

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DEPUTY CLERK

JUN 5 PM 3:46
NT

UNITED STATES OF AMERICA

v.

DAVID KEVIN LEWIS (1)
a/k/a David Shane Lewis,
a/k/a "DW"
BRUCE KYLE GRIFFITH (2)
THOMAS ALDEN MARKHAM JR. (3)

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§

Criminal No. _____

3. - 12CR - 159 - D

The Grand Jury Charges:

INTRODUCTION

At all times relevant to this Indictment:

1. Always Consulting, Inc. (ACI), a Nevada corporation, was an oil and gas well promotions company with offices located at 901 Waterfall Way, Suite 302, Richardson, Dallas County, Texas 75080.
2. David Kevin Lewis, defendant ("Lewis"), was chairman and director of field operations of ACI and was its controlling principal. On December 8, 2000, in the United States District Court for the Northern District of Texas, in case numbers 1:00-CR-016-C and 3:00-CR-064-M, Lewis was convicted of fraud in the offer or sale of securities, in violation of 15 U.S.C. § 77q(a) and 77x and conspiracy to commit mail fraud, in violation of 18 U.S.C. § 371, respectively. As part of Lewis's sentences, he was ordered to pay a total of \$2,228,171 as restitution to the victims of said offenses. Additionally, in

an agreed judgment filed December 5, 2003, in civil action number 3:00-CV-233-L, styled *Securities and Exchange Commission v. David Shane Lewis*, in the United States District Court for the Northern District of Texas, Lewis was permanently enjoined from, among other things, engaging in fraud in the offer or sale of securities, in violation of 15 U.S.C. § 77q(a).

3. **Bruce Kyle Griffith**, defendant (“**Griffith**”), was the president and chief executive officer of ACI. On April 14, 1994, in the United States District Court for the Northern District of Texas, **Griffith** was convicted of bank robbery, in violation of 18 U.S.C. § 2113(a), in case numbers 3:93-CR-379-H, 3:94-CR-025-H, and 3:94-CR-038-H. On July 5, 1989, in the United States District Court for the Northern District of Texas, in case number 3:89-CR-053-P, **Griffith** was convicted of conspiracy to possess and utter counterfeit Federal Reserve notes, in violation of 18 U.S.C. § 371. On February 14, 1989, in Dallas County, Texas, **Griffith** was convicted of theft in two cases. All of **Griffith**’s convictions were felonies.

4. **Thomas Alden Markham Jr.**, defendant (“**Markham**”), was the chief geologist of ACI. On January 11, 2000, in the United States District Court for the Western District of Texas, Markham was convicted of mail fraud in violation of 18 U.S.C. § 1341, in case number SA-99-CR-86(1)(EP). As part of his sentence Markham was ordered to pay \$395,786.26 restitution to the victims of said offense.

5. Davmon, Inc. was a Nevada shell corporation utilized by Lewis to receive proceeds from ACI's operations.

6. Diversified Group International, Inc. was a Nevada shell corporation utilized by Griffith to receive proceeds from ACI operations.

7. The Rattlesnake Springs Drilling Program, 20 Infill Well Development, to be located on the Osage Nation Reservation in Osage County, Oklahoma, was one of several investment programs offered and sold by ACI to investors. The Rattlesnake Springs Drilling Program offered to potential investors 35 units of interest at a cost of \$100,285.71 per unit, or a total of \$3,509,999.80. Each unit equaled a 1.85714% working interest and a corresponding 1.39285% net revenue interest in 14 separate leaseholds located in the Osage Nation, Osage County, Oklahoma. Said units were securities within the meaning of 15 U.S.C. §77b(a)(1), namely, fractional undivided interests in oil, gas, or other mineral rights. Moreover, an agreement to purchase said units was an investment contract under § 77b(a)(1), that is, an investment of money in a common enterprise with profits to come solely from the efforts of others.¹

8. JPMorgan Chase Bank, N.A., was a financial institution within the meaning of 18 U.S.C. § 20(1), that is, a bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.

¹*S.E.C v. W. J. Howey Co.*, 328 U.S. 293, 301 (1946).

