

FILED DISTRICT COURT
Third Judicial District

NOV 01 2011

SALT LAKE COUNTY

By SDU Deputy Clerk

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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH, : Bail 75,000
 :
Plaintiff, :
 : **CRIMINAL INFORMATION**
vs. :
 :
MARK ANTHONY NUNEZ, : Case No: 111908118
DOB: July 6, 1957 :
 : Judge _____
Defendant. :

The undersigned, JEFFERY NIELSEN, upon oath, states on information and belief that
the defendant has committed the following crimes:

SECURITIES FRAUD
a second degree felony, 2 counts

SECURITIES FRAUD
a third degree felony, 1 count

PATTERN OF UNLAWFUL ACTIVITY
a second degree felony, 1 count

COUNT 1
SECURITIES FRAUD
a second degree felony

Commencing on or about October 2005, in the State of Utah, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Lawrence Wright**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 2
SECURITIES FRAUD
a second degree felony

Commencing on or about November 2007, in the State of Utah, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Cindy Sparks**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 3
SECURITIES FRAUD
a third degree felony

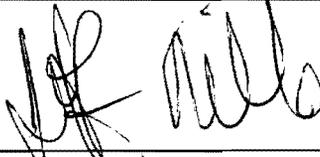
Commencing on or about August 2008, in the State of Utah, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Teresa Heath**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a third degree felony under Utah Law.

COUNT 4
PATTERN OF UNLAWFUL ACTIVITY
a second degree felony

Commencing on or about June 2005, the defendant has engaged in conduct which constituted the commission of at least three episodes of unlawful activity as defined in Utah Code Ann. § 76-10-1601 (1995). The defendant: (1) received proceeds derived, directly or indirectly, from a pattern of unlawful activity, including but not limited to, the activity defined in Counts 1 through 3 above, in which he participated as a principal, or he used or invested, directly or indirectly, any part of that income, or the proceeds of the income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or establishment or operation of, any enterprise; (2) through a pattern of unlawful activity, including but not limited to the above, acquired or maintained, directly or indirectly, any interest in or control of any enterprise; or (3) was employed by, or associated with any enterprise and conducted or participated, whether directly or indirectly, in the conduct of that enterprise's affairs through a

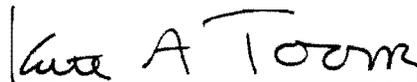
pattern of unlawful activity. The unlawful activity included three or more violations of securities fraud. This is a violation of Utah Code Ann. §76-10-1601 and § 76-10-1603(5) (1995), et seq. a second degree felony.

DATED this 1 day of November, 2011.

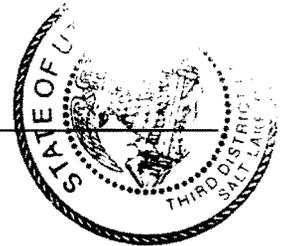


JEFFERY NIELSEN, Affiant

SUBSCRIBED AND SWORN to before me on this 1 day of Nov, 2011.



JUDGE, Third District Court



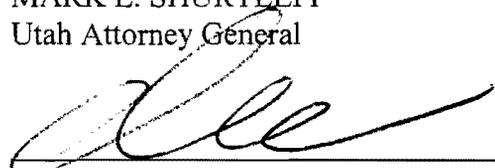
This CRIMINAL INFORMATION is based upon evidence from the following witnesses:

1. Douglas Wawrzynski, Division of Securities
2. Lawrence Wright
3. Teresa Heath
4. Cindy Sparks
5. Mark Anthony Nunez
6. And Others.

AUTHORIZED for presentment and filing this 27th day of October, 2011.

MARK L. SHURTLEFF
Utah Attorney General

By:



JACOB S. TAYLOR
Assistant Attorney General

FILED DISTRICT COURT
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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH, :
 :
 Plaintiff, : **AFFIDAVIT OF PROBABLE CAUSE**
 :
 vs. :
 :
 MARK ANTHONY NUNEZ, : Case No: 111908118
 DOB: July 6, 1957 :
 :
 Defendant. : Judge _____

STATE OF UTAH)
 :ss
 COUNTY OF SALT LAKE)

I, JEFFERY NIELSEN, being first duly sworn upon oath, depose and state as follows:

1. I am currently employed as a full time investigator with the Utah Division of Securities following my completion of an internship with the Division during the Spring/Summer of 2006, and a contract position with the Division from May 2006 through July 2007. I graduated from the University of Utah with a degree in Sociology and a minor in Middle Eastern studies in Spring

2008. I am currently investigating possible violations of securities fraud statutes and related criminal code violations by MARK ANTHONY NUNEZ.

