

payments to the investors, usually directly to the recipients' bank accounts through a direct transfer to the receiving accounts. From July 1, 2015 through January 29, 2016, TenList paid previous investors \$467,460.14, which is an average of about \$66,000/month. These funds have come from the more recent Stamedia promissory note investors since Stamedia has only negligible income from sales of its product. Since previous investors of TenList are being paid with funds solicited from Stamedia Investors, this amounts to a Ponzi scheme. TenList had a balance in this account of \$2,957.62 as of January 29, 2016, the end of the January banking period.

(39) A combined analysis of the Stamedia and TenList Chase bank accounts for the period of July 1, 2015 to January 29, 2016, showed the following deposits made to these account:

Beginning balance	\$ 56,913.77	0.65%
Non-investor deposits	79,676.14	0.91%
Investor deposits	<u>8,589,572.00</u>	<u>99.85%</u>
	<u>\$ 8,726,061.91</u>	<u>100.00%</u>

There are approximately 88 individual investors, of which 55 (62.5%) have IRA or retirement accounts. Most of the investors are local to the North Texas, Plano, Frisco area. Investors have been paid \$956,790.49 (7.47%) during this time period when no operating revenues were earned and only minimal non-investor funds were received, which means that investor payments must have been paid from new investor deposits, the very definition of a Ponzi scheme.

(40) Booth, his relatives, Sandifer and Nicole Myers (a VP of Stamedia) have taken \$2,962,826.57 of investor funds to support family members, fund unrelated investments and cover their extravagant lifestyle, which has included extensive travel to Cabo San Lucas, Vail (Colorado), Disney World, a Montana hunting lodge, New York, San Francisco, Hollywood, for example. They have purchased multiple luxury vehicles, including Land Rovers, Mercedes, Ferraris, and Lamborghinis. They have also purchased luxury clothing brands from luxury retailers, such as Neiman Marcus, Stanley Korshak, Nordstroms, Louis Vuitton, and Saks Fifth Avenue. Booth has purchased numerous luxury watches. On average the principals have spent more than \$423,000.00 per month during the period of July 1, 2015 to January 29, 2016 (a mere 7 months total).

(41) Booth and Sandifer do not have any personal sources of income other than

Stamedia with the exception of small individual payments they may receive from time to time. Nevertheless, they have escalated their personal spending as investor deposits have increased over time. At the end of January 2016, the Stamedia and TenList Chase accounts held a balance forward of \$885,065.47.

(42) Again according to Guess during my first meeting with him, he assured me that he reviewed the books and records of each of the companies whose investments he was touting on at least a quarterly basis. If this were the case, Guess should have known that Stamedia was being operated as a Ponzi scheme all in an effort to support Booth's and Sandifer's lavish lifestyles. However, none of this was disclosed to me by Guess during my first meeting with him.

(43) Additionally, further investigation into Phillip Carter, owner of North-Forty and Texas Cash Cow, revealed that on December 22, 2015, a federal tax lien was filed in Collin County, Texas, against Phillip Carter and his wife Shelly Carter for tax period ending December 31, 2013, in the amount of \$1,391,064.88. Records of the Collin County Clerk's Office further reveal that on May 12, 2016, this tax lien was released by the Internal Revenue Service. (See Exhibit 7 attached hereto this affidavit and is incorporated herein for all purposes.)

(44) A second meeting with Guess at his office in Frisco was arranged for July 18, 2016, at 11:00 A.M. This time the plan was for me and TSSB Investigator Jeff Warsing to meet with Guess about current investment opportunities that Guess was touting.

(45) On Monday, July 18th, I met Mr. Warsing at the Westin Hotel situated next door to the office of Texas First Financial, which is located at 5300 Town & Country Boulevard, Frisco, Collin County, Texas 75034. Shortly before 11:00 a.m., Mr. Warsing and I drove our individual vehicles to Mr. Guess' office

(46) As I had previously, I recorded the conversation that Mr. Warsing and I had with Guess. Mr. Warsing and I entered the office and met Melody, who appears to function much as a receptionist. Just as before, there was a computer sitting on Melody's desk in the reception area. Melody led us back to Mr. Guess's office, which is at the end of the internal hallway that appears to run the length of the office suite. The office suite has a reception area with minimal furniture, a conference room with a large table and chairs around, other offices to the left of the conference room, and several other offices and a room at the end of the

hallway to the left of the entrance room. Mr. Warsing was introduced to Mr. Guess as my nephew. There was a computer in Guess' office along with a credenza with file cabinet type drawers in the office.

