	ZAR 3.00
TOTAL CHARGES	ZAR 853.00

23 March, 2016

Dear Nicolas,

I have received the swift payment.

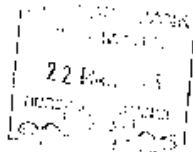
Thank you.

I have given the copy to the Financial Controller. As soon as it clears I will let you know.

Happy Easter.

Sincerely,

Robert Knight  
Director of International Development





# APPENDIX 15

4<sup>th</sup> April, 2016

Dear Nicholas,

I have some great news. I moved all my clients into **VA (Virgin America)** on Friday night late on a **rumor**. It's paid off huge. I will send the details in the morning.

Sincerely,

Robert Knight

Sent from Samsung Mobile.

5<sup>th</sup> April, 2016

Dear Nicholas,

Please find the **trade confirmation** for the VA takeover. I'm off to New York and will be on the ground Wednesday afternoon.

Please sign and send back ASAP.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Representative Agent  
Robert Knight  
Director of International Development

Date 05 April 2016

Account# 8878/MD

Reference#



Settlement T+3

Due Date 08 April 2016

Payment Method Bank Transfer

Date	Action	Symbol	Price	Quantity	Commission	Total
05 Apr 16	Sell	CHK	\$4.95	18000	\$891.00	\$88,209.00
05 Apr 16	Buy	VA	\$38.25	3000	\$1,147.50	\$115,897.50

Subtotal \$27,688.50  
Adjustments \$0.00  
Other \$0.00  
Grand Total \$27,688.50

Signature

Date

## Banking Instructions

Beneficiary Name: **ROSENDALE WORLDWIDE LIMITED**

Beneficiary Bank: **BANK OF COMMUNICATIONS CO., LTD**  
NO. 188, YINCHENG ZHONG ROAD  
SHANGHAI 200120  
CHINA

Swift Code: **COMMCN3XOBU**

Account No.: **OSA90000090045100**

Amount: **\$27,688.50 USD**

Reference Number: **998992**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking instructions please write: PAYMENT FOR INVOICE 998992

This will help us to allocate your payment against your trade.

5<sup>th</sup> April

# APPENDIX 16

Hello Robert

I am pleased to hear that you have made another good trade on behalf of your clients - and I count myself very glad to be one of them!

However, I think you may remember that I **overstretched myself** on the last trade as a result of the unexpected two warrants x \$2 per warrant attached to each of the 6000 CHK shares - and again it was an excellent trade so I am not complaining - on the contrary I am very pleased.

However, I do need to bring some funds back into South Africa, so please can you adjust the trade to 2000 VA shares rather than 3000 as per your 'Trade Confirmation' - attached herewith for your convenience. By my calculations this means that an amount of \$88209 -  $2000 / 3000 \times \$115897.50 = \$ 10944$  should be returned to my account in South Africa please.

Please let me know if this is in order.

Looking forward to hearing from you.

Many thanks

Nicholas

15<sup>th</sup> April 2016

Dear Nicholas,

Sorry we got cut off. I know you are in the field right now. The deal is secured because we have a short sale in place at \$55.63 USD to protect you and all our other clients.

**I will** instruct the Financial Controller to **send you 40K** after settlement to satisfy your needs in South Africa.

Please sign the trade and let me know when payment will be made and send in your bank details.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

# APPENDIX 17

17<sup>th</sup> April 2016

Hello Robert

Thank you for contacting me on Friday 15th April, in reply to my mail on 5th April in response to the 3000 VA 'trade confirmation' that you sent earlier that day. I explained that it would be difficult to raise an additional \$27688 to buy 3000 VA (I would have to leverage from 8 sources, including take two overdrafts close to their limits). That's why I suggested that we make it 2000 VA.

If 2000 VA is a problem, what if we went for 2500 VA? In this case I could raise the corresponding additional \$8372 immediately. I am not sure why it must be 3000 shares (please excuse my ignorance in these matters - and I welcome any explanation/education).

If it has to be the full 3000 shares, and assuming I can unlock the funds in a matter of a few days, **how long would it take before I could get the 40K back** that you mentioned, so that I could unleveraged myself as well as attend to another need?

Please do not misunderstand me - I am REALLY pleased that you have taken my small account under your wing and are growing it so fast!! But as you know - growing too fast can lead to a cash flow crisis - hence my alternative proposal of 2500 shares.

Looking forward to hearing you. I will be in the field in the morning but am of course contactable on 2782 416 8958, and will be back in the office in the afternoon.

Best regards as always

Nicholas

# APPENDIX 18

18<sup>th</sup> April, 2016

Dear Nicholas,

As we have short sales in place for all of your 3,000 shares it is important to settle all 3,000. I would need only **5 days** from the date of clearance to be able **to send the 40K back** to you and have it cleared in your account.

I might be able to do it in four days if your payment clears in the morning clearances.

Please let e know. I will call you later today.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

19<sup>th</sup> April, 2016

Hello Robert

Yesterday I was in the field completing a construction job with my team - and only returned at 2h30 am this morning! I have now carefully looked at my various bank accounts and can get the equivalent of 19400 USD (assuming 1 USD = R15.00) and this is immediately available. I can also **cash in some Alan Gray unit trusts** (which takes 5 days) which will give a further 3100 USD. So that's 22500 USD in total. But this is 5188 USD short off the 27688 USD for the 3000 VA shares.

I will go to the standard bank this morning and see if I can **increase my overdrafts**, and/or arrange for a personal loan - using my house as collateral - my house actually has a positive balance!

There is also a good possibility of significant funds coming in through the business in the next few days -- but I can't be sure of the timing.

I will send you an update as soon as I get back from the bank.

Best regards

Nicholas

19<sup>th</sup> April

Dear Nicholas,

WOW! That's a very long day! Thank you for the update. I have explained everything to the Controller and he has told me he will take care of your **transfer back the same day your transfer clears**. Please let me know when all is ready to transfer for settlement.

Sincerely,

Robert Knight  
Director of  
International  
Development

# APPENDIX 19

19<sup>th</sup> April 2016

Hello Robert,

I went to the bank today and **applied for an overdraft** for my main business account **which will cover the shortfall** for the 3000 VA shares. (Up to now I haven't needed an overdraft). They said I should know by tomorrow, and if it is granted I will be able to do the transfers tomorrow as well.

Best regards

Nicholas

19<sup>th</sup> April 2016

Dear Nicholas,

Ok That's great, I will inform the Controller.

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

20<sup>th</sup> April 2016

Dear Nicholas,

Hope you are well. **I have instructed the accounting department that as soon as your transfer copy comes in to begin processing the short sale in order to have your account settle in cash.**

Did everything go okay at the bank?

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

20<sup>th</sup> April 2016

Hello Robert

Yes, I had a call this morning from the bank to say that **the R80 000 overdraft that I applied for has been approved** - this will cover the amount that I was short for the 3000 VA shares. But I still need to go in and sign something before 16h00. Also today **I instructed Alan Gray to pay over R47600 of unit trusts** - it will take five days before the funds arrive in my bank.

However, I expected other payments from clients to come in on Friday, so I should be able to do the full transfer either on Friday or Saturday rather than wait for Alan Gray to arrive.

Only now do I have the confidence that I will have sufficient funds (including 3 overdrafts and a loan) in my various accounts to sign the Trade Confirmation you sent me on 5th April.

Will this be in order?

Best regards,

Nicholas

20<sup>th</sup> April 2016

Dear Nicholas,

Yes that will be fine. I will inform the Controller in the morning of the timing and will send a quick email confirming all is okay timing wise. If you can do it Friday or Saturday it would be good timing to **settle either Tuesday or Wednesday once your payment clears.**

Sincerely,

Robert Knight

Sent from Samsung  
Mobile.

20<sup>th</sup> April 2016

Hello Robert

When I visited your website late this afternoon I noticed that there are lot of posts under the link '**Scammed by Garrett Knight Associates** cold calling?' - which of course made my blood run cold.

One such post reads:

I was called from a company called Garrett Knight Associates. Studied their history and found their website is almost 10 years old. Found many posts on separate website on them giving financial advice. Bought some shares on their recommendation and **wanted to sell them now. Company impossible to reach, and does not answer.** Decent website, answered all calls last year, 2015. Anybody else with investments at this company? How do I go about getting some money back, or at least warn other people? End of quote.

Another post reads:

# APPENDIX 20

Re: **Scammed by Garrett Knight Associates** cold calling?

Company phone me again today. Said they are always available via email or phone. I beg to differ though. They explained why they are not registered. All making perfect sense. I can't get my initial investment back, as they are a big company and don't do single transaction trading. I have to invest more money now in another share, which, after it's done, I can then get back my invested money a bit later on, or a part of it as some need to stay in the account. They probably read these posts, that might be why I got a call today. If I'm mistaken I'll remove the post, but **for now I have no reason to believe I'll ever get any money back from them. Got email from Japan FSA this morning, They claim the company appears to not exit.** I'll forward this mail to anybody considering to invest into this company. End of quote.

I would like to believe that these are vicious attacks against GNA, and that I have not been scammed.

Obviously all our discussions with regard to the 3000 VA shares are now in question.

Please respond to these and other very disconcerting statements on the web directed at GNA. I find it hard to believe that the Japanese Authorities would allow such fraudulent activities to be conducted in their country, especially when there is such a clear paper trail, or that the US would allow its citizens to openly conduct operations of this nature on foreign soil.

Please respond.

Best regards, Nicholas

20<sup>th</sup> April

Dear Nicholas,

I can assure you all is okay. We have an **unhappy client who decided to use the internet to extort money from my fathers firm.** Our legal counsel are dealing with it. Every company involved in Financial services banks included has posts like this. The internet is a great place for information but an even better place for mis-information. I will call you first thing in the morning and give you a complete update on this client. He even use multiple screen names. Please don't worry about this.

Sincerely,

Robert Knight

Sent from Samsung Mobile

24<sup>th</sup> April, 2016

Hello Robert

I trust you are well.

While most of the funding is in place for the 3000 VA shares, I am still waiting for the Allan Gray unit trusts to clear, and for one of my clients, who has promised to pay on Monday. These funds should both be in my account by Tuesday, and I'll do the transfer then.

Please be patient a little longer.

Best regards

Nicholas

25<sup>th</sup> April, 2016

Dear Nicholas,

Hope you are well. I will inform the Controller of the delay in transfer. I will send the **short sale** document to you later today.

Sincerely,

Robert Knight  
Director of  
International  
Development

25<sup>th</sup> April 2016

Dear Nicholas,

Dear Nicholas,

Please find the short sale on VA for your records. **This will settle in cash as soon as your payment is confirmed.** Once it has I will confirm the transfer to you and then put the balance into YHOO.