2. The facts set forth in this affidavit are based upon the results of an investigation during which Douglas Wawrzynski and I have collected and reviewed records from witnesses and other sources. Douglas Wawrzynski and I have received information from Lawrence Wright, Teresa Heath, Cindy Sparks, MARK ANTHONY NUNEZ, and others.

PARTIES

3. MARK ANTHONY NUNEZ, at all pertinent times, resided in Utah. NUNEZ' last known address is 152 W 300 N, Bountiful, Utah, 84010. NUNEZ has never held a securities license.

4. Seaquest of Utah, LLC registered with the Utah Department of Commerce, Division of Corporations on June 17, 2005. Seaquest's last renewal was on May 31, 2007. Seaquest's status is expired as of October 4, 2010, for failure to renew. Seaquest has never held any securities licenses, nor made any filings with the Utah Division of Securities.

5. According to Division of Corporations records, Seaquest's registered agent is NUNEZ at 147 E Center St., Bountiful, UT 84010. Seaquest's managing members are NUNEZ, William Heir, Phillip Lee, Julianne LeBaron, Krista Modtland and Ken Sayre. NUNEZ was the sole signer of the documentation as registered agent and as a manager.

BACKGROUND

6. Starting in or about late 2005, NUNEZ began offering and selling "units" of Seaquest for

\$5,000 per unit to investors. In return for funds, investors were provided with either "A units" or "B units." NUNEZ also offered and sold investors another type of "B unit," sometimes referred to as a "JV unit." Each type of unit had a different investment term, but investors were offered the repayment of their principal as well as profit on invested funds. The offering of profit in return for the use of another person's funds could be an investment contract. The units could also be considered interest in Seaquest, which is an LLC. Investment contracts and interests in an LLC are securities as defined by Utah Code Annotated §61-1-13. My investigation has revealed that NUNEZ solicited funds from at least twelve (12) investors for a total of \$250,855.00.

7. Prior to accepting investment funds, NUNEZ failed to provide some investors with the information ordinarily provided in a prospectus, including but not limited to: financial statements, descriptions of the backgrounds of the company officers and directors, a list of the risk factors relating to the investment, and a discussion of the company's business operations.

8. NUNEZ did not disclose other material facts to some investors, including but not limited to: background information and the business experiences of other individuals involved with the investments; specific information regarding financial market trades to be done with investor funds; if any prior investors had requested their funds to be returned; the number of investors with Seaquest; the aggregate amount of money Seaquest was looking to raise; Seaquest and NUNEZ' track record with previous investors, including any delinquencies in payments to investors; and, a discussion regarding the possibility of investors losing all of their principal

investment funds.

9. Between 1988 and 2008, NUNEZ was involved with numerous civil suits, and had in excess of \$2,000 in unpaid judgments entered against him. NUNEZ also had numerous judgments entered against him which were later satisfied. NUNEZ failed to disclose this information to investors.

10. NUNEZ estimated he collected over \$1 million from investors. It appears investors have not received any of their investment principal back to date.

COUNT 1
SECURITIES FRAUD, a second degree felony
(Lawrence Wright)

11. Lawrence Wright said he learned about an investment with Seaquest from his friend and prior Seaquest investor, Ken Sayre, in or about late 2005.

12. In or about October 2005, Wright went to a meeting at Seaquest's office, located in Bountiful, Utah. Wright said the meeting was conducted by NUNEZ, and involved discussions of Seaquest in general, including Seaquest raising pet fish to sell. NUNEZ said he was selling "A" units of Seaquest for \$5,000 per unit. NUNEZ said unit owners would receive payments from profits earned by Seaquest, which NUNEZ said he expected to occur soon thereafter. NUNEZ said unit owners could eventually expect a return of 10% per month on invested funds. Wright said NUNEZ did not discuss how many units were available, how many units had been sold, or the amount of money Seaquest was looking to raise from the unit sales. NUNEZ said money

raised from the unit sales would be used for business expenses, including expanding Seaquest. Wright said he received a copy of a private placement memorandum for "A" units at the meeting.