Count One

Conspiracy to Commit Securities Fraud
(18 U.S.C. § 371 [15 U.S.C. §§ 77q(a) and 77x])

1. The Grand Jury re-alleges and incorporates the Introduction of this Indictment as if fully set forth herein.
2. Beginning as early as in or about February, 2004, and continuing until in or about February, 2007, the exact dates being unknown to the Grand Jury, in the Dallas Division of the Northern District of Texas and elsewhere, defendants **David Kevin Lewis, Bruce Kyle Griffith, and Thomas Alden Markham Jr.**, did knowingly, and willfully, combine, conspire, confederate and agree among themselves and each other, and with others, known and unknown to the Grand Jury, to commit certain offenses against the United States, to wit: securities fraud, in violation of 15 U.S.C. §§ 77q(a) and 77x.

Manner and Means of the Conspiracy and the Joint Scheme and Artifice

3. It was a purpose of the conspiracy for defendants **David Kevin Lewis, Bruce Kyle Griffith, and Thomas Alden Markham Jr.**, to employ a joint device, scheme, and artifice to defraud, and to obtain money and property by making and causing to be made untrue statements of material fact and omitting to state material facts that were necessary in order to make the statements that were made, in light of the circumstances under which they were made, not misleading, and to engage in a course of business which operated as a fraud and deceit upon purchasers and investors located throughout the

United States, who purchased interests in well program units, representing fractional undivided interests in oil, gas, or other mineral rights and investment contracts.

4. It was part of the aforesaid conspiracy and joint scheme and artifice that, through ACI and other means, the defendants, aided and abetted by each other and others, directly and indirectly:

(a) prepared, sent, and caused to be prepared and sent, investment documents and monthly investment newsletters from ACI to investors located throughout the United States, using means and instruments of transportation in interstate commerce, the mails, and interstate carriers, to induce investors to invest money and purchase interests in the Rattlesnake Springs Drilling Program and other oil and gas drilling programs;

(b) made, received, and caused to be made and received, interstate telephone calls through interstate wire facilities to and from investors, directly and indirectly, using ACI sales employee "fronters" to contact prospective investors to gauge their financial ability and interest in investing in ACI's oil and gas drilling programs, and referring interested and financially able investors to ACI employee "closers," including Lewis and Griffith, who contacted interested investors to convince them to agree to invest money in said programs;

(c) provided "fronter" employees with prospective investor contact information, written instructions, including outlines and scripts containing sales pitches, arguments, and talking points touting the investment, all designed to make a prospective investor believe that ACI's programs were potentially profitable investments;

(d) provided to ACI sales employees who contacted prospective investors a written "do not call" list, entitled "Undercover Regulators" which listed, state by state, the names and other contact information of individuals across the United States who defendants suspected of being state or federal regulators posing as potential investors, attempting to identify individuals illegally selling and offering for sale securities in violation of state or federal law;

(e) caused investors to send investment funds, signed purchase agreements and other documents to ACI through means and instruments of transportation in interstate commerce and by use of the mails and interstate carriers; and

(f) received and caused investor funds to be deposited into ACI accounts at JPMorgan Chase Bank, N.A., a federally insured financial institution, for collection through the interstate check clearing system utilized by said institution.

5. It was further part of the aforesaid conspiracy and joint scheme and artifice that the defendants misapplied and converted the Rattlesnake Springs Drilling Program investor funds to the defendants' own use and benefit, and the use and benefit of others, including the purchase of real and personal property, and to pay for expenses of other ACI programs.

6. It was further part of the conspiracy and joint scheme and artifice, in connection with the sale and offer for sale of said securities, that defendants, aided and abetted by each other and others, in making representations to the Rattlesnake Springs Drilling Program investors and causing such representations to be made, knowingly and willfully, with intent to defraud, knowingly made and caused to be made untrue statements of material fact, and concealed material facts, including, among other things, the following:

- (a) falsely stated that ACI would perform all necessary services to complete the Rattlesnake Springs Drilling Program;
- (b) falsely stated that ACI would use the amounts tendered by investors solely to commence site preparation, drilling, testing and completion of the Rattlesnake Springs Drilling Program wells;
- (c) falsely stated that ACI would pay all costs necessary to get the wells into production at a turnkey price of \$3,509,999.80;