Sincerely,

Robert Knight  
Director of  
International  
Development



# APPENDIX 21

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Date 25 April 2016

Account# 8878/MD

Reference#



999020

Representative Agent  
Robert Knight  
Director of International Development

Settlement N/A

Due Date N/A

Payment Method N/A

Date	Action	Symbol	Price	Quantity	Commission	Total
25 Apr 16	Short Sale	VA	\$55.82	3000	\$1,674.60	\$165,785.40

Subtotal \$165,785.40  
Adjustments \$0.00  
Other \$0.00  
Grand Total \$165,785.40

Signature \_\_\_\_\_ Date \_\_\_\_\_

25<sup>th</sup> April, 2016

Hello Robert

Thank you very much!

If the final two amounts come in today I will make the payment today - failing which it will be tomorrow.

Many thanks again for your coaching and assurances!

Best regards

Nicholas



# APPENDIX 22

26th April, 2016

Hello Robert

Apologies. My earlier mail did not quite go off the way I intended.

What I meant to say is that I have attached the signed Trade Confirmation, and I have managed to arrange for the funds to cover the 27 688.50 USD – I am on my way in a few minutes to do the transfer.

Many thanks for your patience.

Very best regards

Nicholas

Aria Shinagawa, Level 27, 1-9-36 Kunita, Minato-ku, Tokyo, Tokyo-to, Japan Phone: +81 3 4540 6163 Fax: +81 3 4330 1946																														
<b>TRADE CONFIRMATION</b>																														
Client Name & Address Nicholas Jacques Papenfus Address on File	Date 05 April 2016 Account# 8878/MD Reference#  Settlement T+3 Due Date 08 April 2016 Payment Method Bank Transfer																													
Representative Agent Robert Knight Director of International Development																														
<table><thead><tr><th>Date</th><th>Action</th><th>Symbol</th><th>Price</th><th>Quantity</th><th>Commission</th><th>Total</th></tr></thead><tbody><tr><td>05 Apr 16</td><td>Sell</td><td>CHK</td><td>\$4.95</td><td>18000</td><td>\$891.00</td><td>\$88,209.00</td></tr><tr><td>05 Apr 16</td><td>Buy</td><td>VA</td><td>\$38.25</td><td>3000</td><td>\$1,147.50</td><td>\$115,897.50</td></tr></tbody></table>	Date	Action	Symbol	Price	Quantity	Commission	Total	05 Apr 16	Sell	CHK	\$4.95	18000	\$891.00	\$88,209.00	05 Apr 16	Buy	VA	\$38.25	3000	\$1,147.50	\$115,897.50	<table><tbody><tr><td>Subtotal</td><td>\$27,688.50</td></tr><tr><td>Adjustments</td><td>\$0.00</td></tr><tr><td>Other</td><td>\$0.00</td></tr><tr><td>Grand Total</td><td>\$27,688.50</td></tr></tbody></table>	Subtotal	\$27,688.50	Adjustments	\$0.00	Other	\$0.00	Grand Total	\$27,688.50
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Subtotal	\$27,688.50																													
Adjustments	\$0.00																													
Other	\$0.00																													
Grand Total	\$27,688.50																													

26<sup>th</sup> April, 2016

Dear Nicholas,

Hope you are well. I understand and thank you. I will give the signed confirm and transfer copy to the Controller first thing in the morning.

Once the funds clear **I will sell (send) you the completed sale copy of the short sale to settle in cash.**

Sincerely,

Robert Knight

Sent from Samsung Mobile.

26<sup>th</sup> April, 2016

Hello Robert

# APPENDIX 23

Just an update. The good news is that I arrived in the bank on time with the required funding in my account to do the forex transfer. And there wasn't even a que at the forex counter.

The bad news is that I was informed that the amount to be transferred was over R200000, which is the maximum that the forex department at the branch is allowed to transact without authorization from some or other higher central authority!

Normally this authorization is just a matter of the teller contacting the higher authority for authorization, but, I was informed, that the higher authority shuts down for the day at 16h00, and it was by this time a bit past 16h00 - the local branch where I was only closes at 17h00. Very frustrating.

To make matters worse, tomorrow is a public holiday, so the earliest the bank will be able to effect the transfer will be Thursday morning!

So I must apologise - if I had known that the central authorization office closed at 16h00 I would have made a special trip to the bank at least an hour earlier instead of popping in on my way home from work!

Regards,

Nicholas

27<sup>th</sup> April, 2016

Dear Nicholas,

I understand. I knew about the Holiday and thought that might delay the transfer a bit. I have told the Controller about the delay and your plan to effect the transfer Thursday morning. Please let me know as soon as it's all done.

Sincerely,

Robert Knight  
Director of International  
Development

27<sup>th</sup> April, 2016

# APPENDIX 24

Hello Robert

I will be out of town tomorrow and Friday, but I'm sure Garrett Knight will receive the funds by Friday - I signed all the forms etc. on Tuesday, so all the bank has to do is get the internal authorization for the amount to be sent - hopefully by 9h30 tomorrow the transfer will be underway.

In terms of the money to be sent back as discussed, my banking details are as follows.

BANKING DETAILS FOR NICHOLAS

Thanks again for being patient and so helpful.

Best regards

Nicholas

28<sup>th</sup> April, 2016

Dear Nicholas,

Enjoy the time off for the Holiday.  
I'll let you know as soon as it clears. I hope it all goes smoothly.

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

# APPENDIX 25

29<sup>th</sup> April, 2016

**Subject:** Application to buy USD 27688.50 - Nicholas Papenfus

Hello Wentzel

I trust you are well.

I noticed from my bank balance last evening that the 'Application to buy foreign currency' for USD 27 688.50 did not go through! (I was in the bank on Tuesday afternoon and filled in the above form and you said since the amount exceeded R200 000 you needed to get special authorization, and that this would have to be done first thing on Thursday as the department that does the authorizing does not work after 16h00 – do you remember?

I am therefore very concerned that the funds do not appear to have gone through – I explained that this transfer is urgent. Please contact me on 082 426 8958 for an update.

If the transaction was executed, please send me a copy of the 'Customer Advice' for this transaction. I would also like a copy of the S.W.I.F.T, as we discussed.

Looking forward to hearing from you early tomorrow (Friday) – please contact me on my cell number given below.

Regards,

Nicholas

# APPENDIX 26

29<sup>th</sup> April, 2016

Good Morning Mr papenfus

Sorry for the delay I see that the email was sitting in my outbox as I do not have enough space on my emails

I do apologise for the inconvenience

The transfer is value dated for today so the foreign bank should debit it from your account today

Kind Regards



**Landen Wentzel**  
BDC Consultant  
Clearwater Branch

Tel: 0860 101 341  
[Landen.wentzel@standardbank.co.za](mailto:Landen.wentzel@standardbank.co.za)

**Moving Forward™**



2016-04-29 09:53 clearwater mail std 011 >> 0867219182 P 1/3

CUSTOMER ADVICE  
CLEARWATER 2016/04/29  
OUTWARD TELETRANSMISSION  
REFERENCE NO 160/29 1206 WT 1999

BENEFICIARY	ROSENDALE WORLDWIDE LIMITED
BENEFICIARY BANK	CHASE NEW YORK
PAYING BANK	CHASE NEW YORK
VALUE DATE	2016/04/29
PRINCIPAL AMOUNT	USD 27880.50
EXCHANGE RATE	14.489600000
SETTLEMENT AMOUNT	ZAR 401195.29
TOTAL AMOUNT PAID	ZAR 402045.29
CUSTOMER ACCOUNT NO	1206 0 002 28 261 6
CUSTOMER REFERENCE	ROSENDALE WORLDWIDE

BANK CHARGES	
COMMISSION	ZAR 740.00
TRANSMISSION	ZAR 110.00
SUNDRIES	ZAR 0.00
TOTAL CHARGES	ZAR 850.00

STANDARD BANK  
2016/04/29  
09:53:00  
0867219182

29<sup>th</sup> April, 2016

Hello Robert

I see that the money went out of my account this morning - at last. I'm not too impressed with the Standard bank for taking so long though!

Hope the funds reach you soon.

Have a good week end.

Regards

Nicholas

29<sup>TH</sup> April, 2016

Dear Nicholas,

Thank you. I have given the swift to our Controller for checking. Have a great weekend and I will let you know as soon as it clears.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight  
Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

# APPENDIX 27

4<sup>th</sup> May, 2016

Dear Nicholas,

Good news! Your payment has cleared. I'm  
beginning to settle the trade tonight and tomorrow  
morning. I will let you know as soon as it's done.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

4<sup>th</sup> May, 2016

Thank you Robert!

Nicholas

9<sup>th</sup> May 2016

# APPENDIX 28

Dear Nicholas,

I have some good news. We have run into **warrants again**. It's because this deal is hostile and not friendly. I have attached the invoice as we are trying to process the short sales all before the deals close. let me know if you have questions.

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Date 09 May 2016

Account# 8878/MD

Reference#



Representative Agent  
Robert Knight  
Director of International Development

Settlement T+3

Due Date 12 May 2016

Payment Method Bank Transfer

Date	Action	Symbol	Price	Quantity	Commission	Total
09 May 16	Buy	VA(W)	\$25.00	3000	\$750.00	\$75,750.00

Subtotal	\$75,750.00
Adjustments	\$0.00
Other	\$0.00
Grand Total	\$75,750.00

## Banking Instructions

Beneficiary Name: **ROSENDALE WORLDWIDE LIMITED**

Beneficiary Bank: **BANK OF COMMUNICATIONS CO., LTD**  
NO. 188, YINCHENG ZHONG ROAD  
SHANGHAI 200120  
CHINA

Swift Code: **COMMCN3XOBU**

Account No.: **OSA90000090045100**

Amount: **\$75,750.00 USD**

Reference Number: **999056**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking

instructions please write: PAYMENT FOR INVOICE 999056

This will help us to allocate your payment against your trade.

Signature

Date



# APPENDIX 29

10<sup>h</sup> May, 2016

Hello Robert

We had a **firm agreement** that if I came up with the funds for the 3000 VA shares, which as you know has stretched me to the limit, you would **repatriate 40 000 USD!**

These are some of the assurances you gave:

15th April: "I will instruct the Financial Controller to send you **40K** after settlement to satisfy your needs in South Africa".

18th April: "I would need only **5 days** from the date of clearance to be able to send the **40K** back to you and have it cleared in your account.".

19th April: "I have explained everything to the Controller and he has told me he will take care of **your transfer back** the same day your transfer clears".

20th April: "I have instructed the accounting department that as soon as your transfer copy comes in to begin processing the short sale in order to **have your account settle in cash**".

25th April: "Please find the short sale on VA for your records. This will **settle in cash** as soon as your payment is confirmed. Once it has I will confirm the transfer to you and then put the balance into YHOO".

26th April: "I will give the signed confirm and transfer copy to the Controller first thing in the morning.