13. Wright said based on the meeting and on Sayre's excitement for the company, Wright invested \$5,000 with Seaquest and NUNEZ via a hand delivered cashier's check, given to NUNEZ at a Wells Fargo Bank branch office in Roy, Utah, on or about October 28, 2005. In return for the investment, Wright received a unit certificate showing Wright had purchased one "A" unit of Seaquest on or about October 28, 2005.¹

14. Prior to the investment, NUNEZ failed to disclose his involvement in various civil suits, as mentioned in paragraph 9 of this affidavit.

15. After making the initial investment, Wright began to receive weekly email updates on the company from NUNEZ and Seaquest employees. Wright said there were also a few different meetings held at Seaquest's offices. Wright said updates discussed Seaquest using money to grow the company, purchase a new office in Salt Lake City, Utah, and to purchase equipment for capturing fish from the ocean. Wright said the weekly emails also mentioned additional units were available, and Seaquest's need to raise additional capital. NUNEZ and the weekly updates also discussed the offering of "B" units as well as a few additional "A" units available to investors. Sometime prior to November 2006, NUNEZ provided Wright with a draft copy of a

¹ Wright said NUNEZ told him and other Seaquest investors to set up an LLC for the investments. Wright said his investments would have been under the name of Cuzzins Enterprises, LLC.

new Private Placement Memorandum (“PPM”) while at Seaquest’s office in Bountiful, Utah, describing an offering in a new limited partnership with Seaquest.

16. Wright said he had a telephone conversation with NUNEZ sometime prior to November 9, 2006. Wright said he was either in Box Elder or Weber County at the time of the call. NUNEZ said “B” units would be sold for \$5,000 per unit, and would pay back five times the investment once a profit was earned by Seaquest. Wright said NUNEZ did not discuss how many “B” units would be available, or the aggregate amount of money Seaquest was attempting to raise from the “B” units.

17. Based on the representations made in the weekly emails and meetings with NUNEZ, Wright decided to purchase an additional unit of Seaquest. On or about November 9, 2006, Wright met NUNEZ and another Seaquest employee, Julianne LeBaron, at a Wells Fargo Bank in Roy, Utah, where Wright purchased and provided NUNEZ with a \$5,000 cashier’s check made payable to Seaquest. Wright said he invested additional funds because of a “blind hope” he had for Seaquest’s success.

18. Prior to the investment, NUNEZ failed to provide Wright with any disclosure documents. NUNEZ also failed to provide some of the information found in paragraphs 7, 8, and 9 of this affidavit.

19. After the second investment, Wright continued to receive the weekly update emails regarding Seaquest. Wright said based on the information from the weekly updates and NUNEZ’

continual representations of Seaquest, Wright decided to purchase two more “B” units. On or about March 12, 2007, Wright invested by meeting NUNEZ at a Wells Fargo Bank in Roy, Utah, where Wright purchased and provided NUNEZ with two \$5,000 cashier’s checks made payable to Seaquest. Wright said he received a “B” unit certificate while at a conference Seaquest was holding at a hotel in Salt Lake City, Utah, about a couple of weeks after the March 2007 investment. Wright said the conference was for investors to receive updates on the company. Wright said either NUNEZ or a Seaquest employee handed Wright the unit certificate. The certificate shows Wright had purchased three “B” units, which included the two units purchased in March 2007, and the one unit purchased in November 2006.

20. Prior to the investment, NUNEZ failed to provide Wright with any disclosure documents. NUNEZ also failed to provide some of the information found in paragraphs 7, 8, and 9 of this affidavit.

21. Wright said NUNEZ started discussing an individual named Reggie Tchume sometime between about March and September 2007. According to NUNEZ and the weekly email updates on Seaquest, NUNEZ was looking to use funds raised from the “B” unit sales to invest with Tchume for some kind of trading deal. NUNEZ said Seaquest had the opportunity to place funds with Tchume in return for a very large return. Wright said he could not remember the specific return offered but recalled it was to be millions of dollars returned in a fairly short period of time. Wright said he did not agree to have his funds invested with Tchume, but Wright said he was not

asked for his approval by NUNEZ.