(47) I told Guess that I had been very ill since my last meeting with him in the Spring and that was the reason I had not scheduled a follow-up with him sooner. I told Guess that I needed all the documents he previously had given me again because my daughter-in-law came in and cleaned my house while I was sick, and she had put the folder with the documents somewhere and I had not been able to locate them again.

(48) I told Guess that I had received \$60,000 from my aunt's estate, and that due to illness, I had put the money in a 3-month bank CD which would mature the end of July. Guess presented us with the same four different offerings he previously presented to me in January. These included North-Forty, Stamedia, now operating as Meteora, Mechanical Motion Solutions and Primary Urgent Care.

(49) According to Guess, Stamedia just bought Meteora, and the company is now bigger than they were before. Guess stated that Stamedia paid \$4.5 million to purchase Meteora. Guess stated that part of my investment will be used towards that purchase. Guess stated that the same people are involved with Meteora that are involved in Stamedia. Guess reiterated that the parent company of Stamedia is TenList. Guess stated that Stamedia/Meteora could now offer promissory notes paying 12% interest for one year. Guess also stated that I could roll the investment over at the end of one year if I want to. Guess stated that he owned a 5% interest in Stamedia.

(50) Guess discussed the business that Stamedia/Meteora performs. According to Guess the company owns a web application that tracks your location and drops 20% of the costs of products when you visit certain stores in your area that Stamedia/Meteora is advertising. This application is called "Pearl Proximity." According to Guess, Stamedia/Meteora owns the patent on this application. Guess stated that the company just closed a deal with Mercedes Benz of Plano and will make \$70,000.00 a month on the deal.

(51) Guess reiterated what he previously told me about North-Forty, i.e., that North-Forty deals in real estate by acquiring, developing and selling real estate. Guess stated that an investment with North-Forty pays 9% interest for a period

of one year if a person does not draw any interest. Guess compared it to a one-year certificate of deposit. Guess stated that if an investor required the payment of quarterly interest the rate of return would remain at 9% but that the term would be for two years instead of one. Guess stated that the typical investment amount is \$50,000.00, and the investments with North-Forty are backed by the deeds on the property, and that he owns 49% interest in North-Forty.

(52) Guess briefly discussed Primary Urgent Care, the ER business, and Mechanical Motion Solutions, the chiropractic tool, both of which offer notes with 3-year terms. Guess reiterated that Primary Urgent Care is backed by its parent company, The Fortus Group. Guess stated that he owned 25% interest in Primary Urgent Care. Guess stated that Mechanical Motion Solutions is backed by a patent valued in excess of \$70 million. Guess stated that he owns a 5% interest in Mechanical Motion Solutions. Guess stated that the terms of the promissory notes offered by these two companies are basically the same. Each pays 10% interest per annum for a three year term if the investor draws no quarterly interest. If the investor does require quarterly interest, the rate will then be 9% per annum for a period of three years.

(53) I expressed some concern that these are private companies. Guess assured me that he goes through companies' books every quarter. Guess stated that he has a CPA that he uses and if he if has any questions about any of the companies' finances he discusses it with him. According to Guess, he examines where every dime goes and what it is spent on. Guess stated that in the case of North-Forty and Phillip Carter, if Carter intends to buys into a large project Guess has to sign off on it before the project breaks ground.

(54) Guess assured me that if I had any questions, my files will be kept in his office in Frisco so someone else could answer any questions I might have if he was not available. Guess again provided me with documentation regarding the companies he had touted during our meeting for me to take with me and look over. (See Exhibit 8 attached hereto this affidavit and is incorporated herein for all purposes.) The meeting ended after a little over one hour with the understanding that I would probably be investing in Stamedia/Meteora or North-Forty, or both.