Once the funds clear I will sell (send) you the completed sale copy of the short sale to **settle in cash.**"

4th May: "Good news! Your payment has cleared. I'm **beginning to settle the trade tonight** and tomorrow morning. I will let you know as soon as it's done".

May I also remind you that when you sent me the Trade Confirmation for the 3000 VA shares on 5th April, I responded on the same day that I only wanted to commit to 2000 shares, as previous share purchases that you went ahead with (18000 CHK shares/warrants) had resulted in me investing beyond my comfort zone.

Your response, only on 15th April, was to say I had nothing to worry about as you had a short sale in place. Two days later I suggested that I could manage 2500 shares, and your response was "As we have short sales in place for all of your 3,000 shares it is important to settle all 3,000". This resulted in me having to borrow uncomfortably and even dangerously from various sources, and has left me exposed to paying exorbitant interest rates and inadequate cash flow for my business.

I think you know perfectly well that I am not in a position to come up with any further funds - I have repeatedly explained my financial position very clearly - as the email record shows.

Please therefore repatriate the 40k as per our agreement, and please do not go ahead with the latest 'Trade Confirmation' for 3000 VA warrants.

Very sincerely

Nicholas

10<sup>th</sup> May, 2016

Dear Nicholas,

I know what I said but **in a hostile takeover I or any other broker do not have control if a warrant is issued**. All of our short sales including our own are in the same position as you. Extra profits yes but we all have to make an extra payment too.

I will call you a little later to explain more. If it was not for this issue a transfer would be on the way to you.

Sincerely,

Robert Knight  
Director of International Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

11<sup>th</sup> May, 2016

Hello Robert

Subsequent to our discussion yesterday **I have applied for a loan** from the bank to cover 50% of the shortfall for the **3000 VA warrants** - assuming the other 50% will come as an interest free loan from Garrett Knight as discussed. I am reasonably confident that the loan will be granted given that my current bond is fully paid up.

What may be a greater challenge is getting the money transferred to GKA, since with the last amount sent to you (to cover the shortfall for the 3000 VA shares) **I have now used up the R1 000 000 that I am allowed to send out of SA**. Do you know a way around this?

Looking forward to hearing from you.

Regards

Nicholas

11<sup>th</sup> May, 2016

Dear Nicholas,

Please find the **adjusted invoice with the temporary margin**. In order to help you with the transfer I have asked our Controller to prepare a services rendered invoice which our South African clients use to exceed their transfer limit. This simply becomes an invoice that you are paying for services outside your country and is **completely legal** as well.

Sincerely,

Robert Knight  
Director of International Development



# APPENDIX 30

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## INVOICE

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Representative Agent  
Robert Knight  
Director of International Development

Date 11 May 2016

Account# 8878/MD

Reference#   
999067

Settlement Immediately

Due Date Immediately

Payment Method Bank Transfer

This invoice pertains to the outstanding balance on your account.  
Reference#: 999056

Outstanding Balance:	\$75,750.00
Commissions:	\$0.00
Penalties:	\$0.00
Interests:	\$0.00
50% Temporary Margin:	\$37,875.00
Paid:	\$0.00
Total:	\$37,875.00

Please settle payment by wire transfer using banking details provided.

Signature \_\_\_\_\_ Date \_\_\_\_\_

# APPENDIX 31



## CONTRACT FOR BUSINESS CONSULTANCY

Account Number: 8878/MD  
Client Name: Nicholas Jacques Papenfus  
Address: 19 Cuyler Street, Constantia Kloof, Johannesburg, 1709, South Africa  
Date and length of Contract: 01 March 2016 – 01 May 2016

This agreement is made by and Between Rosendale Worldwide Limited, referred to as "Company" and Mr. Nicholas Jacques Papenfus whose address is, 19 Cuyler Street, Constantia Kloof, Johannesburg, 1709, South Africa, referred to as "Client".

1. Consultancy and Business Development Services. The client formally employs the company to perform the following services in accordance with the terms and conditions so noted in this agreement: The company will consult with the officers and employees of the client concerning matters regarding the management and organization of the client's business, the financial practices, the terms and conditions of employment, and any other matters arising out of the business activities of the client.

2. Terms of Agreement. This agreement will begin on March 01, 2016 and will end on May 01, 2016. Either party may cancel this agreement with seven (7) days notice to the other party in writing, by registered mail or personal delivery.

3. Place Devoted by Company. It is expected the company will spend approximately 120 hrs in meeting its obligations under this contract. The amount of time may vary from day to day or week to week.

4. Employment of Others. The client may occasionally request that the company arrange for the services of others. All costs to the company for those services will be paid by the client but in no event shall the company employ others before seeking authorization of the client.

5. Place Where Services Will Be Rendered. The company will perform services via telephone and at other places as designated by the client to perform the required services in accordance with this agreement.

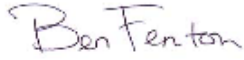
6. Independent Contractor. Both the company and the client agree that the company will act as an independent contractor in the performance of its duties under this contract. Accordingly, the company shall be responsible for payment of all taxes including Federal, State and local taxes arising out of the company's activities in accordance with this contract, including by way of illustration but not limitation, Federal and State income tax, Social Security tax, Unemployment Insurance taxes, and any other taxes or business license fee as so required.

7. Confidential Information. The company concurs that all information received by the company during any promotion of the company's practices in accordance with this contract, which concerns the personal, financial or other affairs of the client will be treated by the company in strictest confidence and will not be revealed to any persons, entities or competitors whatsoever.

8. It is understood that circumstances arising during this consultancy may require the activities described above to be replaced with other activities of an equivalent value. Such changes will be based on mutual agreement of both parties, which may be recorded as an addendum to this agreement, or as a letter from one party to the other.

9. Signatures. Both the company and the client agree to the above contract.

Signed by:

Company:   
Mr. Ben Fenton

Date: 01 / 03 / 16

Client: Mr. Nicholas Jacques Papenfus

Date: \_\_\_\_\_



## INVOICE FOR BUSINESS CONSULTANCY

Invoice Number: 999067  
Client Name: Nicholas Jacques Papenfus  
Address: 19 Cuyler Street, Constantia Kloof, Johannesburg, 1709, South Africa  
Date and length of Contract: March 01, 2016 – May 01, 2016

This invoice is for business development and consultancy services carried out by Rosendale Worldwide Limited on behalf of Mr. Nicholas Jacques Papenfus as agreed forthwith.

The client will be invoiced for 116.54 hours completed service, or parts thereof at the rate of \$325.00 USD per hour.

Total invoice amount: \$37,875.00 USD

Settlement due: Immediately

Service provision will encompass some or all of the following: market research and investigation, financial planning, consultancy, marketing and legal services, relating to development of the clients' business.

Please settle this invoice by wire transfer using the details provided.

Beneficiary Name:	<b>ROSENDALE WORLDWIDE LIMITED</b>
Beneficiary Bank:	<b>BANK OF COMMUNICATIONS CO., LTD</b> NO. 188, YINCHENG ZHONG ROAD SHANGHAI 200120 CHINA
Swift Code:	<b>COMMCN3XOBU</b>
Account Number:	<b>OSA90000090045100</b>

In the additional information field of your transfer instruction please note your invoice number **ONLY**. This allows us to confirm safe receipt of your remittance.

Invoice number: **999067**

Please ensure that the information is completed exactly as it appears above.

# APPENDIX 32

16<sup>th</sup> May 2016

11<sup>th</sup> May, 2016

Hello Robert

Thank you very much for the documents. Let me read them carefully tonight and return them to you tomorrow.

Regards

Nicholas

13<sup>th</sup> May, 2016

Dear Nicholas,

Hope all is well. I will call you on Monday to see if you have any questions regarding the Services rendered invoice. Have a great weekend. Keep a eye on NVDA it's soaring today on a upgrade.

Sincerely,

Robert Knight

Sent from  
Samsung  
Mobile.

13<sup>th</sup> May, 2016

Hello Robert

No problems with the GKA services at all!

I have submitted the various documents that the bank wanted and they say it takes about seven days for the **bond** to be approved - so I am quite hopeful that I will be able **to raise the funds** for the warrants.

I do apologise for not signing and sending back the docs you sent - things have been a bit wild at work! However I will attend to this first thing on Monday.

Best regards

Nicholas

16<sup>th</sup> May

Hello Robert

I spoke to my brother over the weekend about the constraint of only being allowed to send out R1000 000 per year, and he is willing to send the funds to GNA on my behalf. I would prefer to do it this way rather than pay the invoice that you generated for consulting fees.

So as soon as the new bond is approved (hopefully) I will transfer the funds to my brother and he will send them on to you in the usual way.

Will this be in order?

Thank you once again for lending the 50% - without this it would have been much more difficult (if at all possible) to have raised the funding.

Best regards

Nicholas

Dear Nicholas,

Yes, that would be fine if your brother sent the funds.

Once you have signed the doc's and sent them, I will give them to our Controller and indicate **the payment will be done late this week or early next week** as per your mail.

Let me know if your brother need an invoice in his name or is the one I have given you okay.

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

17<sup>th</sup> May, 2016

# APPENDIX 33

17<sup>th</sup> May, 2016

Hello Robert

Thank you for your mail.

No, I don't think that my brother will need the invoice in his name in order to make the transfer. As far as I know he simply goes to the bank (and I will accompany him) and fills in the Standard Bank's "Application to buy foreign currency". He only needs to produce the "Banking Instructions" that you have already sent me for this trade.

However, instead of sending back the full \$100 000 to me, would it be possible to send the \$37875 directly back to his account?

So the process is (a) I send him the equivalent in rands of \$37875, (b) he sends your bank \$37875, then (c) a few days later after the short sale, your bank sends back the \$37875 into his account, and finally (d) he sends me back the equivalent in rands. This seems to me to be a simple enough way of doing it?

Of course this all hinges on the Standard bank approving the bond - hopefully I will hear by the end of the week!

Looking forward to hearing from you.

Regards, Nicholas

Dear Nicholas,

Hope you are well. Ok no problem as far as your brother goes. I will show the Controller your email and I am sure it can be done directly to your brother's account. I will of course need your brother's bank details so we can execute the \$37,875.00. Please keep me informed of the progress and could you please sign the invoice and send me a copy to give to the Controller?

Sincerely,

Robert Knight  
Director of International  
Development



# APPENDIX 34

18<sup>th</sup> May, 2016

Hello Robert

Please find herewith the signed invoice as requested for the 3000 VA Warrants. **Of course this all still hinges on the Standard Bank granting the bond** - hopefully I should hear from them in the next day or two.

Many thanks again for your encouragement and guidance.

