

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

In re SANCTUARY BELIZE
LITIGATION

No. 18-cv-3309-PJM

**PRO-SE MOTION FROM MICHAEL SANTOS
STATEMENT OF UNDISPUTED MATERIAL FACTS (APPENDIX A)**

In support of Michael Santos' Motion for Summary Judgment, the following statements are made to the Court. There is no genuine dispute of the following material facts concerning any of the Sanctuary Belize Enterprise (SBE) Entities during the Relevant Period (as defined by the FTC in its Amended Complaint) of April 20, 2005 to November 6, 2018.

1. Michael Santos has never been an officer, director or owner (minority or majority) of Global Property Alliance or any of the SBE Entities.
 - a. Supported by Exhibit 11: sworn deposition of Gordon Barienbrock
 - b. Supported by Exhibit 12: sworn deposition of Ryan Boyajian
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 14: sworn deposition of James Catsos
 - e. Supported by Exhibit 15: sworn deposition of Maya Baker
 - f. Supported by Exhibit 16: sworn deposition of Violette Mathis
 - g. Supported by Exhibit 17: sworn deposition of Anthony Mock
 - h. Supported by Exhibit 18: sworn deposition of Peter Baker
 - i. Supported by Exhibit 19: sworn deposition of Michael Santos
 - j. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - k. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - l. Supported by Exhibit 22: Request for Admission: Andris Pukke
 - m. Supported by Exhibit 23: Request for Admission: Frank Costanzo

2. Michael Santos met Andris Pukke while he was in prison.
 - a. Supported by Exhibit 19: sworn deposition of Michael Santos

3. Andris Pukke and Rod Kazazi hired Michael Santos to work for Global Property Alliance (GPA).
 - a. Supported by Exhibit 19: sworn deposition of Michael Santos

4. Michael Santos's first day as an employee at GPA was June 2, 2014.
 - a. Supported by Exhibit 19: sworn deposition of Michael Santos

- b. Supported by Exhibit 1: Letter to Probation Officer Cris Smith
5. GPA hired Michael Santos for the specific purpose of improving hiring procedures and editing corporate communication documents for syntax and grammar.
 - a. Supported by sworn deposition of Michael Santos.
 - b. Supported by Exhibit 1: Letter to Probation Officer Cris Smith
 - c. Supported by Exhibit 2: Hiring Procedures
 - d. Supported by Exhibit 3: Straight-A Guide Sales Advertisement
 - e. Supported by Exhibit 4: Pre-Application Questions
 - f. Supported by Exhibit 5: Application for Employment
 - g. Supported by Exhibit 6: Executive Summary Craig Banker Interview Questions
 - h. Supported by Exhibit 7: Sample Training Module
 - i. Supported by Exhibit 8: Letter to Andris Pukke
 6. On his first day of employment, Michael Santos was instructed to work with Jim Catsos, who served as head of sales.
 - a. Supported by sworn deposition of Michael Santos, Exhibit 19
 - b. Supported by Exhibit 8: Letter to Andris Pukke
 7. Michael Santos' first assigned task was to design a system to recruit best-in-class, college-educated independent thinkers.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 1: Letter to Federal Probation Officer Cris Smith
 8. During the first 60 days of employment Michael Santos designed a filter (called Straight-A Guide) to measure a prospective job candidate's work ethic, ability to think independently, and competency in using critical-thinking skills.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibits: 2 through 8: Straight-A Guide filter for job candidates
 9. During the first 60 days of employment, Michael Santos recruited candidates by visiting local college campuses and running ads for candidates. Michael Santos reviewed responses to the Straight-A Guide hiring filter that he created. Michael Santos conducted an initial screening with each candidate that showed promise. More than 50 candidates applied for the positions available. Then, Michael Santos wrote a report for qualified candidates. He submitted his report to James Catsos with a recommendation for his review and interview.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibits 2 through 8
 10. Within one day of Michael Santos's employment, James Catsos instructed Michael Santos that he should not tell people about his prison background and Michael Santos refused. Since Michael Santos refused to lie about his prison background, James Catsos determined that Michael Santos could not work with his sales team.

- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
11. Within the first sixty days of Michael Santos’ employment, James Catsos ultimately made the decision to hire some people that passed through the Straight-A-Guide Job-Candidate filter that Michael Santos created. Approximately 20 people began working under James Catsos’s authority. Since James Catsos refused to work with Michael Santos by the time those candidates began their work, Michael Santos did not participate in the training of the job candidates that James Catsos hired. Within approximately the first sixty days of their employment, James Catsos fired most everyone that advanced through the Straight-A Guide filter. James Catsos fired them because those people refused to adhere to his sales script and they were “independent thinkers.”
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 9: sworn declaration of Genevieve Barnett
 - d. Supported by Exhibit 10: sworn declaration of Eric Goushe
 - e. Supported by Exhibits 2 through 8
12. There was never a time during Santos’ employment with any SBE entity that he had any authority to direct anyone’s work, including anyone on the sales team, in any way:
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo
13. Within the first sixty days of Michael Santos’s employment, Michael Santos offered to resign from GPA because he could not work with James Catsos, who was head of sales. Santos could not work with Catsos partly because Catsos wanted Santos to lie about being in prison for 26 years, and Catsos did not want independent thinkers as salespeople, only those who would parrot Catsos’s sales script pitches. Andris Pukke discouraged Michael from resigning. Instead, he agreed to relocate Michael Santos to work in another area of the office that was separated from sales. Rather than working with the sales team, Andris Pukke instructed Michael Santos to create independent, new projects or companies to build. This change in employment status led Michael Santos to focus for work on prison-reform issues and real investments that were completely separate from the SBE.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 9: sworn declaration of Genevieve Barnett
 - d. Supported by Exhibit 10: sworn declaration of Eric Goushe
 - e. Supported by Exhibit 27: Robina Institute invite, Exhibit 27
 - f. Supported by Exhibit 28: Robina Institute Advisory Council Members

- g. Supported by Exhibit 24: Letter and Agenda for Guam Reentry Project
- h. Supported by Exhibit 25: Email thread to U.S. District Court Judge Tydingco-Gatewood

14. In August of 2014, within 60 days of starting employment, Michael Santos asked Andris Pukke why his website did not provide information to people that left their email address on the SBE website. Andris told Michael Santos that Jim Catsos wanted people to get on the telephone with his sales reps. Jim did not want people to read information. Michael Santos asked Andris if it would be okay to draft a document for people that left their email address. Pukke instructed Michael Santos to draft something that did not mention Sanctuary Belize, but only general information, as Sanctuary Belize was Jim Catsos' territory. Michael Santos created a Word Document to help more people understand benefits of owning real estate in Belize. The document of general interest promotes the idea of owning real estate anywhere in the country of Belize. The draft document did not mention any of the SBE Entities, nor did it make any of the alleged misrepresentations contained in the FTC's Amended Complaint. The draft Word document that Michael Santos created includes a link to an article in the *Washington Post* for cross reference of general information about American retirees. After reviewing the draft document, Andris Pukke said the document might have merit. Pukke forwarded the draft to others unknown to Michael Santos. The draft was revised by others and later became the "Buyer's Guide." The Buyer's Guide does not mention any of the SBE Entities, nor does it make any misrepresentations alleged by the FTC in its Amended Complaint.

- a. Supported by Exhibit 19: sworn deposition of Michael Santos
- b. Supported by Exhibit 21: sworn deposition of Eric Hogan
- c. Supported by Exhibit 33: The Buyer's Guide
- d. Supported by Exhibit 31: Email showing Buyer's Guide for Coldwell Banker
- e. Supported by Exhibit 32: Email showing development of Buyer's Guide

15. The FTC introduced evidence of an email that I sent on August 17, 2014, with "Buyer's Guide" in the subject line. That email confirms that I drafted a Word document that specifically and expressly did not "mention Sanctuary or Kanantik." The document was designed to help prospective visitors to the website that may have wanted to invest anywhere in Belize, including houses through Coldwell Banker that were located in Northern Belize. The Buyer's Guide did not in any way reference any of the SBE Entities, and contains none of the misrepresentations contained in the FTC's Amended Complaint. [Attach the email as an exhibit to your SJ motion and reference the exhibit number here.]