(55) On February 2, 2016, Guess was served with a "target letter" addressed to him, dated February 1, 2016, by U.S. Secret Service Agent Casey Smoot and Investigator Steve Goodman of the Collin County Criminal District Attorney's

Office. The letter was written by Assistant United States Attorney Leslie D. Brooks, Eastern District of Texas, advising Guess he was the subject of a federal investigation for violations of 18 U.S.C. Sections 1956 (money laundering), 1343 (wire fraud), 1341 (mail fraud), 1014 (loan fraud), and 1348 (securities fraud). Agent Smoot previously provided me with a copy of the target letter informing me that he had served it on Guess. (See Exhibit 9 attached hereto this affidavit and is incorporated herein for all purposes.) At no time during my meeting with Guess at his office on July 18, 2016, did he ever disclose to me that he was under federal criminal investigation.

(56) During my meeting with Guess on July 18, 2016, he stated that Stamedia/Meteora just closed a deal with Mercedes Benz of Plano and will make \$70,000.00 a month on the deal. I have reviewed an email between U.S. Secret Service Agent Casey Smoot and Kim Patterson, the General Manager of Mercedes Benz of Plano in which Mr. Patterson states that “we have not entered into any agreement with Stamedia or Meteora, or spoken to anyone from those companies in quite some time.” He goes on to say in that same email that “the only contact I have with anyone from those companies is Nicole Myers. She has been a friend for many years, every once in a while she will text me to say hi. Nothing business related.” If Guess keeps such a tight rein on companies such as Stamedia/Meteora and keeps a close eye on the company’s finances, he should know that there is no business being conducted between Stamedia/Meteora and Mercedes Benz of Plano.

(57) Since my last analysis of the Stamedia bank records, I have received additional bank records of the company and have analyzed those as well. These records show continued lavish spending by Booth and Sandifer (less so for Sandifer), and continued Ponzi payments to TenList investors and Stamedia investors.

(58) I have analyzed bank records for Phillip Carter, North-Forty, Texas Cash Cow, and related company accounts for the time period of January 1, 2015 to June 30, 2016. Fifteen separate accounts were open and used during this time period; however, only ten accounts specifically relate to the construction business and investor deposits under review. The remaining accounts were open and used during the time period but appear primarily to relate to projects that were substantially complete prior to the start of my analysis or which involve the Droptine Ranch operation, an entity that does not appear to have direct investors.

(59) In addition to North-Forty Development, L.L.C., Texas Cash Cow Investments, Inc., other Carter entities or entities associated with Carter include the following: Christian Custom Homes, L.L.C.; Oklahoma Cash Cow Investments, L.L.C.; Texas Cash Cow of Houston, Inc.; Cash Flow Kings, Inc.; CCMG Real Estate, Inc.; Double Droptine Ranch, L.L.C.; PMC Contractors, Inc.; Texaplex Leasing, L.L.C.; Accelerated Employment Agency, L.L.C.; Prosper Flex Development Partners, L.L.C.; Frisco Wade Crossing Development Partners, L.L.C.; McKinney Executive Suites at Crescent Parc Development Partners, L.L.C.; Right Wing Aviation, L.L.C.; West Main Station, L.L.C.; Shops at West Main Station, L.L.C.; and Cantera Homes, L.L.C.

(60) The accounts analyzed included both accounts from Independent Bank and Legend Bank. Several entities had accounts in both of these banks. In addition, there are seven accounts that were opened at American National Bank of Texas in recent months and a couple of transfers to Carter entities for which we do not have the corresponding banking information, at the time of making this affidavit.

(61) Overall investor deposits to these accounts total \$35,231,709.00 during the period of January 1, 2015 through June 30, 2016. The investor deposits began in the July 2015 time period and have continued to June 30, 2016. These investor deposits were initially placed in three accounts: Christian Custom Homes, Texas Cash Cow Investments, and North-Forty Development. However, there are multiple internal company transfers to and from the related entity accounts and to Carter's personal account during the analyzed time period. Investor deposits are not always deposited into the account connected to the investment company which corresponds to their investment intent.