Regards,

Nicholas

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Koreji,  
Shinjuku-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 5163  
Fax: +81 3 4330 1946

## INVOICE

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Date 11 May 2016

Account# 8878/MD

Reference#



999056

Representative Agent  
Robert Knight  
Director of International Development

Settlement Immediately

Due Date Immediately

Payment Method Bank Transfer

This invoice pertains to the outstanding balance on your account.  
Reference#: 999056

Outstanding Balance:	\$75,750.00
Commissions:	\$0.00
Penalties:	\$0.00
Interests:	\$0.00
50% Temporary Margin:	\$37,875.00
Paid:	\$0.00
Total:	\$37,875.00

Please settle payment by wire transfer using banking details provided.

20<sup>th</sup> May, 2016

Hello Robert

Hope you are keeping well.

Today the bank informed me that the documents they previously requested, and which I duly sent them, are not sufficient, and now they are asking for a list of my **assets and liabilities**, and the **financial statements** of the company - as I am the sole director of the company they are not satisfied with just a payslip as proof of income. But while this is a painful waste of time, it should hopefully guarantee the approval of the bond since I don't really have any liabilities to speak of on the one hand, and the company is doing quite well on the other. I will see my accountant on Monday and hopefully the financials should be done on Tuesday. Then perhaps by Friday the bond will be approved. All very frustrating but I suppose the bank does have to be cautious.

I'll keep you posted on developments.

Have a restful week end.

Regards

Nicholas

# APPENDIX 35

23<sup>rd</sup> May, 2016

Dear Nicholas,

Hope you are well. Can you please update me on the payment please?

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

24<sup>th</sup> May, 2016

Dear Nicholas,

I had to leave early yesterday so I didn't have a chance to write back until. Your email was stuck behind another email page they printed out so I didn't see it until after you replied back. Sound like everything is in order. I hope you will be able to make the transfer sometime of Friday as that way it will clear in time before the end of the month when we expect the deal to close.

Sincerely,

Robert Knight  
Director of International  
Development

24<sup>th</sup> May,  
2016

Hello Robert,

Thank you for your reply. I am working hard on it - I hope to have the **financials with the bank by tomorrow**. Unfortunately I am in their hands, and I cannot predict how much longer they will take.

Best regards

Nicholas

26<sup>th</sup> May, 2016

Hello Robert

Just a short update. The financials that the bank wanted were completed latish yesterday and sent off the bank. **Hopefully the bond will be approved** and we will hear from them today.

I can only ask you to please be patient a little longer – this is very trying for me too.

Best regards

Nicholas

26<sup>th</sup> May, 2016

Dear Nicholas,

Okay thank your for the update. If you hear from the bank today please let me know so I can let the Controller know.

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946



27<sup>th</sup> May, 1960

Hello Robert

I am still waiting for an answer from the bank – please see below for recent correspondence between us.  
I'll contact you as soon as I hear from them – hopefully later today.

Best regards

Nicholas

# APPENDIX 36

**From:** Ahmed, Nasheema N [<mailto:Nasheema.Ahmed@standardbank.co.za>]

**Sent:** Thursday, May 26, 2016 09:56

**To:** Nicholas Papenfus <[nicholas@damsforafrica.com](mailto:nicholas@damsforafrica.com)>

**Subject:** RE: PAPENFUS ref number 5378821

Good day Sir

Your application has been referred to credit.

Regards

**From:** Nicholas Papenfus [<mailto:nicholas@damsforafrica.com>]

**Sent:** 25 May 2016 08:41 PM

**To:** Ahmed, Nasheema N

**Subject:** RE: PAPENFUS ref number 5378821

Hello Nasheema

Please find attached the requested business financials for Concrete Doors and Vaults (Pty) Ltd, for the first two months of this financial year. I have also included a list of my personal assets and liabilities in case you also wanted to see that. (I am trying to speed this up). I have also included proof of the purchase of 3000 Virgin Airlines shares (an offshore investment) as that is quite a substantial amount of my assets.

Hoping to hear from you soon.

Regards

Nicholas

**From:** Ahmed, Nasheema N [<mailto:Nasheema.Ahmed@standardbank.co.za>]

**Sent:** Tuesday, May 24, 2016 09:40

**To:** [nicholas@damsforafrica.com](mailto:nicholas@damsforafrica.com)

**Subject:** PAPENFUS ref number 5378821

Good day Dr Papenfus

Kindly submit the Business financials please for us to proceed with your application. To [NewHomeLoansJHB@standardbank.co.za](mailto:NewHomeLoansJHB@standardbank.co.za)

Regards

Nasheema

Standard Bank email disclaimer and confidentiality note Please go to <http://www.standardbank.co.za/site/homepage/emaildisclaimer.html> to read our email disclaimer and confidentiality note.

Kindly email [disclaimer@standardbank.co.za](mailto:disclaimer@standardbank.co.za) (no content or subject line necessary) if you cannot view that page and we will email our email disclaimer and confidentiality note to you.

30<sup>th</sup> May, 2016

Dear Nicholas,

Hope you had a good weekend. Have you had any update on the funding yet?

The deal is very close to closing and VA just reported very good earnings which suggest the deal will close on time.

Sincerely,

Robert Knight  
Director of International  
Development

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

1<sup>st</sup> June

Hello Robert

I trust you are keeping well. Allow me to give you a brief summary of how the bond application has progressed.

I first made an on line application for a bond, I think on the 9<sup>th</sup> May. I received a notice on 11<sup>th</sup> May to say that I had passed their 'pre-screening test', and was told that it takes between 7 to 10 days for the bond to be approved – which would have been fine.

After some days they came back and said they could not only go on my salary alone, as reported in the on line application, and which is easily verifiable from my bank statements, but as I was the director, they also needed the financials of the company. This took a few days to put together, and was eventually sent to them on 25<sup>th</sup> May (last Wednesday).

On Monday I mailed them and asked how they were progressing – but no reply yet – I can only hope that I will be hearing from them soon!!

Please bear with me a little longer!

Regards, Nicholas

# APPENDIX 37

2016-06-02

Hello Robert

I trust you are well.

Please scroll down to see the somewhat muddled reply from the bank. It is obvious that they are not confident that my financial position is sound, and they are now asking for two years of 'financials'. This is problematic for me as the company Concrete Doors and Vaults has only been trading since about August 2015, and the previous company 'Dams for Africa Pty Ltd' which I have been winding down, was more or less in a breakeven position – and I do not think this will impress their 'home loans' department. The bank also has access to all my accounts, which previously looked healthy, but nearly all now have substantial negative balances owing to me having to borrow to the hilt to get the funds for the 3000 VA shares! So obviously when they look at these various negative balances eyebrows are raised, and they are now being extremely cautious.

The bank also has access to all my accounts, which previously looked healthy, but nearly all now have substantial negative balances owing to me having to borrow to the hilt to get the funds for the 3000 VA shares! So obviously when they look at these various negative balances eyebrows are raised, and they are now being extremely cautious. The fact that our order book in the business is good, and the company is set to do well, is not factored in. I suppose that over the years they have heard so many promises that were not realised that they now only look backwards at past performance – for small companies like Concrete Doors and Vaults at any rate. I'm not sure what to do now?

One course of action that I think could work is to apply for a bond from another bank, where they do not have access to all my accounts, and down play that I am the sole director. The new bank will presumably be satisfied with a bank statement from my existing bank showing my last three month's salary – as far as I know this is their main criteria for employed individuals.

If you are in agreement I will proceed on these lines.

It is a pity we do not have more time, since, as I have said, the forward orders for the company are looking good, and I could most probably come up with the funds from the profits – but this will probably take at least a year!

# APPENDIX 38

**From:** Ahmed, Nasheema N

[<mailto:Nasheema.Ahmed@standardbank.co.za>]

**Sent:** Thursday, June 2, 2016 08:27

**To:** Nicholas Papenfus <[nicholas@damsforafrica.com](mailto:nicholas@damsforafrica.com)>

**Subject:** RE: PAPENFUS ref number 5378821

Good day Mr Papenfus

Trust you are well. I am really sorry for only getting back to you today. I spoke to credit and they requested the following..

The financials is not 2yrs latest financials and  
PSAL

Income letter from accounts

Regards  
Nasheema

8<sup>th</sup> June, 2016

Hello Robert

As per our discussion a few minutes ago, please find herewith the 'List of Trades' that I put together yesterday and earlier this morning. Please let me know if you are in agreement.

Many thanks, Nicholas

# APPENDIX 39

HISTORY OF TRADES MADE ON NASDAQ BY ROBERT KNIGHT ASSOCIATES (TOKYO) ON BEHALF OF NICHOLAS PAPENFUS (SOUTH AFRICA) - ALL AMOUNTS IN TABLE ARE IN USD														
TRADE	DATE	ACTION	SHARE'S ID	CASH INVEST-MENT	50% GNA MARGIN	REINVEST SALE	TOTAL OF BUYING FUNDS	PRICE	QTY	TOTAL	COMMISSION ON BUY	COMMISSION ON SELL	NET TOTAL	PROFIT
1	19 JAN	BUY	SWKS	5997				59.97	100	5997	0.00		5997.00	
	15 FEB	SELL	SWKS					62.75	100	6275		0.00	6275.00	278.00
2	15 FEB	BUY	MFLX	6100		6275.00	12375.00	16.50	750	12375	0.00		12375.00	
	19 FEB	SELL	MFLX					24.05	750	18037.5		180.38	17857.12	5482.12
3	19 FEB	BUY	NVDA			17857.12	17857.12	27.45	650	17842.5	14.62		17857.12	
	8 MAR	SELL	NVDA					32.34	650	21021		0.00	21021.00	3163.88
4	10 MAR	BUY	CHK			21021.00	21021.00	3.50	6000	21000	21.00		21021.00	
	10 MAR	BUY	CHK(W)	24240				2.00	12000	24000	240.00		24240.00	
	05 APR	SELL	CHK					4.95	18000	89100		891.00	88209.00	42948.00
5	5 APR	BUY	VA	27688.5		88209.00	115897.50	38.25	3000	114750	1147.50		115897.50	
	25 APR	SELL	VA					55.82	3000	167460		1674.60	165785.40	49887.90
THE NEXT TRADE IS STILL PENDING - IT IS SUBJECT TO THE STANDARD BANK OF SOUTH AFRICA GRANTING A BOND ON MY RESIDENCE IN ORDER FOR ME TO FUND THE 'CASH INVESTMENT'														
6	11 MAY	BUY	VA(W)	37500	37500		75000.00	25.00	3000	75000	750.00		75750.00	
						STILL 'OPEN' - PRICE AS OF 6TH JUNE WAS								
	????	SELL	VA(W)			\$56.09		56.09	3000	168270		1682.70	166587.30	90837.30

8<sup>th</sup> June, 2016



Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

# APPENDIX 40

Dear Nicholas,

Good job on the spreadsheet. Your figure are correct as I can see from here. I have some good news for you. The Controller has offered to go to 75% on the margin but we need to get it done quickly as he says the ACSO will be in our offices with him doing their regular accounts audit and they know our policy of 50%. At least I was able to get some help.

