LAW OFFICES OF KAMILLE DEAN, P.L.C.

4545 N. 36th St., Ste. 202
Phoenix, AZ 85018
Telephone (602) 252-5601
Fax (602) 916-1982
kamille@kamilledean.com

Kamille R. Dean
Attorney at Law

Licensed to practice in AZ, CA, UT & MN

October 11, 2017

Via mail:
The Honorable Jefferson B. Sessions III.
Attorney General
Office of the Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Via mail:
The Honorable Rod J. Rosenstein
Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Via email: *Sandra.Brown@usdoj.gov*
Sandra Brown
Acting United States Attorney
United States Attorney's Office
U.S. Courthouse, Suite 1208
312 North Spring Street
Los Angeles, CA 90012

Via email: *Lawrence.Middleton@usdoj.gov*
Lawrence Middleton
Assistant United States Attorney
Chief, Criminal Division
Central District of California
1100 U.S. Courthouse
312 N. Spring Street
Los Angeles, CA 90012

Via email: *Scott.Garringer@usdoj.gov*
Scott Garringer
Assistant United States Attorney
Deputy Chief, Criminal Division
Central District of California
1100 U.S. Courthouse
312 N. Spring Street
Los Angeles, CA 90012

Via email: *George.S.Cardona@usdoj.gov*
George Cardona
Assistant United States Attorney
Deputy Chief, Major Frauds Section
United States Attorney's Office
Central District of California
1100 U.S. Courthouse
312 N. Spring Street
Los Angeles, CA 90012

Via email: *Kristen.Williams@usdoj.gov*
Kristen Williams
Assistant United States Attorney
Deputy Chief, Major Frauds Section
United States Attorney's Office
Central District of California
1100 U.S. Courthouse
312 N. Spring Street
Los Angeles, CA 90012

Via email: *Robin.Ashton@usdoj.gov*
Via email: *OPR.complaints@usdoj.gov*
Robin C. Ashton
Head, Office of Professional Responsibility
United States Department of Justice
950 Pennsylvania Avenue NW, Suite 3266
Washington, DC 20530-0001

LAW OFFICES OF KAMILLE DEAN, P.L.C.

4545 N. 36th St., Ste. 202
Phoenix, AZ 85018
Telephone (602) 252-5601
Fax (602) 916-1982
kamille@kamilledean.com

Kamille R. Dean
Attorney at Law

Licensed to practice in AZ, CA, UT & MN

RE: 1 800 Get Thin Investigation – (1) Procurement of False Recantation Testimony from Sherwin Hong Charles Klasky, and (2) Request for a Meeting

Dear Messrs. Sessions, Rosenstein, Garringer, and Cardona, Ms. Brown, Ms. Williams, and Ms. Ashton:

A. The Prosecution Team Is Conflicted And Refuses To Meet And Accept Critical Exculpatory Evidence

On September 26, 2017, I sent a request for a meeting to present critical evidence undermining the government's claims and to discuss the serious issues with this investigation. On September 28, 2017, AUSA Kristen Williams sent a curt response that "such a meeting is neither necessary nor appropriate":

> Ms. Dean,
>
> We have considered your letter and believe such a meeting is neither necessary nor appropriate.
> Kristen
>
> Sent from my iPhone

To date, I have not heard from anyone else from the USAO or the DOJ regarding my request for a meeting. The request for meeting is for my clients' right to present evidence of my clients' innocence, which includes false recantation testimony being presented to the grand jury, in addition to systematic witness coercion by the government to obtain false testimony against my clients.

B. The Record Shows The Prosecution Team Is Presenting Evidence To The Grand Jury Which Is Perjured And Highly Likely False

Even though the prosecution team has been placed on notice of the real possibility of presenting false testimony to the grand jury, AUSA Kristen Williams, fails to give reason for her unwillingness to meet. The purpose of the meeting is to prevent the continued wrongdoings before the grand jury, which appear to still be in progress, with

the presentation of false and government coerced recantation testimony. Such conduct contravenes *United States v. Samango*, where the Ninth Circuit held "[t]he prosecutor has a duty of good faith to the Court, the grand jury, and the defendant." 607 F.2d 877, 884 (9th Cir. 1979).