(62) For example, at least twenty-four promissory note investments, totaling \$1,899,500.00 were made to Texas Cash Cow Investments made up mostly of IRA investments through Provident Trust Group (hereafter "Provident"), but were wired by Provident into the Christian Custom Homes account at Independent Bank, between August and November 2015. The intended investment is noted on the wire transfer sheet as "Texas Cash Cow." There is one \$50,000.00 investment wire from Provident in March of 2016 that notes the intended investment as "North-Forty Development" but which was wired by Provident into the Christian Custom Homes account at Legend Bank.

(63) On March 21, 2016, five investor checks, totaling \$282,000.00 and payable to North-Forty Development, endorsed by North-Forty Development as the only endorsement, were deposited into the Christian Custom Homes Legend Bank account.

(64) While the accounts reflect some construction-type and general operating business expenses perhaps totaling as much as \$7.5 million, they also reflect that Carter has received \$1,360,295.00 from the various construction and investor-denominated accounts, plus another \$449,460.00 that has been transferred to a Carter personal account at American National Bank of Texas. As of approximately June 30, 2016, the various Carter Independent and Legend bank accounts contained a total of about \$7.2 million. At the time of the making of this affidavit we do not yet have the account information for the American National Bank of Texas accounts.

(65) An analysis of the Carter personal account reflects that investor funds totaling at least \$875,000.00, and perhaps as much as \$1.4 million, has been used by Carter to cover the \$1,391,064.88 federal tax lien filed in Collin County that was outstanding as of April 2016. The tax lien related to his 2013 personal income tax return, and was assessed by the Internal Revenue Service as of June 2, 2014, approximately six weeks after the original due date of the 2013 federal income tax return. The lien was released as of April 26, 2016. The exact amount attributable to investors' funds is difficult to establish because of the amount of internal transfers between the various accounts and whether and to what extent some non-investor funds totaling about \$300,000-\$400,000 could have been used to partially cover the outstanding tax lien. Mr. Guess had arranged to have a prospective investor meeting at his offices in Frisco on April 26, 2016, which would advertise investment opportunities to prospective attendees and featuring Mr. Carter and the North-Forty investment opportunity.

(66) The analyzed bank records reflect that North-Forty Legend Bank account comprised of investor funds transferred \$1 million to Christian Custom Homes Legend Bank account on or about April 21, 2016. The same day, Christian Custom Homes Legend account wired \$1 million into the Carter Independent Bank personal account. Two additional \$200,000 wire transfers into the Carter Independent Bank personal account originating in the Christian Custom Homes Legend account occurred on April 22nd and April 25th, 2016. On April 26, 2016, Carter's personal check #1084 in the amount of \$1,303,288.00 dated April

21, 2016, payable to the United States Treasury, was negotiated and debited out of the Carter Independent Bank account (the account where \$1.4 million had been deposited from Christian Custom Homes).

(67) Carter's personal financial statements were provided to the Independent Bank (dated as of November 9, 2015) and to Legend Bank (dated as of October 26, 2015). These financial statements fail to reflect any outstanding and unpaid income taxes. There is a block specifically set aside to record such outstanding and unpaid amounts. A financial statement filed with the Independent Bank and dated as of April 29, 2013, reflects unpaid income taxes payable of \$317,381.00.

(68) At no time during my last meeting with Guess July 18, 2016, did Guess mention anything about Carter previously owing taxes to the federal government in an amount of \$1,391,064.88 or that the lien was subsequently paid off with investor funds. If Guess keeps such a close eye on the finances of North-Forty and Carter's related companies, and since Guess claims to own a 49% interest in North-Forty, he should have been aware of the tax lien and how it was released and that information should have been disclosed to me.

(69) Section 4A of the Texas Securities Act defines the terms security and securities in part as a "note" or "evidence of indebtedness" (a promise to pay in the future for consideration presently received). Section 4.F of the Texas Securities Act defines "fraud" and "fraudulent" practice to mean "any misrepresentations, in any manner, of a relevant fact; ...or an intentional failure to disclose a material fact...."