Sincerely,

Robert Knight  
Director of International  
Development

## INVOICE

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Representative Agent  
Robert Knight  
Director of International Development

Date 08 June 2016

Account# 8878/MD

Reference#



Settlement Immediately

Due Date Immediately

Payment Method Bank Transfer

This invoice pertains to the outstanding balance on your account.  
Reference#: 999056

Outstanding Balance:	\$75,750.00
Commissions:	\$0.00
Penalties:	\$0.00
Interests:	\$0.00
Temporary Margin (75%):	\$56,812.50
Paid:	\$0.00
Total:	\$18,937.50

Please settle payment by wire transfer using banking details provided.

### Banking Instructions

Beneficiary Name: **ROSENDALE WORLDWIDE LIMITED**  
Beneficiary Bank: **BANK OF COMMUNICATIONS CO., LTD**  
NO. 188, YINCHENG ZHONG ROAD  
SHANGHAI 200120  
CHINA  
Swift Code: **COMMCN3XOBU**  
Account No.: **OSA90000090045100**  
Amount: **\$18,937.50 USD**  
Reference Number: **999094**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking instructions please write: PAYMENT FOR INVOICE 999094  
This will help us to allocate your payment against your trade.

Signature \_\_\_\_\_ Date \_\_\_\_\_



# APPENDIX 41



## CONTRACT FOR BUSINESS CONSULTANCY

Account Number: 8878/MD  
Client Name: Nicholas Jacques Papenfus  
Address: 19 Cuyler Street, Constantia Kloof, Johannesburg, 1709, South Africa  
Date and length of Contract: May 01, 2016 – May 30, 2016

This agreement is made by and Between Rosendale Worldwide Limited, referred to as "Company" and Mr. Nicholas Jacques Papenfus whose address is, 19 Cuyler Street, Constantia Kloof, Johannesburg, 1709, South Africa, referred to as "Client".

1. Consultancy and Business Development Services. The client formally employs the company to perform the following services in accordance with the terms and conditions as noted in this agreement: The company will consult with the officers and employees of the client concerning matters regarding the management and organization of the client's business, the financial practices, the terms and conditions of employment, and any other matters arising out of the business activities of the client.

2. Terms of Agreement. This agreement will begin on May01, 2016 and will end on May 30, 2016. Either party may cancel this agreement with seven (7) days notice to the other party in writing, by registered mail or personal delivery.

3. Time Devoted by Company. It is expected the company will spend approximately 60 hrs in meeting its obligations under this contract. The amount of time may vary from day to day or week to week.

4. Employment of Others. The client may occasionally request that the company arrange for the services of others. All costs to the company for those services will be paid by the client but in no event shall the company employ others before seeking authorization of the client.

5. Place Where Services Will Be Rendered. The company will perform services via telephone and at other places as designated by the client to perform the required services in accordance with this agreement.

6. Independent Contractor. Both the company and the client agree that the company will act as an independent contractor in the performance of its duties under this contract. Accordingly, the company shall be responsible for payment of all taxes including Federal, State and local taxes arising out of the company's activities in accordance with this contract, including by way of illustration but not limitation, Federal and State Income tax, Social Security tax, Unemployment Insurance taxes, and any other taxes or business license fee as so required.

7. Confidential Information. The company concurs that all information received by the company during any promotion of the company's practices in accordance with this contract, which concerns the personal, financial or other affairs of the client will be treated by the company in strictest confidence and will not be revealed to any persons, entities or competitors whatsoever.

8. It is understood that circumstances arising during this consultancy may require the activities described above to be replaced with other activities of an equivalent value. Such changes will be based on mutual agreement of both parties, which may be recorded as an addendum to this agreement, or as a letter from one party to the other.

9. Signatures. Both the company and the client agree to the above contract.

Signed by:

Company:

Mr. Ben Fenton

Date: 01 / 05 / 16

Client:

Mr. Nicholas Jacques Papenfus

Date: \_\_\_\_\_

## INVOICE FOR BUSINESS CONSULTANCY

Invoice Number: 999094  
Client Name: Nicholas Jacques Papenfus  
Address: 19 Cuyler Street, Constantia Kloof, Johannesburg, 1709, South Africa  
Date and length of Contract: May 01, 2016 – May 30, 2016

This invoice is for business development and consultancy services carried out by Rosendale Worldwide Limited on behalf of Mr. Nicholas Jacques Papenfus as agreed forthwith.

The client will be invoiced for 58.26 hours completed service, or parts thereof at the rate of \$325.00 USD per hour.

Total invoice amount: \$18,937.50 USD

Settlement due: Immediately

Service provision will encompass some or all of the following: market research and investigation, financial planning, consultancy, marketing and legal services, relating to development of the clients' business.

Please settle this invoice by wire transfer using the details provided.

Beneficiary Name:	<b>ROSENDALE WORLDWIDE LIMITED</b>
Beneficiary Bank:	<b>BANK OF COMMUNICATIONS CO., LTD</b> NO. 188, YINCHENG ZHONG ROAD SHANGHAI 200120 CHINA
Swift Code:	<b>COMMCN3XOBU</b>
Account Number:	<b>OSA90000090045100</b>

In the additional information field of your transfer instruction please note your invoice number **ONLY**. This allows us to confirm safe receipt of your remittance.

Invoice number: **999094**

Please ensure that the information is completed exactly as it appears above.

# APPENDIX 42

8<sup>th</sup> June, 2016

**From:** Ahmed, Nasheema N  
[<mailto:Nasheema.Ahmed@standardbank.co.za>]  
**Sent:** Wednesday, June 8, 2016 09:53  
**To:** Nicholas Papenfus <[nicholas@damsforafrica.com](mailto:nicholas@damsforafrica.com)>  
**Subject:** RE: PAPENFUS ref number 5378821

Good day Mr. Papenfus

Trust you are well today. I sent your application to credit however they

Said that the minimum requirements was not met as your business is only 7 months old.

Regards  
Nasheema



9<sup>th</sup> June, 2016

# APPENDIX 43

Hello Robert

Thank you for your generous offer of a 75% margin.

However, my situation is such that I am currently not even in the position to come in with the remaining 25%.

(I did explain in my mail of 18<sup>th</sup> May that this trade "**hinges on the Standard Bank granting the bond**", and as you know my **application was declined**).

However, there is some good news. We have a healthy order book for our various products (if you are interested in what they look like you can visit [www.concretedoorsandvaults.com](http://www.concretedoorsandvaults.com)). Most of these products are patented, so they get specified by the consulting engineering firm, and we can generally charge a decent price.

We have also had some exciting enquiries - recently we quoted on 230 high security structures x R 115 000 each - at a 20% profit margin!). So hopefully in the not too distant future there will be some good investments!

But the extreme leverage that I did to secure the 3000 VA shares, which was meant to be a quick in and out deal as you know, has left me in a position where the business is running into serious cash flow issues, and I now need a sizeable cash injection to cover current production costs (raw materials, wages etc). I must therefore ask you to please transfer 30,000 USD into my account as soon as possible please.

This represents less than half the amount I have currently invested, and there should also be \$ 101760 available in the kitty from the various profits.

Finally I do realise that the profits could have been much higher if I could have come up with the additional 25%, but I'm afraid that has just been one bridge too far!

The important is that there is now an understanding between us – and while relationships take time, I'm sure you'll agree that they are the only sustainable way forward. There will always be other interesting deals.

Looking forward to hearing from you soon.

Many thanks.

Nicholas

10<sup>th</sup> June, 2016

Dear Nicholas,

Good to speak to you today. As I mentioned on the phone the warrants are attached to the shares and can't be taken off. They must be exorcised or paid for. Very importantly is the 75% margin. We have gone above our normal level in order to assist you in this matter. However with the monthly audit coming up we must have this cleared or it could become a problem for us as well as for your account. I do not like to mention the additional pressure but I need you know all the facts. Please enjoy the weekend.

Sincerely,

Robert Knight

Director of International Development

Garrett Knight Associates

Aria Shinagawa, Level 22,

1-9-36 Konan,

Minato-ku, Tokyo,

Tokyo-to, Japan

Phone: +81 3 4540 6163

Fax: +81 3 4330 1946



30<sup>th</sup> June, 2016

# APPENDIX 44

Hello Robert,

Jesus said "pray for those who despitefully use you" and "forgive your enemies" - and so I have forgiven you and am praying for you - that you will change your ways! (There is little doubt in my mind that you and your colleagues have tricked me into sending you all my savings and worse I have borrowed to such an extent that my business is now facing a severe cash flow situation).

Please remember that while you have out-smarted me, you have not out-smarted God, and while I have no way of finding you, God knows precisely where you are, and please also remember that your life in this world depends on your next heartbeat, and your next breath of air - both compliments from God - who is my beloved Father and who is very angry with you and your colleagues for what you have done to me and many others!

There is however a way out of the dangerous situation you now find yourselves in:

- (a) stop it (repentance)
- (b) start following Jesus (salvation)
- (c) give the monies back (restitution)

I hope you heed this and that I see you in heaven.

Meanwhile I'll keep praying for you.

Sincerely

Nicholas

6<sup>th</sup> July

# APPENDIX 45

Hello Nicholas,

This is a letter to confirm that I am currently at Garrett Knight Associates in Tokyo, Japan and as I mentioned to you in our telephone conversation my strategy for managing portfolio's and more importantly funds (ETF's) depends on having a strong position on each company that we hold. My strategy for you is to have you retire on your 65th birthday (06/03/17).

I will be more than pleased to meet your friend here in Tokyo and show him my I.D. just to put your mind at ease. I did inform a secretary to have Robert give you a call or send an email to you introducing me to you. It was a pleasure speaking with you on the phone today and we'll talk soon.

Best Regards,

Ian Feldman

Senior Portfolio Manager

Garrett Knight Associates

Phone: +81 3 4540 6163

7<sup>th</sup> July, 2016

Dear Nicholas,

I received an email telling me to send an email to you. I am currently out of the country due to a family emergency and am not sure when I will be back to return work. I have asked my office to send this email on my behalf. I also understand that Mr. Ian Feldman has been in contact with you. Let me just say this, I wish I were a work to meet Mr. Feldman. He has had a huge impact on my life. Be honored to be speaking with a financial genius. I apologize that I am unable to call you but please understand my current situation.

Sincerely,

Robert Knight

Director of International Development

# APPENDIX 46

14<sup>th</sup> July 2014

Hello Ian

We spoke two days ago and you gave me some **homework** to do on 2nd,3rd, 4th markets, as well as regulation T and 50% margin requirement.

However things have been really busy, and I will probably only get to the reading you recommended over the week end. Can we rather therefore chat on Monday?

Regards

Nicholas

25<sup>th</sup> July, 2016

Hello Ian

I hope you are well.