- (d) falsely stated that ACI had influence inside the Osage Nation in Oklahoma and could acquire oil and gas leases on terms unavailable to others;
- (e) falsely stated that the pipelines had been laid for the Rattlesnake Springs Drilling Program;
- (f) falsely stated that Griffith started out in the oil and gas industry in 1985 as a private pilot flying oil executives and equipment into foreign countries and that, as a pilot, Griffith had "twin-engine" and instrument ratings;
- (g) falsely stated, in a written "Guarantee of Satisfaction" to investors:

If any project that you are involved (sic) does not produce sufficient commercial quantities of hydro-carbons to satisfy a reasonable time frame for pay-back of original dollars invested (time frame being 16 months of completion of said wells), ACI guarantees that it will ROLL your investment into as many projects as it deems necessary to satisfy your return;

- (h) concealed from investors that Rattlesnake Springs Drilling Program investor funds were being commingled with funds from other ACI projects and used to pay operating expenses of other ACI projects;

(i) concealed from investors that most of the ACI Rattlesnake Springs Drilling Program investor funds had been misapplied and diverted and were no longer available to drill the promised 20 wells;

(j) concealed from investors that funds invested in the Rattlesnake Springs Drilling Program had also been diverted for the use and benefit of the defendants through Davmon, Inc., Diversified Group International, Inc., and through other entities, including certain employees of ACI; and

(k) concealed from investors that ACI relied upon investor funds to operate and not upon production revenue from oil and gas wells.

7. It was further part of the aforesaid conspiracy and joint scheme and artifice that defendants, aided and abetted by each other and others, in making representations to the Rattlesnake Springs Drilling Program investors and causing such representations to be made, knowingly and willfully, with intent to defraud, misled and deceived prospective investors, and caused them to be misled and deceived, by omitting to state material facts that were necessary in order to make the statements that were made not misleading, in light of the circumstances under which they were made, including, among other things, the following:

(a) ACI's offering memorandum stated that the person identified only as "DW" and Griffith started ACI in 2004 and were "registered

operators" in Texas and Oklahoma, but omitted that "DW" was Lewis and that Lewis and Griffith were not registered to sell securities in Texas.

(b) ACI's offering memorandum devoted a full paragraph to stating, among other things, that "DW" (Lewis) had 25 years experience in finance, investing, management, and the oil and gas industry, but omitted to state:

(i) that Lewis was a convicted felon;

(ii) that Lewis had been specifically convicted of securities fraud and of conspiracy to commit mail fraud, each conviction being in connection with a separate oil and gas offering;

(iii) that, as part of his sentences in the offenses in subparagraph (ii) Lewis was under federal court orders to pay a total of \$2,228,171 in restitution to previously defrauded oil and gas investors; and

(iv) that Lewis was under an injunction from a United States District Court barring him from violating federal securities laws in connection with a third oil and gas offering.

(c) ACI's offering memorandum devoted a full paragraph to stating, among other things, that Griffith had 20 years experience in the oil

and gas industry, starting out as a private pilot with a twin engine rating and instrument rating, but omitted to state:

- (i) that **Griffith** was never a certified or licensed aircraft pilot and had no ratings associated therewith;
- (ii) that **Griffith** had very little, if any, experience in the oil and gas industry;
- (iii) that **Griffith** was a convicted felon; and
- (iv) that **Griffith** had been specifically convicted of bank robbery.

(d) ACI's offering memorandum devoted a full paragraph and a separate page setting forth a summary of **Markham**'s qualifications, stating that **Markham** had more than 30 years experience in the oil and gas industry as a geologist, supervisor and manager, but omitted to state:

- (i) that **Markham** was a convicted felon;
- (ii) that **Markham** had been specifically convicted of mail fraud in connection with an oil and gas offering; and
- (iii) that, as part of his sentence in the offense in subparagraph (ii), **Markham** was under a federal court order to pay \$395,786 in restitution to previously defrauded oil and gas investors.