(70) Section 29A of the Texas Securities Act provides as follows: Any person who shall sell, offer for sale or delivery, solicit subscriptions or orders for, dispose of, invite offers for, or who shall deal in any other manner in any security or securities without being a registered dealer or agent as in this Act provided shall be deemed guilty of a felony of the third degree.

(71) Section 29B of the Texas Securities Act provides as follows: Any person who shall sell, offer for sale or delivery, solicit subscriptions to and orders for, dispose of, invite orders for, or who shall deal in any other manner in any security or securities issued after September 6, 1955, unless said security or securities have been registered or granted a permit as provided in Section 7 of this Act, shall be deemed guilty of a felony of the third degree.

(72) Section 29C of the Texas Securities Act provides as follows: Any person who shall In connection with the sale, offering for sale or delivery of, the purchase, offer to purchase, invitation of offers to purchase, invitations of offers to sell, or dealing in any other manner in any security or securities, whether or not the transaction or security is exempt under Section 5 or 6 of this Act, or in connection with the rendering of services as an investment adviser or an investment adviser representative, directly or indirectly:

(1) engage in any fraud or fraudulent practice;

Shall be guilty of a felony of the third degree, if the amount involved in the offense is less than \$10,000.00.

(73) By running numerous radio spots on local radio stations including WBAP News Talk 820 AM, KLIF News/Information 570 AM, and KESN (ESPN Dallas) 103.3 FM, and by holding investment seminars touting 9% returns on investments purchased through Texas First Financial, Guess has engaged in public solicitation and advertising.

(74) An examination of the records of the TSSB by the Commissioner of Securities shows that from the period of July 1, 2011, through the present Bobby Eugene Guess has not been registered as a dealer or agent, or registered as an investment adviser or investment adviser representative, or submitted a notice filing as an investment adviser or investment adviser representative in the State of Texas. (See Exhibit 10 attached hereto this affidavit and is incorporated herein for all purposes.) Affiant therefore believes that by making these offers and sales of securities in the form of notes and evidences of indebtedness (the promissory notes) by Guess, he has violated and continues to violate Section 29A of the Texas Securities Act (Sale of securities by an unregistered dealer, agent, or investment adviser or investment adviser representative).

(75) In addition, Guess along with the companies that he is touting are violating Section 7 of the Texas Securities Act by offering and selling securities in Texas at a time when the securities offered to Affiant, as well as others, are not registered with the Securities Commissioner of the State of Texas. Affiant therefore believes that by making these offers and sales of securities in the form of notes and evidences of indebtedness (the promissory notes) by Guess, he has violated and continues to violate Section 29B of the Texas Securities Act (Sale of unregistered securities).

(76) Affiant also believes that Guess is committing fraud in connection with the

sale and offer for sale of securities in violation of Section 29C of the Texas Securities Act by failing to disclose the true financial condition of Stamedia whose books and records he claims to review on a quarterly basis (and most recently, according to Guess, he last reviewed Stamedia's records the week of July 11, 2016); by failing to disclose that Carter used investor funds to pay a tax lien in an amount a little less than \$1.4 million; and by failing to disclose to me, a potential investor in our second meeting that he had received a target letter from the U.S. Attorney's Office for the Eastern District of Texas and was the subject of federal criminal violations including mail fraud, wire fraud, securities fraud, loan fraud and money laundering.

(77) Affiant observed the use of computers located in the reception area and Guess' private office along with business records and a file cabinet, in addition to the fact that I was guaranteed by Guess that in the event I invested in one of the programs he was touting, that my records would be retained on the premise of Texas First Financial. It is Affiant's experience as a financial investigator for the Texas State Securities Board that in addition to the computers and business records that were observed by Affiant at the premises referred to above, and described in Paragraphs 1 through 74, that the following records are maintained by companies that sell investments:

- (A) Records which identify and provide the location of people who have purchased investments.
- (B) Records documenting the receipt and disbursement of monies paid by purchasers of investments, including bank records, cancelled checks, monthly or periodic statements, deposit slips, and detail documents for those deposits, memoranda of incoming and outgoing wire transfers, any debit and credit memoranda, cashier's check records, any correspondence with banks or financial institutions, and financial books, ledgers and journals, records documenting the payment or receipt of commissions for sales of securities, interest statements, tax preparation work papers and forms, including IRS tax forms, and evidence identifying the location of any safety deposit boxes.
- (C) Offering memoranda, prospectuses, advertising materials, brochures, subscription agreements, qualification questionnaires, and pamphlets used to solicit securities purchasers.