I have had a look at the history of the VA shares on the open market. On 30<sup>th</sup> March they closed at \$38.48, which closely corresponds to the price that GKA purchased these shares on my behalf (\$38.25). Then on 25<sup>th</sup> April GKA took out a short sale at \$55.82, which is also close to the closing on that day (\$55.45). So that all adds up.

My question therefore is – why would GKA buy them on the secondary market as you state, with warrants attached, as you state, when they were available on the open market at the same prices with no warrants attached?

Looking forward to hearing from you.

Regards

Nicholas

# APPENDIX 47

25<sup>th</sup> July, 2016

Hello Nicholas,

As you can see your total for the warrants is 75K, under regulation T margin requirements, GKA can help cover up to **50%**, your warrants are exercisable at \$50.00 per share and expire April 05, 2017.

Best Regards,

Ian Feldman  
Senior Portfolio Manager

Garrett Knight Associates  
Phone: +81 3 4540 6163

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Date 25 July 2016

Account# 8878/MD

Reference#



Representative Agent  
Ian Feldman  
Senior Portfolio Manager

Settlement T+1

Due Date 26 July 2016

Payment Method Bank Transfer

Date	Action	Symbol	Price	Quantity	Commission	Total
25 Jul 16	Buy	VA(W)	\$25.00	3000	\$0.00	\$75,000.00

Margin (50%): \$37,500.00 USD

Subtotal	\$75,000.00
Adjustments	\$0.00
Other	\$37,500.00
Grand Total	\$37,500.00

Signature

Date

28<sup>th</sup> July, 2016

Hello Ian

# APPENDIX 48

I hope you are well.

Following the matters we discussed on the phone I would like to refer you to Robert's comments on 4th April - please see below. The Friday night he speaks of was the 1st of April, and on this day VA closed on \$38.90 on the open market - which of course is easy to verify on the internet. On the Monday 4th it closed on \$55.11, and has been gaining slightly since then and is currently \$56.29.

It is apparent from what he says that Robert purchased a block of shares on behalf of his various clients late on the Friday, and informed them on the Monday, myself included.

I received the Trade confirmation from Robert on Tuesday 5th April, where the stated purchase price was \$38.25, which ties in closely with the \$38.90.

From this it is clear that the shares were bought on the open market, and are not linked to warrants.

I would now like you to please sell my 3000 VA shares, on the open market, with immediate effect, and send \$64 026 back to my South Africa account, and then reinvest the balance - which will be a bit more than \$100 000, so plenty for you to work with.

Please respond by return email rather than a phone call.

Yours sincerely

Nicholas

1<sup>st</sup> August

# APPENDIX 49

Hello Nicholas,

In response to your E-mail, your “Order” was placed before April 1<sup>st</sup> 2016 and was signed May 18 for the warrants. You also did not pay for your VA normal shares on time; this only was done after the share price went up in value. So, you have 3 options:

1. Pay your 50% margin on the VA warrants.
2. Be brought up on charges for “Free Riding” in which penalties are harsh.
3. Obtain legal counsel and go to court, which means you will have to pay for both attorneys plus outstanding balance.

I really don't like having to write letters as this but you left me no recourse.

Regards,

Ian Feldman  
Senior Portfolio Manager

10<sup>th</sup> August

Hello Ian

Perhaps the second option (see your mail below) "2. Be brought up on charges for “Free Riding” in which penalties are harsh" may be the quickest way to get the ball moving again. How serious are the penalties?

(I have been quite ill with flu and only expect to be back at the office later today, if I feel better, so please reply by email).

Regards

Nicholas

# APPENDIX 50

2<sup>nd</sup> August

Hello Nicholas,

This is a quick email to inform you that Garrett Knight Associates has changed his service providers and is upgrading their systems as well.

Please reply to this email for future contact. Sorry for any inconvenience.

Best regards,

Ian Feldman

Garrett Knight Associates  
Phone: +81 3 4540 6163

5<sup>th</sup> August, 2016

Delivery to the following recipient failed permanently:

[i.feldman@garrettknightmail.com](mailto:i.feldman@garrettknightmail.com)

Technical details of permanent failure:

The recipient server did not accept our requests to connect.

Learn more at  
<https://support.google.com/mail/answer/7720>

[garrettknightmail.com  
209.99.40.222: socket error]

13<sup>th</sup> August, 2016

Delivery to the following recipient failed permanently:

[i.feldman@garrettknightmail.com](mailto:i.feldman@garrettknightmail.com)

Technical details of permanent failure:

The recipient server did not accept our requests to connect.

Learn more at  
<https://support.google.com/mail/answer/7720>

[garrettknightmail.com  
209.99.40.222: socket error]

11<sup>th</sup> August 2016

Hello Nicholas,

This letter is to inform you that Garrett Knight Associates has decided to rescind its offer for the 50% margin loan, based on the fact that the margin has been in overdue status for over 1 month, feel free to contact me anytime.

Best regards,

Ian Feldman  
Senior Portfolio  
Manager

Garrett Knight  
Associates  
Phone: +81 3 4540  
6163

# APPENDIX 51

22<sup>nd</sup>, August 2016

Hello Ian

I trust you are keeping well.

Regarding the freezing of my account because I could not come up with the 50% to pay for the warrants that you insist are attached to the 3000 VA shares I wish to point out that GKA neglected to do a due diligence on this stock before they bought the shares on my behalf. GKA was already fully aware that I would have to borrow up to the limit to obtain this stock and so they should have made sure that the VA shares were not encumbered with warrants in any way, and especially to the amount of 75 000 USD. As my brokers and advisors you were negligent in this regard and should not therefore shift the blame or responsibility onto your client.

I therefore must insist that you sell the 3000 VA shares and return that portion of the proceeds that I have invested with GKA to date. Please invest the remainder as you see fit – but with my approval first.

Looking forward to your response by return email. (While I appreciate your phone calls I find all the information that you tell me difficult to remember and process).

Regards

Nicholas

22 August, 2016

Hello Nick,

This letter is to inform you that with a 10K payment, I would have some leverage in negotiating with the Directors of Garrett Knights Associates, with your 10K, I can start liquidating your account in increments until the account is settled.

Best regards,

Ian Feldman  
Senior Portfolio  
Manager

Garrett Knight  
Associates  
Phone: +81 3 4540 6163



# APPENDIX 52

29<sup>th</sup> August 2016

Dear Mr. Papenfus,

It was a pleasure speaking with you today.  
Here my contact details,  
[m.gordon@garrettknight.com](mailto:m.gordon@garrettknight.com) so we can  
correspond directly. I will call you again on  
Friday 10am as discussed.

Regards,

Mike Gordon  
Senior Portfolio Fund Manager

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

5<sup>th</sup> September

Hello Mike

Thank you for sending your contact details.

I have been giving our discussion some thought, and I was wondering if you are registered with the Financial Services Board in South Africa? Given that you have quite a few clients in South Africa (as was mentioned by Robert Knight) I assume that you are registered? If so can you please send me your registration number. This will give me more confidence with regard to raising additional funds to exercise the warrants under discussion.

(For more info on the FSB please google 'FSB'.

Looking forward to your reply.

Regards

Nicholas

September 5, 2016

From:  
Mike Gordon  
Senior Portfolio Fund Manager

To:  
8878/MD  
Nicholas Jacques Papenfus  
South Africa

By email: Nicholas@damsforafrica.com

Dear Mr. Papenfus,

Following our conversation, you have two options for your account:

Option 1:

I will give you access to my personal fund margin account to cover the differences on said warrants allocation. Outstanding balance for VA(W) for the amount of \$75,000.00 USD. Use my personal fund margin in the amount of \$70,000.00 USD, leaving you with outstanding balance \$5,000.00 USD. Once your payment is cleared, you will be in ownership of 6,000 shares in total of VA with today's market price of \$55.82 USD per share totaling \$334,920.00 USD minus \$70,000.00 USD that needs to be repaid to my personal fund margin account.

Option 2:

You choose not to exercise your said VA(W), leaving you in ownership of just 3,000 common shares of VA with today's market price of \$55.82 USD per share totaling \$167,460.00 USD.

Please inform me at your earliest convenience as to which option you would like to pursue. I look forward to your communication and to speaking with you shortly.

Sincerely,



Mike Gordon  
Senior Portfolio Fund Manager

# APPENDIX 53

6<sup>th</sup> September, 2016

Hello Mike

Thank you for your mail yesterday, and for your call this morning confirming that your fee is 1% of the value of a sale, and that you take it at the back end of a sale.

After careful thought I have decided to go for option 2.

Could you therefore please sell all my 3000 VA common shares today and transfer a net of 100 000 USD into my bank account in South Africa. Please take your 1% commission from the remaining balance.

I would then like you to please re-invest the remaining balance after that, approximately \$167 460 USD (based on yesterday's price) - 100 000 (repatriated amount) - 1000 (your commission) = \$66 460 USD, in stable shares that will show steady growth and yield an attractive dividend, but please confirm with me as to the particular investment that you have in mind before committing.

Looking forward to hearing from you.

Regards

Nicholas

25<sup>th</sup> November,  
2016

# APPENDIX 54

Dear Nicholas,

Further to our conversation please note my details for your reference. I will be in touch by telephone on Monday once I have conducted a quick review of the situation.

Have a pleasant weekend.

Sincerely,

Adam Manning  
HNW Accounts

Garrett Knight  
Associates,  
Tokyo  
Phone: +81 3  
4540 6163

29<sup>th</sup> Nov, 2016

Hello Adam

Thank you for your call yesterday.

As I recall the conversation you explained that the purchase of the 3000 VA shares were part of an institutional trade, and these shares had warrants attached. You further explained that before the 3000 VA shares can be sold the 3000 VA(W) warrants need to be exercised at \$25 per warrant – therefore an amount of \$75000 has to be found. You went on to say that the 'hard way' would be for me to somehow find the \$75 000 (and pay it over as per the other trades). Clearly I do not have this magnitude of money at my disposal at this present time.

You then proposed the 'easy way', whereby I should apply for a 'temporary clearing account' from GKA, which had the advantage of not being hooked up to the regulators for 30 days. However I would have to find \$4183.50, which is 50% of \$8370 (refundable activation deposit), which is 2.5% of the combined value of the 3000 VA shares plus the 3000VA(W) valued at \$55.82/share, (=\$334 920 ). (The \$4183.50 is 50% of the refundable activation deposit since GKA would lend me the remaining 50%). So according to this all I have to do is to find \$4183,50 and then I would have shares to the value of \$334 920, minus the \$75000 to exercise the warrants plus a refund of \$4183.50 = \$ 264 103.50. You would then sell all these shares on my behalf if I so wanted and even repatriate all this money back to South Africa if I wanted. Did I understand you correctly? Please feel free to correct/add to the above text where I may have missed something – I did not follow everything you said yesterday and probably there are some facts above that need correcting please!

Looking forward to hearing from you.

