

Don Clemmer



OFFICE OF THE
DISTRICT ATTORNEY
MARGARET MOORE
P.O. Box 1748
Austin, Texas 78767

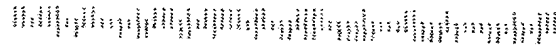
FORWARDING AND ADDRESS CORRECTION REQUESTED.

RECEIVED IN
MAILCENTER
JUN 17 2020
OFFICE OF THE
ATTORNEY GENERAL

Mr. David Maxwell
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

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**OFFICE OF THE
DISTRICT ATTORNEY**

P.O. Box 1748, Austin, TX 78767

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MARGARET MOORE
DISTRICT ATTORNEY

MINDY MONTFORD
FIRST ASSISTANT

June 10, 2020

Mr. David Maxwell
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

Dear Mr. Maxwell:

I am forwarding to you the attached complaint which was recently received by my office regarding allegations of misconduct by employees of the State Securities Board, the Federal Bureau of Investigations, the Department of Public Safety, the United States Attorney's Office for the Western District of Texas, and a federal magistrate. My office would typically forward such a complaint to the Public Integrity Unit of the Texas Rangers for review. However, since an employee of the Department of Public Safety is one of the subjects of the complaint, referral to the Rangers would appear inappropriate. I am therefore requesting that your agency conduct the review.

Thank you for your attention to this matter.

Sincerely,

Don Clemmer
Director, Special Prosecutions Division
Travis County District Attorney's Office

Ronald Earle Building, 416 W. 11th Street, Austin, Texas 78701

Return to:
Travis County District Attorney's Office
Special Prosecution Unit
416 W. 11th Street, Suite 200
Austin, Texas 78701

Austin Police Department
Travis County Sheriff's Office
Travis County District Attorney's Office
(512) 854-9530
FAX: 854-4810

REQUEST TO INVESTIGATE

This complaint form is provided to you with the understanding that this office may conduct investigations to determine if a firm or person is in violation of Penal Laws of the State of Texas. We strongly recommend that you consult with your own private attorney to determine your legal rights and civil remedies in this matter.

(PLEASE TYPE OR PRINT)

I. INFORMATION ABOUT THE PARTY OR FIRM COMPLAINED OF:

See attached.

Full Name

Address (Street, City, State, Zip)

Telephone

Race

Sex

Height

Weight

Hair

Eyes

D.O.B or Approximate Age

Driver's License #

D.L. State

Social Security Number

II. COMPLAINING PARTY AND WITNESS:

See attached.

Your Full Name (and Company Name, if applicable)

Address (Street, City, State, Zip)

Telephone Numbers (Office & Home)

D.O.B.

Driver's License #

D.L. State

WITNESS - Name

Address and Telephone

WITNESS - Name

Address and Telephone

III. INFORMATION ABOUT ALLEGED OFFENSE:

See attached.

Date of alleged offense:

Where did the offense occur:

What property was taken: _____

Total value of property taken: _____

What, if any, property have you recovered: _____

What is the business and/or personal relationship between you and the party or firm complained of: _____

Have you discussed this matter with the person or firm: _____ Their reply: _____

Did you sign a contract: _____ If so, enclose a copy.

What other agencies have you reported this matter to: _____

(PLEASE TYPE OR PRINT)

IV. FACT DESCRIPTION: *(attach additional pages as needed)*

Describe the exact nature of your complaint below and on additional sheets, if necessary. Please be complete. Include the name of the individual that you dealt with and dates. If possible, recite facts in the order in which they occurred. You must provide copies of all relevant documents (see attached list). **Keep all originals in a safe place in the event they are needed for court purposes. See attached.**

I certify that the information that I have furnished the District Attorney in this complaint is true and correct to the best of my knowledge and belief, and is furnished for the sole purpose of instituting a criminal prosecution where the investigation indicates criminal activity and not for the purpose of recovering personal property or any other thing of value. I authorize the District Attorney to use the information given in any manner that he deems necessary and proper. I further certify that I understand that the District Attorney's Office cannot give me legal advice or act as my attorney. I also understand that the completion of this form will not constitute the filing of criminal charges. I have not withheld any information pertinent to this complaint.


SIGNATURE OF COMPLAINANT

Natin Paul
PRINTED NAME OF COMPLAINANT

SUBSCRIBED AND SWORN TO before me this the _____ day of _____, A.D., 20____.