- (D) Evidence of the purchase of investments, including, but not limited to subscription agreements, investment checks, and qualification questionnaires.
- (E) Records which reveal the names and addresses of all persons, employees, officers, agents, affiliates and associates who have engaged in sales of and offers for sale of investments.
- (F) Agency agreements, sales agreements, marketing agreements, commission schedules, and memoranda pertaining to selling of investments.
- (G) Documents evidencing transactions with document delivery services including, but not limited to Federal Express, United Parcel Services, United States Post Office and UPS.
- (H) Corporate records, including memoranda, minutes of meetings, resolutions, books, journals, ledgers, financial statements, tax returns, bank records, escrow agreements, escrow agent communications, trust agreements, insurance policies, leases, invoices, employment contracts, indemnification agreements, releases, disclosure documents, sales contracts, loans, and security agreements.
- (I) Documents, invoices, and any other evidence identifying the location of storage facilities.
- (J) Computers, central processing units (CPU), computer motherboards, printed circuit boards, processor chips, all data drives and/or storage drives, either internal or external, including, but not limited to floppy drives and disks, compact storage disks, optical drives, tape drives, digital video storage disks, Zip drives and Zip drive disks, hard drives, USB drives, and magnetic tape.
- (K) Terminals, video display units, receiving devices, keyboards, mouse, digital scanning equipment, digital cameras, automatic dialers, modems, acoustic couplers and/or direct line couplers, peripheral interface boards, and connecting cables and/or ribbons and/or other peripheral devices not specifically mentioned.

- (L) Computer software, programs, and source documentation, computer logs, diaries, magnetic audio tapes and recorders, digital audio disks and/or recorders, any memory devices such as, but not limited to memory modules, memory chips, and any other form of memory device utilized by the computer or its peripheral devices.
- (M) Records or data produced in various forms, manuals, documents, or instructional material relating to such devices and peripherals, and any and all documentation, written or stored in electronic form relating to Internet service providers, email addresses, passwords, encryption codes, web-sites, and/or other documentation pertaining to the Internet, and any other computer related accessories and/or documentation not specifically mentioned herein.
- (N) Documentation and/or notations referring to the computer, the contents of the computer, the use of the computer or any computer software and/or communications, including, but not limited to machine readable data, all previously erased data, and any communications including but not limited to email, chat capture, captured files, correspondence stored in electronic form, and/or correspondence exchanged in electronic form.
- (O) Financial records, monies, and/or receipts kept as part of obtaining, and/or maintaining said computer; financial and licensing information with respect to the computer software and hardware; other evidence concerning occupancy and control of said premises, including utility and/or company bills, cancelled mail envelopes, photographs, personal identification papers, rent receipts, and keys.
- (P) Communications in electronic or written form, including, but not limited to email residing on any media, including electronic communications held or maintained in electronic storage by an electronic communications service or remote computing service as those services are defined within 18 U.S.C. 2510 and 18 U.S.C. 2711. These communications are referred to as "stored communications." These communications related to this case stored in the suspects' computers or other electronic devices as email. That federal law, which is part of the Electronic Communications Privacy Act, allows

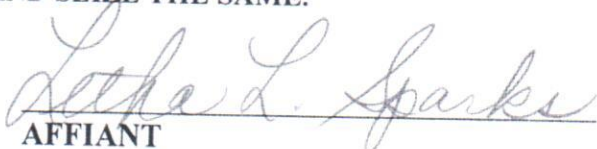
interception of such electronic communication pursuant to a search warrant.