22. In or about early September 2007, NUNEZ contacted Wright by telephone while Wright was in either Box Elder or Weber County, Utah. During the call, NUNEZ said Seaquest had the opportunity to invest in a joint venture agreement. NUNEZ said Seaquest could invest \$70,000 with another person, and in return, Seaquest would receive back 100 times their investment funds within three months. NUNEZ said his contact for the joint venture was named Michael Harrington, but NUNEZ said he could not provide much more information regarding the deal. NUNEZ said he was asking people to invest at least \$5,000 with Seaquest for the joint venture deal. Wright said NUNEZ did not discuss any risks involved with the investment. Shortly after the initial call, Wright received a proposed copy of the joint venture agreement between Seaquest and a company called Eagle Capital Resources by email. Wright said there may have been a couple of subsequent conversations about the joint venture, but Wright was unsure.

23. Based on NUNEZ' representations regarding the joint venture, Wright invested by giving NUNEZ a \$5,000 cashier's check made payable to Seaquest while at a Wells Fargo Bank in Roy, Utah, on or about September 26, 2007. Wright received a receipt of funds in return for his investment.

24. Prior to the investment, NUNEZ failed to provide Wright with any disclosure documents. NUNEZ also failed to provide some of the information found in paragraphs 7, 8, and 9 of this affidavit.

25. Wright said he continued to receive periodic email updates on Seaquest after the September 2007 investment. Since about December 2007, Wright has received numerous excuses for delays in the repayments of the joint venture investment and other investments from the email updates and discussions with NUNEZ.

26. Wright said he last had contact with NUNEZ in or about February 2009. Wright said soon after the last contact with NUNEZ, Wright sent an email to NUNEZ requesting his investment funds to be returned. To date, Wright has not received back any money on his investments.

COUNT 2
SECURITIES FRAUD, a second degree felony
(Cindy Sparks)

27. Cindy Sparks said she first met NUNEZ about 10 years ago through a mutual friend. Sparks said she has had some contact with NUNEZ over the 10 years, but does not know very much about NUNEZ or his background. Sparks said NUNEZ offered her a job at a company he was starting in 2005, but Sparks declined to go to work for NUNEZ at the time.

28. Sometime prior to November 2007, Sparks had lost her job at a local bank. In or about November 2007, NUNEZ and Sparks met at NUNEZ' business office in Bountiful, Utah. Sparks said she and NUNEZ were the main people involved in the discussion, but a couple of NUNEZ' employees, Phillip Lee and Julianne LeBaron, were also present for parts of the meeting.

29. During the meeting, Sparks asked NUNEZ about possible employment with Seaquest. NUNEZ said he was not able to hire Sparks at the time, but NUNEZ asked Sparks if she had any

retirement funds. Sparks told NUNEZ she had about \$80,000 in a Fidelity account. NUNEZ said if Sparks was interested, Sparks could withdraw the funds from Fidelity and invest the funds with NUNEZ. NUNEZ said Sparks would have a 30 or 60 day period of time in which she could withdraw the funds from the retirement account without incurring any penalties or fees for using the money.

30. NUNEZ said he had an investment opportunity involving some kind of a trade. NUNEZ said the trade was done, but if Sparks invested soon, he could double her money within about two weeks. NUNEZ said the money would be returned by Christmas time. NUNEZ said because he was Seaquest's President, and the investment was through Seaquest, NUNEZ decided how much each investor would receive from the trade. NUNEZ said Seaquest was to receive \$15 million back on the trade. NUNEZ said the investment funds were doubled weekly through the trading. NUNEZ described the investment as being somewhat safe. Sparks could not recall specific statements NUNEZ made regarding the safety of the investment, but NUNEZ told Sparks she could trust NUNEZ. Sparks said NUNEZ did not provide any specifics about the trade, including what kind of trade was occurring, who was conducting the trade, or why Sparks' funds were needed.

31. NUNEZ also told Sparks about Seaquest having offered "A" and "B" units of the company in return for funds. NUNEZ said "A" units had been provided to earlier investors in Seaquest, and "A" unit holders would earn money from Seaquest's profits. NUNEZ said Sparks

would receive a “B” unit in return for her funds, and the “B” unit holders made money from the profits of the trade.