Overt Acts

8. On or about the dates and in or about the months and year set forth below, in furtherance of said conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Northern District of Texas and elsewhere:

<u>No.</u>	<u>Date</u>	<u>Location</u>	<u>Description</u>
(1)	May 12, 2005	Dallas, TX	Griffith, on behalf of ACI, signed an application for a certificate of authority to transact business in the state of Texas
(2)	December 31, 2005	Richardson, TX	Griffith had a telephone conversation with New York investor Forsberg.
(3)	April, 2006	Richardson, TX	Lewis prepared an offering memorandum entitled "Rattlesnake Springs 20 Well Prospect"
(4)	April 11, 2006	Richardson, TX	Griffith had a telephone conversation with New York investor Forsberg.
(5)	June, 2006	Richardson, TX	Griffith had a telephone conversation with Georgia investor Bucher.
(6)	June 5, 2006	Richardson, TX	Markham had a telephone conversation with Missouri investor Amen.
(7)	June 13, 2006	Richardson, TX	Lewis and Griffith opened bank account # *****0905 at JPMorgan Chase Bank, N.A.
(8)	June 14, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Missouri investor Amen, who purchased a one-half unit participation in the Rattlesnake Springs Drilling Program for \$50,142.86.
(9)	June 14, 2006	Richardson, TX	Griffith caused \$48,000 to be transferred from the ACI Rattlesnake Springs Drilling Program account # *****0905 to the ACI operating account *****1265, at JPMorgan Chase Bank, N.A.

<u>No.</u>	<u>Date</u>	<u>Location</u>	<u>Description</u>
(10)	June 16, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and New York investor Forsberg, for the purchase of a one-half unit participation in the Rattlesnake Springs Drilling Program for \$50,142.85.
(11)	June 23, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Georgia investor Bucher for the purchase of a one unit participation in the Rattlesnake Springs Drilling Program for \$100,285.71.
(12)	July, 2006	Richardson, TX	Griffith had a telephone conversation with Georgia investor Gundermann.
(13)	July, 2006	Richardson, TX	Griffith had a telephone conversation with Colorado investor Parry.
(14)	July 12, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Colorado investor Parry, for the purchase of a one unit participation in the Rattlesnake Springs Drilling Program for \$100,285.71.
(15)	July 12, 2006	Richardson, TX	Griffith and Lewis caused ACI to receive a check mailed to ACI by New Jersey investor Baskin.
(16)	July 12, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Minnesota investor Thorsland, for the purchase of a one-half unit participation in the Rattlesnake Springs Drilling Program for \$50,142.85.
(17)	August 7, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and California investor Weinstein, for the purchase of a one unit participation in the Rattlesnake Springs Drilling Program for \$100,285.71.

<u>No.</u>	<u>Date</u>	<u>Location</u>	<u>Description</u>
(18)	August 16, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Wisconsin investor Hanson, for the purchase of a one unit participation the Rattlesnake Springs Drilling Program for \$100,285.71.
(19)	August 17, 2006	Durango, CO	Griffith, Lewis and Markham met with prospective investors to promote the Rattlesnake Springs Drilling Program.
(20)	August 17, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Oklahoma investor Pedigo, for the purchase of a one-half unit participation the Rattlesnake Springs Drilling Program for \$50,142.86 .
(21)	August 21, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Florida investor Hardee, for the purchase of a one-quarter unit participation the Rattlesnake Springs Drilling Program for \$25,071.42 .
(22)	August 28, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Utah investor Schmutz, for the purchase of a one unit participation the Rattlesnake Springs Drilling Program for \$100,285.71.
(23)	September 12, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Colorado investor Gosney for a one unit participation the Rattlesnake Springs Drilling Program for \$100,285.71.
(24)	September 18, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and Oklahoma investor Pedigo, for the purchase of an additional one-half unit participation the Rattlesnake Springs Drilling Program for \$50,142.86 .
(25)	October 4, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and California investor Kessler, for the purchase of a one-quarter unit participation in the Rattlesnake Springs Drilling Program for \$25,071.43.