Any incriminating testimony procured by the government from Sherwin Hong, and also from Charles Klasky, as detailed below, *is perjured* because both individuals have *repeatedly* provided testimony under oath that my clients have done nothing wrong. There are multiple witnesses to both Hong and Klasky stating my clients are innocent as well. Any material change of Klasky or Hong in their testimony *by definition* constitutes perjury. Such conduct is specifically prohibited under Ninth Circuit law which holds "that the defendants' right to due process [are] violated where they had to stand trial on an indictment which the Government knew was based partially on perjured testimony". *Samango*, 607 F.2d at 884 (9th Cir. 1979) (*citing United States v. Basurto*, 497 F.2d 781, 786 (9th Cir. 1974)). "Although deliberate introduction of perjured testimony is perhaps the most flagrant example of misconduct, other prosecutorial behavior, even if unintentional, can also cause improper influence and usurpation of the grand jury's role." *Samango*, 607 F.2d at 882.

In this investigation, although "put on notice of the real possibility" that the government claims to the grand jury are false, the prosecution team is "pressing ahead without a diligent and good faith attempt to resolve it. A prosecutor cannot avoid this obligation by refusing to search for the truth and remaining willfully ignorant of the facts." *Commonwealth of N. Mariana Islands v. Bowie*, 243 F.3d 1109, 1118 (9th Cir. 2001). Indeed, "limits must be set on the manipulation of grand juries by over-zealous prosecutors." *Samango*, 607 F.2d at 882; *id*. at 884 ("a line must be drawn beyond which a prosecutor's control over a cooperative grand jury may not extend."); *see also* Am. Bar Ass'n, ABA Standards for Criminal Justice Prosecution Function and Defense Function (3d ed. 1993) ("A prosecutor should not intentionally avoid pursuit of evidence because he or she believes it will damage the prosecution's case or aid the accused.")

C. We Request A Meeting With The Supervisors At The USAO Or The DOJ

The record here, which discusses only a very small part of the incredible government misconduct in this investigation, establishes the current prosecution team has an irreconcilable conflict of the interest with the client, the United States of America, and is attempting to vindicate itself from the misconduct by procuring false evidence against my clients for a wrongful indictment. Therefore, I request this meeting take place with AUSA Lawrence Middleton, Acting USA Sandra Brown, or a

supervisor at the DOJ. (Note: I previously contacted AUSA Williams' supervisor, George Cardona, and he was unwilling to address the egregious issues present here and dismissively referred me back to AUSA Williams).

D. The Prosecution Team Is Conflicted And Cannot Continue This Investigation Under *United States v. Kahre*

The current prosecution team is extremely conflicted, with multiple clear and convincing claims of misconduct lodged against it, requiring disqualification under *United States v. Kahre*, 737 F.3d 554, 556, 559 (9th Cir. 2013).

1. Documented misconduct with grand jury witness Sherwin Hong

In the letter dated September 26, 2017, I brought to your attention that the C.D. of California U.S. Attorney's Office, in a *quid pro quo* for unlawfully harboring Hong in this country had procured fabricated recantation testimony from illegal alien Sherwin Hong to falsely implicate my clients. The government knew or had strong reason to believe Hong's testimony was false, not only because Hong has extremely powerful "personal motives [to] change [his] stor[y]", *Jones v. Taylor*, 763 F.3d 1242, 1248 (9th Cir. 2014), to curry favor with the government to prevent prosecution, incarceration, and deportation, but also because the prosecution team has a *well-documented and continuing history of witness intimidation* as partially shown below.

2. Documented misconduct with grand jury witness Alywin Calado

Grand jury witness Alywin Calado declared the government agent told him "word for word that I had to testify against my former employer in front of a grand jury investigating the company. At that point, it was clear to me that the only acceptable testimony I was permitted to present to the grand jury would be against my former employer." *See* September 5, 2017 Declaration of Alywin Calado, attached as Exhibit 2 to the September 26, 2017 Letter.

3. Documented misconduct with Charles Klasky

These issues with Charles Klasky are partially detailed in the July 21, 2016 letter to the government, attached as Exhibit 1 to my September 26, 2017 Letter you, at pp. 4-6. The government improperly coerced Klasky and threatened him with indicting him and including him in "a big press release" if he did not cooperate by pointing a false finger at Julian Omidi. In return, the government claimed to give Klasky "immunity".

Same as with Hong, I also have similar recantation evidence as to Charles Klasky, who was the manager of the sleep study program, and is a focus of the government's investigation. Mr. Klasky has repeatedly declared under oath that my clients did nothing wrong. Thus, any incriminating testimony against my clients procured by the government from Charles Klasky not only constitutes perjured testimony, but also recantation testimony which is "especially unreliable" *Jones*, 763 F.3d at 1249 and "properly viewed with great suspicion." *Id*. at 1248.