- a. Supported by Exhibit 19: sworn deposition of Michael Santos
- b. Supported by Exhibit 21: sworn deposition of Eric Hogan
- c. Supported by Exhibit 31: Email showing for Coldwell Banker
- d. Supported by Exhibit 32: Email showing development of Buyer's Guide
- e. Supported by Exhibit 33: Buyer's Guide

16. In December of 2014, six months after starting his employment, Michael Santos participated in two live events at an investor conference. During the live events, Michael Santos spoke about his role in overcoming prison life and becoming successful after

prison with alternative investments. Michael Santos's presentations did not make any misrepresentations alleged in the Amended Complaint, but only spoke about his role as an investor that got started after being released from 26 years in prison.

- a. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
- b. Supported by Exhibit 21: sworn deposition of Luke Chadwick
- c. Supported by Exhibit 19: sworn deposition of Michael Santos

17. Michael Santos attempted to form Alternative Investment Seminars, a separate company from the SBE, that would not have any affiliation with the SBE sales team. These efforts began to take place in the Fourth Quarter of 2014 and lasted through the Second Quarter of 2016. Michael Santos intended to acquire the right to control a block of lots within the SBE, and market those lots under Alternative Investment Seminars (AIS). Michael Santos's work with Alternative Investment Seminars did not include SBE Branding, sales or marketing, and it did not make any of the alleged misrepresentations in the FTC's Amended Complaint, and Santos' AIS work was never used as part of the SBE sales or marketing process.

- a. Supported by Exhibit 13: sworn deposition of Luke Chadwick
- b. Supported by Exhibit 19: sworn deposition of Michael Santos
- c. Supported by Exhibit 21: sworn deposition of Eric Hogan
- d. Supported by Exhibit 18: sworn deposition of Peter Baker
- e. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
- f. Supported by Exhibit 15: sworn deposition of Maya Baker
- g. Supported by Exhibit 35: Video transcript of Webinar introduced at Santos Deposition

18. While GPA paid Michael Santos a salary for two years, he separated from the SBE sales team within weeks of being hired, chiefly due to conflicts with Jim Catsos.

- a. Supported by Exhibit 14: sworn deposition of James Catsos
- b. Supported by Exhibit 19: sworn deposition of Michael Santos
- c. Supported by Exhibit 22: Request for Admission Andris Pukke

19. Following Santos' separation from the SBE sales team, he moved to a different location of the building and his primary focus was to build prison-reform products and services. Though Santos has been working on his prison reform writing all along, he formally began building Prison Professor in October 2014. With sponsorship from GPA, Michael Santos created more than 500 podcasts, more than 300 videos, and published a series of books and curriculums for prisons across the United States. During this time, Michael Santos travelled frequently to speak in prisons, universities, government agencies, and schools for at-risk youth. He joined leading scholars and practitioners, including Patricia Smoot, the Chairman of the U.S. Parole Commission, to participate on the Advisory Counsel for the Probation and Parole Robina Institute at the University of Minnesota Law School's. Santos presented at the National Institute of Corrections, the Ninth Circuit Judicial Conference, and numerous other law enforcement events. Michael Santos created video interviews with U.S. District Court Judge Mark Bennett, and with U.S. District Court Judge Steven Bough. At the invitation of U.S. Attorney Alicia Limtiaco, U.S. District Court Judge Tydingco-Gatewood, and U.S. Probation Officer Kim Walmsley,

Michael Santos visited Guam to deliver a series of 35 live presentations to law enforcement on improving outcomes of America's criminal justice system. Although Michael Santos did not contribute to the work of any SBE Entity, including not working on any sales or marketing at SBE, GPA continued paying him a salary because Andris Pukke and Rod Kazazi supported and sponsored the efforts he was making toward reforms in the criminal justice system. It was not possible for me to complete all of my work and travel on prison reform initiatives, while simultaneously being involved or knowing anything about the sales process of the SBE.