<u>No.</u>	<u>Date</u>	<u>Location</u>	<u>Description</u>
(26)	October 30, 2006	Richardson, TX	Griffith signed a purchase agreement between ACI and California investor Ham, for the purchase of a one-half unit participation in the Rattlesnake Springs Drilling Program for \$50,142.85.
(27)	November, 2006	Richardson, TX	Lewis had a telephone conversation with Missouri investor Amen.
(28)	November 3, 2006	Richardson, TX	Griffith withdrew \$55,000 from the ACI operating account.
(29)	December 20, 2006	Richardson, TX	Griffith had a telephone conversation with Missouri investor Amen.
(30)	January, 2007	Richardson, TX	Griffith had a telephone conversation with Arizona investor Schroeder.
(31)	January, 2007	Richardson, TX	Lewis had a telephone conversation with Colorado investor Groblebe.

9. The Grand Jury realleges and incorporates by reference, as if fully set forth herein, the allegations set forth in Counts 2 through 24, inclusive, as overt acts.

In violation of 18 U.S.C. § 371 (15 U.S.C. §§ 77q[a] and 77x).

Counts Two through Twenty-Four
Securities Fraud and Aiding and Abetting
(Violations of 15 U.S.C. §§ 77q(a) and 77x and 18 U.S.C. § 2)

1. The Grand Jury realleges and incorporates by reference herein the allegations set forth in the Introduction and paragraphs 2 through 7, inclusive, of Count One of this Indictment, as if fully set forth herein.

2. On or about the dates set forth below, in the Dallas Division of the Northern District of Texas, defendants **David Kevin Lewis** and **Bruce Kyle Griffith**, aided and abetted by one another, in the offer and sale of a security, namely, a fractional undivided interest in oil, gas, and other mineral rights, and an investment contract, concerning the Rattlesnakes Springs Drilling Program, to an investor residing in the state of the United States set forth below, did knowingly and willfully employ a device, scheme, and artifice to defraud, and to obtain money and property by means of an untrue statement of material fact and omitted to state a material fact that was necessary in order to make a statement that was made, not misleading, in light of the circumstances under which made, and engaged in a course of business which operated as a fraud and deceit upon the purchaser, and did, then and there, in association therewith, use a means and instrument of transportation and communication in interstate commerce, by causing an investor's out-of-state check, in the amount set forth below, being full or partial payment to ACI for said security, to be deposited in: (A) ACI Rattlesnake Springs Drilling Program account # *****0905 or (B) ACI operating account *****1265, as indicated below, at JPMorgan

Chase Bank, N.A., and collected through an interstate check clearing system, each count setting forth a separate offense.

<u>Count</u>	<u>Date</u>	<u>Investor</u>	<u>State</u>	<u>Check Amount</u>	<u>Account</u>
2	June 13, 2006	Amen	MO	\$ 50,142.86	A
3	June 16, 2006	Forsberg	NY	\$ 48,000.00	A
4	June 27, 2006	Bucher	GA	\$100,285.71	A
5	July 7, 2006	Gundermann	GA	\$100,285.71	A
6	July 10, 2006	Kaushal	MD	\$ 25,071.42	A
7	July 10, 2006	Parry	CA	\$100,285.71	B
8	July 12, 2006	Thorsland	MN	\$ 50,142.85	A
9	July 14, 2006	Baskin	NJ	\$100,285.71	A
10	July 18, 2006	Schroeder	CO	\$100,285.71	A
11	July 25, 2006	Bratek	NJ	\$ 50,142.86	A
12	July 25, 2006	Millard	AZ	\$50,142.86	A
13	July 26, 2006	Groblebe	CO	\$100,285.71	A
14	August 8, 2006	Weinstein	CA	\$100,285.71	A
15	August 22, 2006	Hanson	WI	\$100,285.71	A
16	August 22, 2006	Pedigo	OK	\$ 50,142.86	A
17	August 22, 2006	Hardee	FL	\$ 25,000.00	A
18	August 31, 2006	Schmutz	UT	\$ 25,000.00	A
19	September 6, 2006	Gosney	CO	\$100,285.71	A
20	September 25 2006	Russell	CA	\$ 50,142.86	A
21	September 25, 2006	Bratek	NJ	\$ 25,071.43	B
22	October 3, 2006	Kessler	CA	\$ 25,071.43	A
23	October 6, 2006	Pedigo	OK	\$ 50,142.91	A
24	October 30, 2006	Ham	CA	\$ 50,142.85	A

2. **Thomas Alden Markham Jr.**, defendant did unlawfully, knowingly and willfully aid, abet, counsel, command, induce and procure the commission of the offense set out above in Counts 2, 7 and 13.