The government used extreme intimidation against Klasky during the early morning raid of Klasky's house—where (i) numerous law enforcement agents had weapons drawn (even though Klasky and his family own no weapons), (ii) Klasky was *not* permitted to leave, and (iii) without the presence of Klasky's counsel (of whom the government was aware)—the government strong-armed Klasky to point a false finger at Julian Omidi:

> 11. Mr. Charles Klasky later admitted that FDA Agent Zeva Pettigrew and FBI Agent Mark Coleman had interviewed him on March 24, 2016 in a non-custodial interrogation but where he was not permitted to leave. The Agents told him that Mr. Klasky was to incriminate me, regardless of the truth, in alleged unlawful conduct.
>
> 12. Mr. Klasky admitted to me that he was told by the government he needed incriminate me to be on the "right side" of the government's investigation.
>
> 13. Mr. Klasky did not inform anyone that he was resigning. After Mr. Klasky's departure, inspection of his computer by the IT specialist showed that on the last day of his employment, on June 17, 2016, Mr. Klasky deleted multiple material files on his office computers containing important information for the defense of the government allegations.
>
> 14. This information was shared with the Office of the United States Attorney in a subsequent presentation.
>
> *See* Exhibit A, Declaration of Julian Omidi.

Thereafter, the record shows pursuant to the government's direction, Klasky destroyed documents on my clients' computers and elsewhere that were critical to my clients' defense of the government's allegations. Neither the AUSAs nor the government

agents at that presentation meeting with the government denied their above cited misconduct with Klasky.

The record also shows that pursuant to the government's direction, Klasky entered into a fake joint defense agreement with my clients to procure significant attorney-client privileged information and *my clients' defense strategy* in this matter. There is absolutely *no* plausible reason for Klasky to have engaged in the above destructive conduct against my clients *except pursuant to the government's direction***.**

4. Documented Misconduct Against Grand Jury Witnesses Providing Favorable Testimony To My Clients

We have also recently discovered that the prosecution team's wrongful conduct extends to grand jury witnesses who have appeared in front of the grand jury and apparently provided favorable testimony regarding my clients. We have corroborating *audio-recorded statements* from Klasky as to the threatening and intimidation tactics used by the government in order to coerce Klasky to point a false finger at my clients.

a. Documented misconduct with grand jury witness Ara Salazar

The prosecution team wrongfully interrogated grand jury witness Ara Salazar for taking the Fifth Amendment privilege in the civil case of Almont Ambulatory Surgery Center LLC. et at. v. United Healthcare et. al. (C.D. of California, case no. 14-cv-03053), where the government is an intervenor and AUSA Williams is still the counsel of record on the docket. The prosecution team's conduct involving Ara Salazar is improper on multiple, serious levels.

First, the prosecution did so in an attempt to destroy the credibility of grand jury Witness Salazar. (*id*. ¶10) ("Because of the repeated questioning regarding my invocation of the fifth amendment during the UHC deposition, I felt Ms. Williams was attempting to relay to the Grand jury that I was hiding something during the United Health Care deposition when I was not.")

Second, it is misconduct for the prosecution team to repeatedly inquire, in front of the grand jury, as to why witness Salazar took the fifth amendment privilege in a civil deposition (Exhibit B, Salazar Declaration ¶8), where the prosecution team is obviously aware Ms. Salazar had no immunity (*id*. ¶3), such as that afforded to her when she testified in front of the grand jury. The courts have no tolerance whatsoever for governmental abuse of witnesses/subjects asserting the Fifth Amendment. Earlier this month, an outraged district court excoriated the United States Attorney's Office for

misrepresenting to the court that it had not repeatedly mentioned to a grand jury that a subject/target's had invoked of the fifth amendment privilege. *United States of America v. Shock*, No. 16-CR-30061 (C.D. Ill. 2017) (Dkt. 143, October 3, 2017). In this case, the offense is much worse. Not only was there mention of the Fifth Amendment privilege in front of the grand jury, but also AUSA Williams *repeatedly* harassed and badgered witness/subject Salazar as to her invocation of the Fifth Amendment privilege during the civil deposition in the Almont case, *supra*, which AUSA Williams now claims is an unrelated matter.