32. Sometime during the meeting, NUNEZ spoke with Lee and LeBaron about Sparks’ potential investment. NUNEZ said after discussing the investment with Lee and LeBaron, NUNEZ came to the conclusion that Sparks could invest with Seaquest, but would have to become an employee of the company.

33. Sparks said based on NUNEZ’ representations, Sparks had Fidelity wire her retirement funds, \$80,855.80, to NUNEZ on or about December 4, 2007, based on wire instructions NUNEZ had provided to Sparks. Sparks said she decided to invest because she trusted NUNEZ and because Sparks was in need of employment.

34. Prior to the investment, NUNEZ failed to provide Sparks with any disclosure documents. NUNEZ also failed to provide some of the information found in paragraphs 7, 8, and 9 of this affidavit.

35. On or about December 5, 2007, NUNEZ provided Sparks with a private placement memorandum for Seaquest’s “B” unit offering. Sparks said NUNEZ had Sparks fill out portions of the PPM, including an investor questionnaire. Sparks said she did not have time to review the PPM before signing the portions NUNEZ requested. Sparks said she tried reading portions of the PPM while signing, but was not able to understand the PPM. Sparks said she asked who put together the PPM for NUNEZ. NUNEZ said Ralph Chipman, his accountant, had put together the

documentation.

36. Sparks said she began working for Seaquest a few days after wiring the funds to NUNEZ. Sparks said when she started working for Seaquest, NUNEZ began providing daily updates on various trades being made by other individuals with Seaquest funds, and explanations for delays in the trades not producing any payments back to Seaquest. Sparks said after a couple of weeks, Sparks began asking NUNEZ about getting her investment funds returned. Sparks said NUNEZ continually gave excuses for the delay in repayment, but assured Sparks the funds would be paid back.

37. Sparks said she received paychecks for a couple of months, but later stopped receiving any pay from Seaquest and NUNEZ. Sparks said she continued to work for NUNEZ unpaid for a couple of months in hopes of being able to recoup any missed pay, which never occurred. Sparks said she stopped working for NUNEZ in or about April 2008.

38. Sparks said she met with NUNEZ on or about March 18, 2010, in Salt Lake City, Utah. During the meeting, Sparks provided NUNEZ with a letter requesting her funds back, and explained her concerns about not getting money back from an investment about which NUNEZ had represented was no risk. Sparks said NUNEZ read the letter, and stated he expected the money to be returned at any time. NUNEZ continued to provide excuses for the lack of payment.

39. Sparks said she has not received any money back on her investment to date.

COUNT 3
SECURITIES FRAUD, a third degree felony
(Teresa Heath)

40. Prior to investing, Teresa Heath knew NUNEZ for approximately two years while NUNEZ worked at a blood bank and was a white water rafting instructor.

41. In or about August 2008, NUNEZ called Heath on her cell phone while Heath was in Salt Lake County, Utah, and described his idea for a company that would bring tropical fish into the country for distribution to retail pet stores. NUNEZ stated he possessed technology that could bring the fish into the country cheaper and with a higher survival rate than competitors. NUNEZ stated he had twenty five years of experience dealing with tropical fish. NUNEZ stated investing in NUNEZ's company would be a great fit for Heath.

42. A couple of days after the initial phone conversation NUNEZ went to Heath's home in Copperton, Utah. During the meeting, NUNEZ stated he was selling units of his company Seaquest for \$5,000 per unit. NUNEZ said there were two classes of units, "A" and "B". NUNEZ said initial investors had received "A" units approximately two years prior. NUNEZ said the company had not yet been formed. NUNEZ said prior investors had not received a return on their investments as of that time, but NUNEZ did not tell Heath if NUNEZ had made offers to prior investors which were not repaid as offered. NUNEZ said he was making a second offering to raise additional capital and would offer "B" units to new investors. NUNEZ said Heath would receive a "B" unit for her investment. NUNEZ said Heath would have the option of reinvesting

her money in the company when the "B" shares profits were paid. NUNEZ stated Heath would be fortunate to invest at this stage because she would not have to wait as long for a return on her investment as the "A" shareholders had. Heath would be a passive investor and would have any rights as a "B" shareholder.