All in violation of 15 U.S.C. §§ 77q(a) and 77x and 18 U.S.C. § 2.

Forfeiture Notice

[18 U.S.C. §981(a)(1)(C) and 28 U.S.C. § 2461(c)]

Upon conviction of any of the offenses alleged in Counts One through Twenty-Four of this Indictment and pursuant to 18 U.S.C. § 981(a)(1)(C) in conjunction with 28 U.S.C. § 2461(c), the defendants, **David Kevin Lewis, Bruce Kyle Griffith, and Thomas Alden Markham Jr.**, shall forfeit to the United States of America all property constituting or derived from proceeds traceable to the respective offense. This property includes, but is not limited to, a "money judgment" in the amount of U.S. currency constituting the proceeds traceable to each respective offense alleged in Counts One through Twenty-Four and is sought from all defendants.

Pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), if any of the above-referenced property subject to forfeiture, as a result of any act or omission of a defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, it is the intent of the United

States of America to seek forfeiture of any other property of that defendant up to the value of the above-described property subject to forfeiture.

A TRUE BILL

Andrew L. Fyffe
FOREPERSON

SARAH SALDAÑA
UNITED STATES ATTORNEY

Joe M. Revesz

JOSEPH M. REVESZ
Assistant United States Attorney
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Stephanie Tourk

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Facsimile: 214.630.8699
Email: stourk@ssb.state.tx.us

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

3. - 12CR - 159 - D

DAVID KEVIN LEWIS (01)
a/k/a David Shane Lewis
a/k/a "DW"

BRUCE KYLE GRIFFITH(02)
THOMAS ALDEN MARKHAM JR. (03)

INDICTMENT

18 U.S.C. §371 {15 U.S.C. §§77q[a] and 77x}
Conspiracy to Commit Securities Fraud

15 U.S.C. §§77q(a) and 77x and 18 U.S.C. §2
Securities Fraud and Aiding and Abetting

18U.S.C. §981(a)(1)(C) and 28 U.S.C. §2461(c)
Forfeiture Notice

24 Counts

A true bill rendered

DALLAS

Andrea L. Pagle
FOREPERSON

Filed in open court this 5th day of June, 2012

WARRANTS TO ISSUE

Clerk

[Signature]
UNITED STATES MAGISTRATE DISTRICT JUDGE
NO CRIMINAL CASE PENDING

ORIGINAL
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

INDICTMENT: Yes No New Defendant: Yes No

Pending CR Case in NDTX: Yes No If Yes, number: _____

Search Warrant Case Number _____

R 20 from District of 3 - **12CR-159-D**

Magistrate Case Number: _____

1. Defendant Information

Juvenile: Yes No

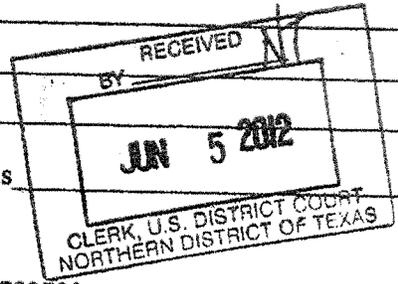
If Yes, Matter to be sealed:
 Yes No

Defendant Name DAVID KEVIN LEWIS (1)

Alias Name a/k/a/ David Shane Lewis, a/k/a/ "DW"

Address _____

County in which offense was committed: Dallas



Bar # 16792700

2. U.S. Attorney Information

JOSEPH M. REVESZ

3. Interpreter

Yes No If Yes, list language and/or dialect: _____

4. Location Status

WARRANT TO ISSUE

- Already in Federal Custody
- Already in State Custody
- On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 24 Petty Misdemeanor Felony