Third, it is misconduct to even attempt to intrude into the attorney-client privilege (*id*. ¶9) in this manner by repeatedly asking the reason behind *why* Witness Salazar asserted the Fifth Amended Privilege; The law is clear the grand jury cannot be used as a prosecutorial tool to invade into the attorney-client privilege.

Fourth, there is prima facie evidence the government has violated Rule 6(e)(2) of the Federal Rules of Criminal Procedure by sharing Ara Salazar's prior grand jury testimony with my client's adversary United Healthcare (*id*. ¶¶4-5); and

Fifth, it is obvious that the prosecution team is unlawfully using the civil United case to procure prohibited discovery in its criminal investigation (*id*. ¶8); *Osband v. Woodford*, 290 F.3d 1036, 1042 (9th Cir. 2002) ("'[C]ivil discovery may not be used to subvert limitations on discovery in criminal cases, either by the government or by private parties.'") (*quoting McSurely v. McClellan*, 426 F.2d 664, 671–672 (D.C.Cir.1970)).

b. Documented misconduct with grand jury witness Ashkan Rajabi

Similarly, the prosecution destroyed the credibility of grand jury witness Ashkan Rajabi, who also apparently provided favorable testimony regarding my clients. *See* Exhibit C, Ashkan Rajabi Declaration, ¶4) ("I wanted to address these accusations and his attack on me. However, when I asked the prosecutors if I could please reply to this gentleman, the prosecutor Kristen Williams *refused to allow me to address him*. Ms. Williams stated I did not have the right to answer because the African American gentleman did not ask a question.") (Emphasis added).

5. Documented misconduct by the Prosecution Team is currently before the Ninth Circuit Court of Appeals

As one of many examples of the government's documented misconduct, currently pending before the Ninth Circuit Court of Appeals in CA 16-50252, is the prosecution

team's cover-up of misconduct with my client's former attorney, Robert Silverman, which prejudicially destroyed the invaluable relationship with the attorney who was defending my clients against the government's investigation. This was also a clear violation of Rule 17 of the Federal Rules of Criminal Procedure. because despite two secret interviews with Silverman at the USA pursuant to a sham claim of a grand jury subpoena, the government never took Silverman before the grand jury because the government believed his testimony to be exculpatory to my clients. *See Durbin v. United States*, 221 F.2d 520 (D.C. Cir. 1954); see also CA 16-50252, Dkt. 56 at pp. 3-17.

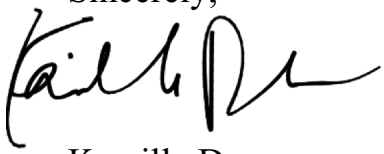
As if that was not enough, the prosecution team has made material misrepresentations to the district court and the Ninth Circuit Court of Appeals, even going so far as creating a false interview memorandum that materially omitted damning information, to conceal the misconduct with my clients' then current attorney, and never providing *any* justification for doing so. CA 16-50252, Dkt. 56 at pp. 20-22. Rather than addressing their misconduct, the prosecution team attempted to evade responsibility with meritless procedural arguments and claims that its material misrepresentations of the record *in its own possession* were merely "inferences". CA 16-50252, Dkt. 56 at pp. 29-33.

E. Conclusion

The above is only a small recitation of numerous instances of material misconduct in this investigation. As the record shows, it is clear that at a minimum a new prosecution team and a new grand jury are immediately warranted.

We ***again*** request a meeting with the superiors of AUSA Williams and Cardona so we can present all of the information we have that exonerates my clients and demonstrates many grand jury witnesses have provided false and perjured recantation testimony. We also request to provide your office with additional information that the Grand Jury should consider. I have made this request many times now. Clearly, your office must consider this information and allow me to present this information.

Sincerely,



Kamille Dean

EXHIBIT A

DECLARATION OF JULIAN OMIDI

I, Julian Omidi, hereby declare as follows:

1. I am involuntarily providing this information to the Court because my previous request that the following privileged attorney-client information be provided *in camera* was denied by the Court on September 23, 2016. I have been compelled by to reveal this information in order to protect myself and Plaintiffs from the untrue statements from Daron Tooch upon which the Court relied in its July 29, 2016, Order refusing to set aside the dismissal in these actions. I am not waiving privilege. However, in order to respond to Mr. Tooch's improper violation of attorney-client confidences which this Court relied upon, I believe I am compelled to provide this information to prevent manifest injustice.
2. Attached as Exhibit 1 to this declaration is a true and correct copy of an email communication dated October 5, 2015 from attorney Daron Tooch to myself.
3. Mr. Tooch's testimony that he had warned Plaintiffs to get a new attorney in October, 2015, is not true. The communication simply stated that an agreement needed to be reached to prevent substitution. Following this the discussions continued with no withdrawal threatened. An agreement was reached and, therefore, Hooper Lundy continued with its representation.
4. Mr. Tooch informed me that he would continue representing Plaintiffs and possibly take a contingency on the recovery from the lawsuit. He also stated that he would take monies returned from the federal government which had been seized on June 4, 2014, from Plaintiffs and Cross-defendants. There were extensive negotiations with the

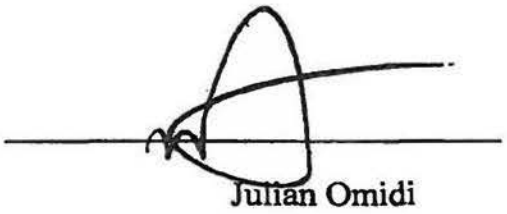
government regarding this matter in which I participated, as did Mr. Tooch to settle and recover monies. No final determination had been made, but it was agreed that Mr. Tooch would continue to represent Plaintiffs and he would make a decision as to the form of payment.

5. Mr. Tooch did not inform me, Plaintiffs, or Cross-defendants he had decided to withdraw until he filed his Motion on February 5, 2016. On February 5, 2016, the very day he filed his Motion to Withdraw he urged Plaintiffs to Opt-Out of the *Surgical Clinic, Inc. v. OptumInsight, Inc. and United Healthcare Group, Inc.*, US District Court, Central District of California, Case No. 09 CV 5457 PSG (FFMx), Class Action settlement, which they did before he filed his motion. (Exhibit "E").
6. Mr. Tooch's ethical violations and disclosures to the Court in his Motion to Withdraw have cause extreme hardship and irreparable injury to Plaintiffs and Cross-defendants. His statements to the Court were incorrect and part of his effort to abandon Plaintiffs in favor of his concurrent Class Action settlement with United Healthcare.
7. Attorney, Joseph Creitz of Creitz and Serebin LLP., also declined representation because of the apparent conflict between Judge Fitzgerald and First Assistant Patrick Fitzgerald which was still on appeal at the time. He did not wish to be involved with this conflict. Garofolo Law and Creitz and Serebin were top choices for plaintiffs because of their extensive Healthcare Care ERISA experience to include their representation of plaintiffs in the noteworthy case of *Spinedex Physical Therapy USA Inc. v. United Healthcare of Arizona, Inc.* (9th Cir. 2014) 770 F.3d 1282, *cert. denied sub nom. United Healthcare of Arizona v. Spinedex Physical Therapy USA, Inc.* (2015) 136 S.Ct. 317 [193 L.Ed.2d 227].

8. At the time when the 60 (b) motion was filed by Plaintiffs, Mr. Klasky was the manager for multiple Plaintiffs corporations.
9. Mr. Klasky knew that new counsel was necessary to be obtained for the Plaintiffs but he did not provide a declaration as to his activities in obtaining counsel. At the time he refused to cooperate and I and the Plaintiffs did not know why he refused.
10. I later discovered that Mr. Klasky was influenced by the government not to cooperate with the Plaintiffs when he admitted to me that government agents who went to his house of March 24, 2016, told him not to cooperate with Plaintiffs.
11. Mr. Charles Klasky later admitted that FDA Agent Zeva Pettigrew and FBI Agent Mark Coleman had interviewed him on March 24, 2016 in a non-custodial interrogation but where he was not permitted to leave. The Agents told him that Mr. Klasky was to incriminate me, regardless of the truth, in alleged unlawful conduct.
12. Mr. Klasky admitted to me that he was told by the government he needed incriminate me to be on the "right side" of the government's investigation.
13. Mr. Klasky did not inform anyone that he was resigning. After Mr. Klasky's departure, inspection of his computer by the IT specialist showed that on the last day of his employment, on June 17, 2016, Mr. Klasky deleted multiple material files on his office computers containing important information for the defense of the government allegations.
14. This information was shared with the Office of the United States Attorney in a subsequent presentation. There has been no response from the government.