(Seal)

Notary Public in and for the State of Texas
My Commission Expires: _____

Information needed from you to begin an investigation may include the following,
please send as many of these documents as you have available:

- 1) In the fact description, be very detailed about what specifically you are alleging (attach additional sheets as necessary.)
- 2) If checks, drafts or other bank items were used in the commission of the alleged offense include:
 - a) Copies of bank statements
 - b) Copies of the front and back of checks
 - c) Copies of wire orders
 - d) Checkbook registers, check stubs, accounting ledgers, and/or complete backup copies of QuickBooks or Peachtree accounting software (include version number). If you use another type of software, check with the assigned investigator prior to sending a backup file.
 - e) Identification of all of the victim's bank accounts.
- 3) If the victim is a business or association:
 - a) Copies of documents used for the legal formation of the business (partnership agreements, articles of incorporation, etc.)
 - b) Description of business, including type of operation, names of owners or partners, names of directors and contact information (include on a separate sheet).
 - c) The affiant's position within the business
- 4) If the party about which you are complaining is/was an employee:
 - a) Complete personnel file, including application, resume, IRS Forms W2 and W4, direct deposit information, copies of paychecks, list of all direct deposits, copies of reimbursements, time sheets, and relevant correspondence.
- 5) Promissory notes, security agreements, or loan agreements
- 6) All civil pleadings and orders related to the actions about which you are complaining.
- 7) Copies of any receipts or invoices involved
- 8) Copies of all contracts or written agreements between involved parties
- 9) Copies of any pertinent written or email correspondence between parties
- 10) A forensic audit

I. INFORMATION ABOUT THE PARTY OR FIRM COMPLAINED OF:

[REDACTED]
Financial Examiner at the Texas State Securities Board ("TSSB")
Austin, Texas
DOB: [REDACTED] Age: 36

[REDACTED]
FBI Special Agent
Austin, Texas
DOB: [REDACTED] Age: 51

[REDACTED]
Texas Department of Public Safety
Austin, Texas
DOB: [REDACTED] Age: 43

Alan Buie
Assistant United States Attorney
Office of the U.S. Attorney for the Western District of Texas, Austin Division.
Austin, Texas
DOB: [REDACTED] Age: 54

Neeraj Gupta
Assistant United States Attorney
Office of the U.S. Attorney for the Western District of Texas, Austin Division.
Austin, Texas
DOB: [REDACTED] Age: 54

Mark Patrick Lane
U.S. Magistrate Judge, WDTX, Austin Division
Austin, Texas
DOB: [REDACTED] Age: 57

Veronica Sobrevilla-Dent
Courtroom Deputy to U.S. Magistrate Judge Mark Lane
Austin, Texas
DOB: [REDACTED] Age: 39

II. COMPLAINING PARTY AND WITNESS:

Natin "Nate" Paul
[REDACTED]
Austin, Texas 78735
DOB: [REDACTED]
Phone: (512) 529-2222

Witness

Jeremy Stoler
814 Lavaca St., Austin, Texas 78701
(512) 365-0289

III. INFORMATION ABOUT ALLEGED OFFENSE:

Date of Alleged Offense: August -- September 2019

Where did the offense occur: Austin, Travis County, Texas

IV. FACT DESCRIPTION: *(attach additional pages as needed)*

Describe the exact nature of your complaint below and on additional sheets, if necessary. Please be complete. Include the name of the individual that you dealt with and dates. If possible, recite facts in the order in which they occurred. You must provide copies of all relevant documents (see attached list). **Keep all originals in a safe place in the event they are needed for court purposes.**

This complaint is regarding search warrants that were executed in August of 2019 in Austin, Travis County, Texas, and the conduct of the officers and agents authorizing and executing the search warrants. These searches were of properties owned/controlled by myself, Nafin "Nate" Paul and/or my company, World Class Capital Group.

Agents involved in executing the search include [REDACTED], [REDACTED], and [REDACTED]. These 3 agents were part of a group of approximately 75 agents that were present at the searches at 3 separate locations on August 14, 2019.

The AUSAs overseeing the matter were Alan Buie and Neeraj Gupta of the Department of Justice for the U.S. Attorney of the Western District of Texas.

The search warrants were supposedly authorized and signed by US Magistrate Judge Mark Patrick Lane. Judge Lane's Deputy Courtroom Clerk is Veronica Sobrevilla-Dent.

Search warrants were not presented to the individuals present at any of the 3 locations that were searched on August 14, 2019. These locations include (1) World Class Holdings Office, 814 Lavaca St, 303-307 W. 9th St, Austin, Texas 78701; (2) World Class Holdings Server Room, 320-322 Congress Avenue, Austin, Texas 78701; (3) Nate Paul's residence, [REDACTED] Austin, Texas 78735.