Regards

Nicholas

Please note the corrections to my original mail are shown here in orange font following an explanation by Adam on the phone.

# APPENDIX 55

2016-11-30

Dear Nicholas,

Please find attached the documentation that we discussed yesterday. I will be in touch later today.

Sincerely,


Adam Manning  
HNW Accounts

Garrett Knight  
Associates,  
Tokyo  
Phone: +81 3  
4540 6163

**GARRETT KNIGHT**  
ASSOCIATES

Aris Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

## INVOICE

Client Name & Address	Date	November 30, 2016
Nicholas Jacques Papenfus	Account#	8878/MD
Address on File	Reference#	 ALLPAP
Representative Agent	Settlement	Immediately
Adam Manning	Due Date	Immediately
HNW Accounts	Payment Method	Bank Transfer

This INVOICE pertains to an OUTSTANDING BALANCE on your ACCOUNT:

Net Account Value (Transferable Balance):	\$ 334,920.00
Balance Pending Repatriation:	\$ 334,920.00
-----	
Temporary Clearing Account Balance:	\$ 8,373.00
Invoice Additions:	\$ 0.00
Invoice Deductions:	\$ 4,186.50
Total Balance Due:	\$ 4,186.50

In order to process this invoice, please sign and return this document to your representative. Once complete, a copy of the remittance receipt should also be provided to assist with the tracking of your incoming transfer and the timely processing of your account.

Signature	Date
-----------	------

### GARRETT KNIGHT ASSOCIATES (TOKYO) OMEGA SYSTEM - INTERNAL QUERIES DEPARTMENT

#### SECURITIES / PORTFOLIO QUERY

ACCOUNT NAME: NICHOLAS JACQUES PAPERFUS  
ACCOUNT NUMBER: TCR-125 (ACCOUNT TRANSFER)  
HOLDER ADDRESS: ON FILE / INTERNAL (IR)  
STATUS: PENDING RESOLUTION - ACCOUNT TRANSFER

REFERENCE	DATE	ACTIVITY	COMPLETED	REGISTERED	TRADE SHORTFALL	MARKET VALUE	AV / BALANCE
81102248QD	20161130	REG / NASDAQ: VA USD / 55.82 QNT / 3,000 REF / QMA378846105781	0	PENDING (QKN)	0.00	167,740.00	0.00
98711086QAR	20161006	REG / NASDAQ: VA (M) USD / 55.82 QNT / 3,000 REF / AQ8199020102246	0	PENDING (QKN)	79,000.00	167,740.00	0.00

*Relates to the  
warrant payment*

STAFF CODE: MANNINGA  
LOGIN REF: 5700126481  
QUERY DATE: 20161130  
QUERY REF: 98347711U  
ACCOUNT MANAGER: MANNINGA / ARB  
ACCOUNT SHORTFALL: 79,000.00  
MARKET VALUE: 334,920.00  
AVAILABLE BALANCE: 0.00  
TRANSFER BALANCE: 334,920.00

*The total  
balance  
being trf.  
to the PCA  
Account.*

<https://arrest.logix.garrettknight.com/taffportal/taffquery038772/marckngip/sd-w04611857199lg..>

GARRETT KNIGHT ASSOCIATES (TOKYO) / OMEGA SYSTEM  
CONFIDENTIAL

### Memorandum of Understanding

This Agreement is made by and between Mr. Nicholas Jacques Papenfus, a resident of The Republic of South Africa, hereinafter referred to as 'the Beneficiary', Mr. Jonathan Wahrburg, a representative of Garrett Knight Associates Ltd., hereinafter referred to as 'GKN', and Mr. Adam Manning, the TCA Manager, hereinafter referred to as 'AM'.

The parties agree that upon the Temporary Clearing Account Activation Balance of \$8,373.00 (eight thousand three hundred and seventy three United States Dollars and 20/100 Cents) being transferred by the Beneficiary to an account as nominated by GKN, the assets currently held in account 8878/MD and pending registration in the name of the Beneficiary, as stated on the Invoice 'ALLPAP' will be transferred by GKN into the aforementioned Temporary Clearing Account within a period of no longer than 3 (three) business days.

It is additionally agreed that financing will be provided by GKN to assist the Beneficiary representing an amount of \$4,186.50 (four thousand one hundred and eighty six United States Dollars and 50/100 Cents) which will be refunded to the applicable party upon the closure of said Temporary Clearing Account.

Once the assets have been cleared into the Temporary Clearing Account, within a period of no more than 3 (three) business days the total assets held within the Temporary Clearing Account will be remitted in full in accordance with Regulation T to any account(s) duly nominated by the Beneficiary.


Should the assets assigned to the Beneficiary not be received within a period of 10 (ten) business days from the Temporary Clearing Account Activation Balance being received, the same will be refunded in full and immediately to the Beneficiary.

Further, it is stated that aside from the Temporary Clearing Account Activation Balance as detailed herewith above and the financing package provided by GKN, no further funds whatsoever will be required from the Beneficiary in order to complete the repatriation of the assets held within the account 8878/MD.

Finally, The Beneficiary agrees that once funds have been received in the nominated account(s), he / she / they will confirm receipt in written communication (electronic mail is acceptable) to AM providing notification of the same, at which point the business transaction between the parties as herewith referred to will cease.

Tokyo, Japan  
November 30, 2016

  
Mr. Jonathan A. Wahrburg  
Director, Legal & Compliance Department

  
Mr. Adam H. Manning  
'TCA' Manager

Mr. Nicholas J. Papenfus  
The Beneficiary

**THIS INSTRUMENT IS COMPLETE AND NOTHING FOLLOWS**

# APPENDIX 56

## Settlement Instructions

Beneficiary Name: **METRICS ENTERPRISES LIMITED**

Beneficiary Bank: **Shanghai Pudong Development Bank Co. Ltd.**  
25th Floor, Shenzhen ICC,  
Fuhua 3rd Road, Futian District,  
Shenzhen, China 518048

Swift Code: **SPDBCNSHOSA**

Account No.: **OSA11443632286573**

Amount: **\$4,186.50 USD**

Reference Number: **ALLPAP**

### IMPORTANT NOTE:

In order to ensure swift credit to your trading account in the "reason for payment" portion of your banking instructions please write: PAYMENT FOR INVOICE ALLPAP

This will help us to allocate your payment against your trade.

# APPENDIX 57

1<sup>st</sup> Dec, 2016

Hello Adam

Thank you for sending the docs.

I am working on an email to you – I have a few questions – so no point in you phoning – I may have it ready later today but in all probability I will only send it off early tomorrow to you.

Regards

Nicholas

2<sup>nd</sup> Dec 2016

Hello Adam

My apologies, but I need a bit more time and thought before I could sign the MoA. I am putting together some thoughts that I would like you to look at - but as I am not an experienced trader like you I prefer to carefully formulate my thoughts - and in this regard it helps me to put them in writing. Yesterday was a busy day in the office - but I am sure I will be able to let you have the mail late Sunday or early Monday.

Looking forward to hearing from you soon thereafter.

Regards

Nicholas

5<sup>th</sup> Dec 2016

Hello Adam

Thank you for the documentation.

When we spoke last week I mentioned that I had a serious trust issue with Garrett Knight Associates notwithstanding your new proposal which looks very generous. It almost looks too good to be true!

I have therefore attached a summary of GKA's dealings with me over the course of the year and I would be glad if you would reply to this.

I look forward to hearing from you soon.

Regards

Nicholas

THE CORRESPONDING DOCUMENT IS 8 PAGES, AND TOO LONG TO FIT HERE. PLEASE GO TO THE TAB 'OTHER' TO VIEW THE DOCUMENT. ADAM RESPONDS TO THIS VERBALLY ONLY.



# APPENDIX 58

Hello Adam

Thank you for your call yesterday, and especially for taking the time to respond to my points (a) through to (q).

Several of your comments made sense and have cleared up a few question marks.

But there were other comments that did not do so and in some cases were quite alarming:

Please allow me to summarise the main ones.

## (a) Identification

I am more concerned than ever that the names the GKAs brokers use, yourself included, are not your real names. You will not send a copy of your passports, and you are not prepared to communicate via Skype so I can see what you look like – big red flag.

None of the names, yours included, have a google foot print – I’m not talking about a social media footprint on Facebook or Twitter or Linked in – I can understand your objection to that. But surely Robert Knight for example, the Director of International Development, the son of one of the founders of GNA should be on google by now!

Fictitious names makes all of you untraceable if I or even some state authority such as the FBI, IRS, wishes to trace you. So again, how can you assure me that the names that you go by are your real names?

## (b) Unregulated

You explained that operating in a ‘self-offering’ manner allows you to operate unregulated by government. This opens the door for all kinds of illegal activities – such as you do for your SA clients with your ‘services rendered’ invoice for fictitious consulting services. Your clients could get into a lot of trouble for breaking the law!

## (c) False repatriation promises & no due diligence.

On eight emails throughout the month of April Robert assured me he would repatriate 40k as soon as the transfer cleared at GKA. But a few days after the transfer clears unexpected warrants surface! Thus all the comments he made in April were both false and misleading.

Even if it is true that Robert really did not know about the preferential shares, not for the whole month of April while he was giving me one assurance after another, he is still guilty of serious negligence in not doing a ‘due diligence’, especially as he knew that I was borrowing to the limit to come up with the funds for the VA shares.

## (d) Information withheld

You will not give me any information on the institutional trades of which my shares formed a small part.

## (e) Option 2

In contractual law, when one party makes an offer to a second party, if the second party accepts the offer, then there is a binding contract between the parties. In my case I accepted the Option 2 offer made by GKA: “You choose not to accept your said VA(W), leaving you in ownership of just 3,000 common shares of VA, with today’s market price of \$55.82 USD per share totalling \$ 167 460 USD”.

GKA’s response was to go silent for two months until I started phoning again! It is now time for GKA to carry out their contractual obligation as clearly spelt out above.

Looking forward to hearing from you.

Nicholas

ADAM RESPONDS TO THIS VERBALLY – BUT NO WRITTEN REPLY.

7<sup>th</sup> Dec, 2016

Hello Adam

# APPENDIX 59

Thank you for phoning yesterday and verbally responding to my mail.

I have a few questions as part of a due diligence exercise, that ideally should have been done in January!

Identity: As you will not send me a copy of your passport, and since you will not skype either, may I suggest that I ask a pastor who I know from South Africa (married to a Japanese lady) and who lives in Matsumoto (I think that's what its called - to be confirmed) to pay you a visit at your offices – his name is Grant. Perhaps you could show Grant your UK passport, so he can write down your number even if he does not take a picture, so your face remains anonymous. (I still have no way of knowing if Adam Manning is your real name – but that will settle it!). Then with the pastor there I would like you to please give me a ring so I can talk to both you and Grant. After that I would like you to please introduce the pastor to Robert Knight, so we too can also exchange a few words. And I would be grateful if Robert would also show the pastor his US passport – to record the number, but again, to respect your wishes no pictures will be taken.