Citation	Description of Offense Charged	Count(s)
18 U.S.C. § 371 {15 U.S.C. §§ 77q[a] and 77x}	Conspiracy to Commit Securities Fraud	1
15 U.S.C. §§ 77q(a) and 77x and 18 U.S.C. § 2	Securities Fraud and Aiding and Abetting	2 - 24
18 U.S.C §981 (a)(1)(C) and 28 U.S.C.§ 2461(c)	Forfeiture Notice	

Date 05/31/2012

Signature of AUSA: *Joseph M. Revesz*
JOSEPH M. REVESZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

INDICTMENT: Yes No New Defendant: Yes No

Pending CR Case in NDTX: Yes No

Search Warrant Case Number: _____

Rule 20 from District of: _____

Magistrate Case Number: _____

8 - 12CR - 159 - D

1. **Defendant Information**

Juvenile: Yes No
Matter to be sealed:
 Yes No

Defendant Name

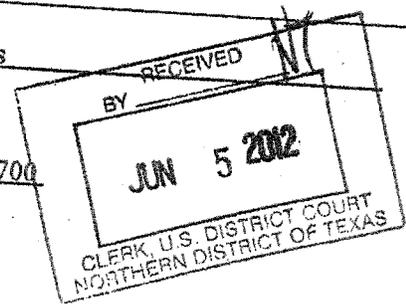
Alias Name

Address

BRUCE KYLE GRIFFITH (2)

County in which offense was committed:

Dallas



Bar #16792700

2. **U.S. Attorney Information**

JOSEPH M. REVESZ

3. **Interpreter**

Yes No

If Yes, list language and/or dialect: _____

4. **Location Status -**

WARRANT TO ISSUE

- Already in Federal Custody
- Already in State Custody
- On Pretrial Release

5. **U.S.C. Citations**

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15 U.S.C. §§ 77q(a) and 77x and 18 U.S.C. § 2	Securities Fraud and Aiding and Abetting	2 - 24
18 U.S.C. § 981 (a)(1)(C) and 28 U.S.C. §2461(c)	Forfeiture Notice	

Date 05/31/2012

Signature of AUSA: Joseph M. Revesz
JOSEPH M. REVESZ

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

Related Case Information

INDICTMENT: Yes No New Defendant: Yes No

Pending CR Case in NDTX: Yes No If Yes, number: _____

Search Warrant Case Number _____

R 20 from District of _____

Magistrate Case Number: **12CR-159-D**

1. Defendant Information

Juvenile: Yes No

If Yes, Matter to be sealed:

Yes No

Defendant Name

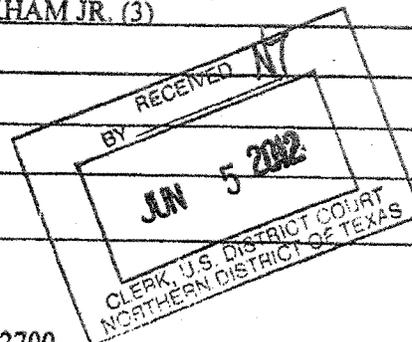
THOMAS ALDEN MARKHAM JR. (3)

Alias Name

Address

County in which offense was committed:

Dallas



Bar # 16792700

2. U.S. Attorney Information

JOSEPH M. REVESZ

3. Interpreter

Yes No

If Yes, list language and/or dialect: _____

4. Location Status

WARRANT TO ISSUE

- Already in Federal Custody
- Already in State Custody
- On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 4

Petty Misdemeanor Felony

Citation	Description of Offense Charged	Count(s)
18 U.S.C. § 371 {15 U.S.C. §§ 77q[a] and 77x}	Conspiracy to Commit Securities Fraud	1
15 U.S.C. §§ 77q(a) and 77x and 18 U.S.C. § 2	Securities Fraud and Aiding and Abetting	2, 7, 13
18 U.S.C §981 (a)(1)(C) and 28 U.S.C.§ 2461(c)	Forfeiture Notice	

Date 05/31/2012

Signature of AUSA:

Joseph M. Revesz

 JOSEPH M. REVESZ