I was personally present at location (3) my residence, [REDACTED] Austin, Texas 78735. The agents raided my residence at approximately 9:00am on August 14, 2019. Despite over ten requests to see the search warrant, Agent [REDACTED] repeatedly denied my access to seeing the search warrant. Additionally, Agent [REDACTED] and the other agents cut the wi-fi lines to my home and destroyed my security camera system after entering my home. The security camera system was destroyed at approximately 9:17am. Despite my requests, I was detained in my home and was not allowed to use the restroom for approximately 2 hours after the agents arrived. Additionally, Agent [REDACTED] refused to let me call an attorney until approximately 11:00am, two hours after they arrived. Agent [REDACTED] confiscated my phone from my pocket when they entered my residence. When I was finally allowed to call my attorney, I had to make the call from Agent [REDACTED] cell phone. My attorney informed me that they were not

Witness

Jeremy Stoler
814 Lavaca St., Austin, Texas 78701
(512) 365-0289

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Agents involved in executing the search include [REDACTED]
[REDACTED] These 3 agents were part of a group of approximately 75 agents that were present at the searches at 3 separate locations on August 14, 2019.

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allowed to detain me and that it was against my rights for them to have detained me and not allowed me to call counsel for the two hours they had been inside my residence. I asked my counsel to tell Agent [REDACTED] that I was free to leave, and they were not to detain me any longer. Agent [REDACTED] acknowledged this on the call with my counsel. After he hung up the phone call, I attempted to stand up since I was told I was free to leave. Agent [REDACTED] ordered me to sit back down and I wasn't free to leave "until he said so." They proceeded to keep me detained for another 1.5 hours until 12:30pm.

Individuals requesting copies of the search warrant at the office and server room were similarly denied access to the search warrants when requested before, during, and after the searches took place.

Copies of the purported search warrants were received by my counsel via email from AUSA Alan Buie. The first relating to my residence was received by my counsel in an email from Alan Buie at 5:59pm on August 14, 2019. The search warrants relating to the office and the server room were sent on August 15, 2019 and August 16, 2019.

AUSA Alan Buie assured my counsel that there were only 3 search warrants. We later learned an additional search and seizure took place at an off-site, third-party file storage facility that held documents belonging to my company. On a September 5, 2019 phone call, Chuck Meadows and Gerry Morris, as co-counsels for myself and World Class, asked AUSAs Alan Buie and Neeraj Gupta to confirm that there were only 3 search warrants issued for the 3 respective locations. Mr. Buie and Mr. Gupta maintained their story that these were the only search warrants. When Mr. Meadows and Mr. Morris told Mr. Buie they were aware of the search and seizure of World Class' records from Contego, a third-party file storage vendor's offices, Mr. Buie simply responded, "Okay. You got me."

Mr. Buie then claimed that he did have a search warrant for the file-storage location but felt he didn't need to disclose it to Mr. Paul or his counsel. On September 6, 2019, Mr. Buie emailed a search warrant for this location that he claims was authorized by Judge Mark Lane for the search of this location.

In February 2020, my counsel, Michael Wynne, and I learned of at least 3 additional search warrants that Mr. Buie and Mr. Gupta obtained, that were signed and authorized by Judge Mark Lane, that were never previously disclosed. Mr. Buie stated that these search warrants were obtained "just in case we needed them." In October 2019, the court signed an order allowing access to judicial records to provide my counsel and I copies of the actual records that were filed in the case. The documents we were given do not match the documents we subsequently learned about in the case. These other "new" search warrants were never provided to us.

This complaint is being filed because of a strong belief that the named parties have tampered with the government records relating to these search warrants, they obtained these search warrants based on false information and inaccurate affidavits, and intentionally mistreated, detained, and violated my constitutional rights of Mr. Paul, and illegally searched and seized property belonging to myself, my family, and World Class.

Many items seized from my home were not within the scope of what the search warrant they later provided would have allowed. They took pictures of my children, childbirth videos of my two daughters, health records, attorney-client privileged files, and more.

The metadata of the documents provided as government records authorizing the search warrants show that they were edited after the searches started on August 14, 2019.

The bases for asserting claims include, but are not limited to, (i) Tampering with Government Records under Texas Penal Code § 37.10, and (ii) Official Oppression under Texas Penal Code § 39.03.