Location: If you will let me have the GPS co-ords for your offices I will take it from there. Perhaps while he is there you can take him on a whirlwind tour of GKA's offices so that he can get a feel for the size of your operation.

Holding company: Yesterday when I asked if GKA pays tax in Japan you said they do through the holding company. As a matter of interest may I ask what is the name of the holding company, and its registration number?

Looking forward to hearing from you.

Regards

Nicholas

No response, either verbal or by email was received from GKA.



# APPENDIX 60

20<sup>th</sup> March, 2017

Dear Mr. Papenfus,

It was a pleasure to speak with you today. As discussed, I will be looking after your account with Garrett Knight Associates moving forward.

I am going to be working to find a solution to liquidate your position immediately.

I look forward to speaking with you soon.

Sincerely,

Richard Scott

Senior Asset Manager

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

4<sup>th</sup> April, 2017

# APPENDIX 61

Dear Nicholas,

As discussed, we are able to sell your position in VA by taking over another client's trade which has gone into default.

What this means, a client sold 3,000 shares of VA @ \$55.00 per share (\$162,525.00) and in the same transaction the client bought 5,000 shares of Uber Tech IPO @ \$34.00 per share (\$170,000.00) leaving a balance of (\$7,475.00). Upon settlement of the balance (\$7,475.00) you will hold 5,000 shares of Uber Tech.

Uber Tech will be listing on the Nasdaq Stock Exchange at the beginning of May.

The expected list price will be between \$55.00 - \$60.00 per share. We can then sell your full position on the first day of trading.

Alternatively we are able to sell Uber shares immediately to our clients @\$45.00 per share (\$222,750.00) after the deduction of our 1% brokerage commission. This process would take 5 – 7 business days for the funds to be back in your account.

I trust this is clear.

Kind Regards,

**Richard Scott**

Senior Asset Manager

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163

# APPENDIX 62

5<sup>th</sup> April, 2017

Hello Richard

Thank you for your call yesterday.

However, as I was systematically stripped of my life's savings by Garrett Knight Associates during the course of 2016, which is fully documented in the website "Garrett Knight Exposed", I do not have the \$7475 dollars, and my trust levels in GKN are so low that I would not make the transfer even if I did have the funds - and neither would you if our positions were reversed! While you come across as very knowledgeable and sincere, so did all the other GKN brokers who did this to me.

If on the other hand you could find some means of honouring the contract (offer + acceptance = contract) between myself and GKA (option 2) - see appendix 53 on my website, my confidence in GKA would be substantially restored.

Best regards

Nicholas

Richard Scott did not send an email reply, although he did make several phone calls, always urging 'give me your trust'. He even substantially reduced the amount that I needed to invest. Eventually he gave up when he realised that no amount of pleading would make me make even the smallest 'investment'.

# APPENDIX 63

25<sup>th</sup> Aug, 2017

Dear Mr. Papenfus,

I wanted to email you personally now that I have returned to work.

I am very pleased to be back on board managing your account, there are some very exciting things I have been working on that I expect to be able to share with you soon.

Within the next few days I will have had a chance to review your account in full. Meanwhile please send me a brief email and give me an overview of your current finances (other investments currently held and any major plans etc), this will help get me up to date with your current financial needs so I can service you professionally and help you achieve your goals.

I look forward to speaking with you soon and hope to meet within the coming months.

Sincerely,

**Daniel Rosenthal**

Director of Institutional Trading

# APPENDIX 64

28<sup>th</sup> Aug, 2017

Hello **Daniel**

I am glad to hear that you are back.

I have an investment of \$ 167 460 which should be easy to liquidate for reinvestment.

You mentioned that you were working on an exciting investment opportunity?

Looking forward to your mail.

Regards

Nicholas

# APPENDIX 65

**GARRETT KNIGHT**  
ASSOCIATES

Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

31<sup>th</sup> Aug, 2017

Dear Mr. Papenfus,

Please see attached, sign and return. No funds are necessary. It's simply to activate your account.

Sincerely,

**Daniel Rosenthal**

Director of Institutional Trading

Garrett Knight Associates, Tokyo

Phone: +81 3 4540 6163

## TRADE CONFIRMATION

Client Name & Address  
Nicholas Jacques Papenfus  
Address on File

Date 31 August 2017

Account# 8878/MD

Reference#



Representative Agent

Daniel Rosenthal

Director of Institutional Trading

Settlement N/A

Due Date N/A

Payment Method N/A

Date	Action	Symbol	Price	Quantity	Commission	Total
30 Aug 17	Buy	IMGN	\$6.00	27630	\$5.40	\$165,785.40

	Subtotal	\$165,785.40
Other:	Adjustments	\$0.00
	Other	\$165,785.40
Cash on Account from selling VA \$165,785.40	Grand Total	\$0.00

Signature

Date

# APPENDIX 66

31<sup>th</sup> Aug, 2017

Hello Daniel

Thank you for your mail.

Its good to hear about the sale of the 3000 VA shares for the amount of \$165,785.40. Well done!

I see you are proposing a buy of 27650 IMGN shares with this amount - what does IMGN stand for?

Looking forward to hearing from you.

Regards

Nicholas



# APPENDIX 67

1<sup>st</sup> Sept, 2017

Hi Nicholas,

Very nice speaking with you again and have a nice weekend. Let's speak next week, sign and send back the trade confirmation.

Have a look at the Offshore Premium Account Benefits.

Sincerely,

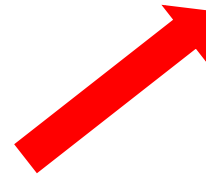
**Daniel Rosenthal**

Director of Institutional Trading

Garrett Knight Associates, Tokyo

Phone: +81 3 4540 6163

**This document reeks of tax evasion –  
and could land you in jail. Be careful.**



## OFFSHORE PREMIUM ACCOUNT BENEFITS

The Premium account offers an exceptional trading experience, designed for serious traders who want our full catalog of products and anonymous order execution with no trading restrictions.

Balance: \$250,000.00 and up.

It is the most popular way of managing your own business. Offshore Premium bank accounts offer tax exemption. Most popular however is the freedom of operations, confidentiality and ease of running your business. There will be no paperwork, no hassle with filings and audits.

Offshore Premium bank accounts include deposit taking, money transmissions, provisions of foreign exchange, trade finance credit facilities, investment custody, investment management, trustee services and corporate administration.

Offshore Premium bank account include a merchant account with a tax free credit card, deposit taking, investment account, business account, personal account, trust account, and letter of credit.

Most offshore banks participate in a mandated bank account deposit protections insurance system. Some offshore banks even provide higher interest rates than banks in the home country.

Credit and processing solutions and merchant services for all business types. Payment gateway, merchant IDS, risk management, DCI certification, tax free credit card, letter's of credit.

Deposit for a fixed period of 7 days, 1 month, 3 month, 6 month, or 1 year according to your needs.

Interest rate up to 7% depending on the notice period, and deposit amount. Interest of your fixed term deposit, upfront.

Not just deposit taking to establishing and administrative trust, and managing the underlying companies and asset told by these trusts, including investment management, captive insurance, life insurance, investment management services. Act as a trustee.

Your Premium Offshore bank account takes nearly 5 business days to be completed looking forward to assisting you with all your needs in regards to your Offshore Premium Account. I have much more experience with the abilities of accounts in this level, or up to Institutional Corporate Account levels.

# APPENDIX 68

04<sup>th</sup> Sept, 2017

Hello Daniel

I hope you had a good time in Hong Kong over the week end.

I had a look at the five year performance of ImmunoGen, and it is not as rosy as you indicated. From 1 July 2013 to 1 Oct 2016 it dropped from \$19.05 to \$1.82. After that it has made something of a recovery but is still far from its previous levels and it could take a steep dive at any moment, as it has on a few occasions. I would therefore prefer to keep the cash from the sale of the 3000 VA shares that you recently did for me in my account for now.

Regards

Nicholas

# APPENDIX 69

14<sup>th</sup> Sept, 2017

Hello Daniel

I trust you are well.

I would like you to repatriate the full amount of cash currently in my account with Garrett Knight Associates (from the sale you made of my 3000 VA shares) - i.e. \$165,785.40, less your 1% commission of course.

Please do this with immediate effect.

Many thanks

Nicholas

No response, either verbal or by email was received from Daniel.

# APPENDIX 70

26<sup>th</sup> Sept, 2017

I RECEIVE A PHONE CALL ON 14<sup>TH</sup> SEPT FROM GKA'S **MR BAKER** TO SAY THAT GKA WILL REPATRIATE ALL THE CASH THAT IS IN MY ACCOUNT, \$165,785.40, WITHIN 7 DAYS.

IN RETURN I MUST TAKE MY WEB SITE DOWN !!

BY 9<sup>th</sup> OCTOBER THE PROMISED REPATRIATION HAS NOT TAKEN PLACE, AND HENCE THIS WEBSITE IS STILL UP FOR THE WORLD TO SEE AND **BE WARNED!!**

# APPENDIX 71

16<sup>th</sup> July, 2018

Dear Mr. Papenfus,

Nice talking with you today. Please see my contact details below and I will be in touch with you shortly.

Kind regards,

Alex Barrett  
Head of Client Services

Garrett Knight Associates  
Aria Shinagawa, Level 22,  
1-9-36 Konan,  
Minato-ku, Tokyo,  
Tokyo-to, Japan  
Phone: +81 3 4540 6163  
Fax: +81 3 4330 1946

# APPENDIX 72

25<sup>th</sup> July, 2018

Hello Alex

Thank you for sending your email address and for your recent phone calls.

When you phoned me on Monday 23rd I said I would try to summarise the position. In doing this I am assuming that you are familiar with the situation which is set out in some detail on the website 'www.garrettknightexposed.com'.

Following is the crux of the matter:

On 31st August 2017 I received a document from Daniel Rosenthal, Director of Institutional Trading, stating that he has sold my shares and that there is now a cash amount of \$165,785 in my account.

On 14th September 2017 I instructed Daniel Rosenthal to repatriated this amount in full to my account in South Africa. This did not happen, and Daniel did not even have the common courtesy to reply to my mail.

On 26th September 2017 I received a phone call from Mr Mark Baker who promised to repatriate the \$165,785, but stated that this may take 7 days.  
No funds arrive, and I never hear from him again.

On 8th January 2018 I get a call from Jonathan Dunlop who said he would look into the matter. But I also never hear from him again.

Please therefore can you carry out the simple instruction I gave GKA on 14th Sept 2017. That is, please repatriate the \$165,785 in full. Please also add interest at 21.95% back dated to 14th September 2017 which is what I pay the Standard Bank on my current account in the absence of GKA not repatriating the cash on account.

Looking forward to hearing from you.

Regards

Nicholas.