15. Mr. Klasky was also aware that Mr. Diamond had agreed to undertake Plaintiffs representation. He directed Mr. Aristov to work directly with Mr. Diamond at the beginning of May 2016, and that Mr. Klasky, Plaintiffs, and Mr. Aristov believed as of the beginning of May 2016, that Mr. Diamond would take over the case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 17, 2016, at Los Angeles, California.



Julian Omidi

EXHIBIT B

Declaration of Araminta Salazar

I, Araminta Salazar, declare and attest as follows, under penalty of perjury:

1. I appeared before the grand jury in 2012 to give testimony.
2. I was subpoenaed by to appear for a deposition in the civil case *Almont Ambulatory Surgery Center, LLC et. al., adv. United Health Care (UHC)*, et. al., and on January 24, 2017 I appeared and gave deposition testimony.
3. There was no offer or discussion of any sort of immunity for my testimony at the UHC deposition.
4. During the deposition, it became evident that the UHC attorneys were asking the same and very similar questions asked of me before the grand jury in 2012. It appeared to me that UHC was privy to my grand jury testimony from 2012.
5. At some point during this deposition, we had a break and I told my attorney Mark Jubelt that the questions were very similar to the questions asked to me in grand jury proceedings in 2012.
6. During questioning in the UHC deposition, the UHC attorneys repeatedly questioned me about why I was invoking my fifth

18

amendment rights, and they asserted it was improper for me to do so, and they threatened to bring me before the Court for taking the fifth.

7. In May of 2017, I was subpoenaed to the grand jury again, just several months after giving testimony in the UHC case.

8. During my grand jury testimony Prosecutor Kristen Williams repeatedly questioned me about my deposition in the United Health Care case. I believe Ms. Williams had a copy of the transcript of my deposition with United Health Care. Ms. Williams repeatedly questioned me why I took the fifth at the deposition and why I would not participate in the deposition.

9. I felt very uncomfortable that Ms. Williams would not stop asking me why I took the fifth at the deposition. I strongly felt this was improper and the prosecutor should not keep asking me for my reason for taking the fifth. I believe that information is confidential and includes advice from my attorney. I do not believe the prosecutor should be allowed to ask me why I took the fifth or to repeatedly ask me the same question in front of the grand jury.

10. Because of the repeated questioning regarding my invocation of the fifth amendment during the UHC deposition, I felt Ms. Williams was attempting to relay to the grand jury that I was hiding something during the United Health Care deposition when I was not.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed this 19th day of September 2017, at Los Angeles, California.

Araminta Salazar

EXHIBIT C

Declaration of Ashkan Rajabi

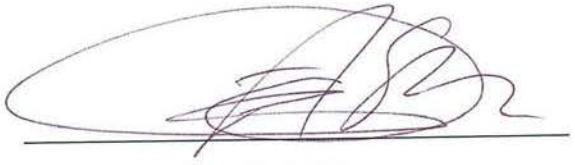
I, Ashkan Rajabi, declare and attest as follows, under penalty of perjury:

1. I was subpoenaed to testify at the Grand Jury on July 26, 2017.
2. During my grand jury testimony, two prosecutors, Kristen Williams and her co-counsel (an African American female) were both questioning me.
3. The prosecutors asked if anyone had any questions for me. In response, an African American gentleman sitting next to the prosecutor raised his hand and angrily made accusatory statements to me in front of the grand jury and attacked me by hostilely stating I was not being straight-forward, not telling the truth and answering too vaguely.
4. I wanted to address these accusations and his attack on me. However, when I asked the prosecutors if I could please reply to this gentleman, the prosecutor Kristen Williams refused to allow me to address him. Ms. Williams stated I did not have the right to answer because the African American gentleman did not ask a question.
5. The African American gentleman making the accusatory comments and attacking me was sitting next to the prosecutor on my left, and they were all on the stage level. The grand jurors were sitting on my right below the stage level.

6. The improper outburst by the African American gentleman was extremely intimidating to me and hurt my reputation, credibility and honesty in front of the grand jurors. Even though prosecutor Williams did not let me respond to the African American gentleman's improper comments, she did not make any comments to him or anyone else regarding his improper attack on me.
7. I testified in front of the grand jury truthfully to the best of my knowledge. I did not expect to get attacked in such a fashion, for the prosecutors to allow it to happen without repercussion, and for the prosecutors to deny me the opportunity to defend myself against a false accusation in front of the grand jury so that the grand jury would know the truth.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed this 7th day of September 2017, at Los Angeles, California.



Ashkan Rajabi