- (Q) Other communications in electronic or written form, including, but not limited to chat capture, capture files, correspondence stored in electronic or written form, and/or correspondence exchanged in electronic or written form as indicative of use in obtaining, maintenance and/or evidence of said offense; all of the above records, whether stored on paper, on magnetic media such as tape, cassette, cartridge, disk, diskette, or on memory storage devices such as optical disks, programmable instruments such as telephones, "electronic address books," or any other storage media, together with indicia of use, ownership, possession, or control of such records.

(78) Based upon Affiant's knowledge, training and experience along with experience of law enforcement personnel with whom Affiant has consulted on this issue, Affiant knows that data erased or unsaved can remain on a computer for some time after it is deleted and/or viewed in slack or unallocated space. It will remain on the computer until such data is overwritten by another file. Based upon Affiant's knowledge, training and experience along with experience of law enforcement personnel with whom Affiant has consulted on this issue, Affiant knows that effective searches and seizures of evidence from computers commonly require law enforcement officers to seize most or all of computer items, including hardware, software, instructions, and storage media, and then have these items processed later by a qualified computer forensic expert in a controlled laboratory environment. This is true because computer storage devices, hard drive disks, diskettes and other drives, can store the equivalent of thousands of pages of information. When users desire to conceal criminal evidence, they often store the information in random order with deceptive file names. Directories and subdirectories that contain these files can also be electronically hidden from normal view. Special forensic software is required to detect these hidden directories. This requires the searching authorities to examine all the stored data to determine whether it is included in the search warrant. This sorting process can take weeks or months, depending on the volume of the data stored. This would make it impractical to attempt this kind of forensic analysis on site at the time of the search warrant execution. Searching computer systems for criminal evidence is a highly technical process requiring expert skills in a properly controlled environment. The search of a computer in a controlled forensic setting is designed to protect the integrity of

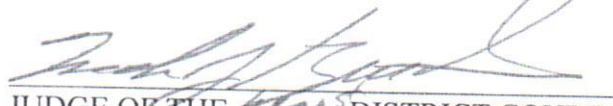
the evidence. A computer forensic analysis can often recover hidden, erased, compressed, password protected, and/or encrypted data and files. Since computer evidence is extremely vulnerable to tampering or destruction from both external sources and destructive codes imbedded in the system, the controlled environment of a forensic laboratory is essential to its complete and accurate analysis and retrieval. In order to fully retrieve data from a computer system, the forensic analyst needs all magnetic storage devices, as well as the central processing unit. In addition, the forensic analyst needs all the system software, encryption, encoding, archiving, unarchiving, and security software (operating system, applications, and hardware drivers) which may have been used to retrieve, store, create, transmit, encrypt or encode the data. Affiant seeks the above noted items to facilitate and affect search with minimal intrusion and to lessen the likelihood of damage to non-pertinent files or equipment. In addition, there is probable cause that the computers, their storage devices, keyboard, modem, as well as all internal and external storage devices are instruments used in the commission of the offenses described above, and should be seized. Affiant intends to enlist the assistance of the North Texas Regional Computer Forensic Laboratory (NTRCFL) or the U.S. Secret Service to conduct the forensic analysis of the computers seized from Guess and Texas First Financial. Further, Affiant intends to enlist the aid of The Texas State Securities Board to examine and analyze the documents seized from the suspect premises. In this regard, Affiant would request an order that Affiant be permitted to remove the seized property from Collin County and transport them to Dallas County and Travis County as necessary for such analysis.

WHEREFORE, BASED UPON THE MATTERS SET FORTH HEREIN AND AFFIANT'S EXPERIENCE AS FINANCIAL EXAMINER FOR THE TEXAS STATE SECURITIES BOARD, AFFIANT RESPECTFULLY REQUESTS THAT THIS HONORABLE COURT ISSUE AN EVIDENTIARY SEARCH WARRANT THAT WILL AUTHORIZE ANY PEACE OFFICER OF COLLIN COUNTY, TEXAS, AND/OR THE STATE OF TEXAS TO SEARCH SAID SUSPECTED PLACE AND PREMISE FOR SAID PROPERTY AND SEIZE THE SAME.


AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID AFFIANT ON THIS THE

04 DAY OF JULY, 2016.


JUDGE OF THE 401ST DISTRICT COURT
Collin County, Texas