- a. Supported by Exhibit 13: sworn deposition of Luke Chadwick
- b. Supported by Exhibit 19: sworn deposition of Michael Santos
- c. Supported by Exhibit 21: sworn deposition of Eric Hogan
- d. Supported by Exhibit 18: sworn deposition of Peter Baker
- e. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
- f. Supported by Exhibit 15: sworn deposition of Maya Baker
- g. Supported by Exhibit 25: U.S. District Judge Tydingo email thread
- h. Supported by Exhibit 27: email chain Robina Institute, June 17, 2014
- i. Supported by Exhibit 28: Robina Institute Council Members, July 10, 2014
- j. Supported by Exhibit 24: Letter to Judge Tydingco-Gatewood, discussing agenda

20. Michael Santos concluded his employment with Global Property Alliance on June 24, 2016.

- a. Supported by Exhibit 37: Email Monthly Report to Federal Probation Officer Amy Balland, U.S. Probation.

21. Michael Santos never misrepresented the fact that he was in prison.

- a. Supported by Exhibit 14: sworn deposition of James Catsos
- b. Supported by Exhibit 19: sworn deposition of Michael Santos
- c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
- d. Supported by Exhibit 15: sworn deposition of Maya Baker
- e. Supported by Exhibit 18: sworn deposition of Peter Baker
- f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
- g. Supported by Exhibit 21: sworn deposition of Eric Hogan
- h. Supported by Exhibit 22: Request for Admission, Andris Pukke
- i. Supported by Exhibit 23: Request for Admission, Frank Costanzo

22. Michael Santos never misrepresented that he met Andris Pukke while both were in prison.

- a. Supported by Exhibit 14: sworn deposition of James Catsos
- b. Supported by Exhibit 19: sworn deposition of Michael Santos
- c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
- d. Supported by Exhibit 15: sworn deposition of Maya Baker
- e. Supported by Exhibit 18: sworn deposition of Peter Baker
- f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
- g. Supported by Exhibit 21: sworn deposition of Eric Hogan
- h. Supported by Exhibit 22: Request for Admission, Andris Pukke
- i. Supported by Exhibit 23: Request for Admission, Frank Costanzo

23. Michael Santos did not have authority to hire or fire any employees for any SBE Entity.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo

24. Michael Santos did not have authority or control over cash withdrawals or deposits, payroll, or compensation structure of any SBE Entity.
 - a. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - b. Supported by Exhibit 18: sworn deposition of Peter Baker
 - c. Supported by Exhibit 19: sworn deposition of Michael Santos

25. Michael Santos did not have authority or control over any employees of any SBE Entity.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo

26. Michael Santos did not have decision-making power over the short-term or long-term goals of the SBE Entities.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo

27. Michael Santos did not have any managerial functions for any SBE Entity.
 - a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker

- f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo
28. Michael Santos did not lead a single sales meeting for a single sales employee of the SBE.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
29. Michael Santos did not lead a single training meeting for a single employee of an SBE Entity.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
30. Not a single deponent testified that Michael Santos “formulated, controlled, had the authority to control, or participated in” the allegedly deceptive marketing scheme that promoted Sanctuary Belize lots and tours.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo
31. Not a single deponent testified that Michael Santos made any videos for any SBE Entity’s sales or marketing function.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick

- d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
 - i. Supported by Exhibit 23: Request for Admission, Frank Costanzo
32. Every deponent with knowledge of the sales process for Sanctuary Belize lots testified that, to his or her knowledge, Michael Santos did not provide a single video that the Sanctuary Belize sales team used to communicate with consumers.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
33. Every deponent with knowledge of the Sanctuary Belize sales process at any SBE Entity testified that Michael Santos did not have any influence over the sales process.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
34. Michael Santos did not produce any videos that the SBE sales department used to communicate with consumers.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
35. Not a single deponent testified that Michael Santos had authority to influence job performance of any SBE employee.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick

- d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
36. Michael Santos did not participate in making any of the FTC's core SBE alleged misrepresentations to any SBE consumer as alleged in the FTC's Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
37. No videos exist that shows Michael Santos discussing misleading investment opportunities.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
38. Not a single deponent testified that Michael Santos participated directly or indirectly in the alleged deceptive practices of the SBE, as alleged by the FTC in its Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
39. Not a single deponent testified that Michael Santos had authority to control the alleged deceptive practices of any SBE Entity, as alleged by the FTC in its Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker

- e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
40. Not a single deponent testified that Michael Santos knew or should have had known of the alleged deceptive and misleading statements of the SBE Entities, as alleged by the FTC in its Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
41. Not a single deponent testified that Michael Santos had actual knowledge of the alleged deceptive conduct of the SBE Entities, as alleged in the FTC's Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
42. Not a single deponent testified that Michael Santos was recklessly indifferent to the alleged deceptiveness of the SBE Entities, as alleged by the FTC in their Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
43. Not a single deponent testified that Michael Santos had a high probability of knowing about the alleged deceptiveness of SBE Entities as alleged by the FTC in its Amended Complaint, nor did any deponent testify that Santos intentionally avoided learning the truth.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos

- c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
44. Not a single deponent testified that Michael Santos “formulated, controlled, [and] had the authority to control” other employees engaged in marketing the SBE.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
45. Not a single deponent testified that Michael Santos had reason to know that others were making misrepresentations as alleged in the FTC’s Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
46. No evidence exists that Movant ever earned a commission from the sale of any lot in the SBE.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - h. Supported by Exhibit 22: Request for Admission, Andris Pukke
47. The FTC cannot produce a single video used by the SBE, or with SBE branding, where Michael Santos represented, directly or indirectly, any of the allegations of misrepresentations in the Amended Complaint.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick

- d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 20: sworn deposition of Zarnie Anderson
 - g. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - a. Supported by Exhibit 22: Request for Admission, Andris Pukke
48. Santos has visited Belize on one occasion, four a five-day trip, in February 2019, for the specific purpose of learning more about investment opportunities and how the project evolved.
- a. Supported by Exhibit 14: sworn deposition of James Catsos
 - b. Supported by Exhibit 19: sworn deposition of Michael Santos
 - c. Supported by Exhibit 13: sworn deposition of Luke Chadwick
 - d. Supported by Exhibit 15: sworn deposition of Maya Baker
 - e. Supported by Exhibit 18: sworn deposition of Peter Baker
 - f. Supported by Exhibit 21: sworn deposition of Eric Hogan
 - g. Supported by Exhibit 36: Copy of Michael Santos's U.S. Passport
49. Santos invested \$1.4 million to become a limited partner in Rancho Del Mar, LLC, purchasing shares from Newport Land Group.
- a. Supported by Exhibit 38: Copy of \$1.4 million cashier's check to Newport land Group
 - b. Supported by Exhibit 39: Copy of Rancho Del Mar Subscription Agreement for limited partners.
 - c. Supported by Exhibit 40: Copy of Rancho Del Mar Operating Agreement for limited partners.
50. Santos and other Class A Limited Investors sued Newport Land Group in Orange County Superior Court to recover the money we invested in good faith to become limited investors in Rancho Del Mar, Costa Rica.
- a. Supported by Exhibit 41: Lawsuit Against Newport Land group
 - b. Supported by Exhibit 38: Copy of \$1.4 million cashier's check
 - c. Supported by Exhibit 40: Copy of Rancho Del Mar Operating Agreement for limited partners.