43. NUNEZ offered Heath twenty times her initial investment to be paid in two to three months, but no longer than a year at the most. Heath told NUNEZ she believed the offer was too good to be true. NUNEZ told Heath that was "small thinking," and the investment was on a grander scale, which added to the investment's safety. NUNEZ explained how the company could make profit through its use of the filtration technology, and Heath said the idea made sense to her. Heath said NUNEZ spoke over her head when discussing the financial details of the investment. NUNEZ added if the company became successful enough, he could offer Heath a job.

44. In deciding to invest, Heath found it important that she trusted NUNEZ. Heath told NUNEZ she was unemployed, the \$5,000 she had was the only savings she possessed, and she could not afford to lose it. NUNEZ stated the investment would work out and Heath did not need to worry.

45. Heath stated NUNEZ had a sense of urgency regarding his need for investment funds. NUNEZ stated his company needed a warehouse and he needed Heath's funds to rent the building. NUNEZ also discussed banks needing to release his funds for some reason.

46. NUNEZ provided Heath with a copy of the "B" share PPM and certificate while at Heath's house. Heath stated she did not have an opportunity to read the PPM. NUNEZ instructed Heath to sign the Subscription Agreement but not the Investor Questionnaire. NUNEZ told Heath to read the PPM later and then return it to NUNEZ. Heath said the meeting at Heath's house lasted approximately one hour before Heath and NUNEZ went to obtain the investment funds.

47. NUNEZ and Heath went to a Cyprus Credit Union branch office in Copperton, Utah, where Heath purchased a \$5,000 cashier's check payable to NUNEZ at NUNEZ' request. Heath and NUNEZ signed a receipt on Heath's funds, and NUNEZ provided Heath with a photocopy of NUNEZ's driver's license.

48. Prior to the investment, NUNEZ failed to disclose his involvement in various civil suits, as mentioned in paragraph 9 of this affidavit.

49. NUNEZ and Heath communicated frequently after the investment. NUNEZ repeatedly claimed the money was right around the corner, but NUNEZ blamed the economy for slowing the payout. After approximately ten months, NUNEZ stopped contacting Heath.

50. In or about August 2009, Heath went to NUNEZ's home in Bountiful, Utah, and asked for her money back. NUNEZ stated he would return Heath's money in two to three weeks.

51. In or about October 2010, NUNEZ left Heath a voicemail claiming the treasury released the money, and his banking team was working on distributing the funds by Christmas. As of January 5, 2011, Heath has not received her funds back.

COUNT 4
PATTERN OF UNLAWFUL ACTIVITY
a second degree felony

52. Commencing in or about 2005, NUNEZ engaged in conduct which constituted the commission of at least three episodes of unlawful activity as defined in Utah Code Ann.

§ 76-10-1603. NUNEZ: (1) received proceeds derived, directly or indirectly, from a pattern of unlawful activity, which included but is not limited to, the activity defined in Counts 1 through 3 above, in which NUNEZ participated as principal, or used or invested, directly or indirectly, any part of that income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or establishment or operation of, any enterprise; (2) through a pattern of unlawful activity acquired or maintained, directly or indirectly, any interest in or control of any enterprise; or (3) was employed by, or associated with any enterprise and conducted or participated, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity. The unlawful activity included, but is not limited to, three or more violations of securities fraud. This is a violation of Utah Code Ann. § 76-10-1603, a second degree felony.

SUMMARY

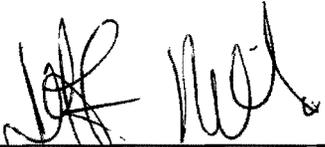
53. Based on my review of the evidence, there is probable cause to believe that NUNEZ committed the crimes of:

SECURITIES FRAUD
a second degree felony, 2 counts

SECURITIES FRAUD
a third degree felony, 1 count

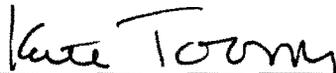
PATTERN OF UNLAWFUL ACTIVITY
a second degree felony, 1 count

DATED this 1 day of November, 2011.



JEFFERY NIELSEN, Affiant

SUBSCRIBED AND SWORN before me this 1 day of Nov
2011.



JUDGE, THIRD DISTRICT COURT

