

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SECURITIES AND EXCHANGE  
COMMISSION

v.

TRENDON T. SHAVERS AND  
BITCOIN SAVINGS AND TRUST

CIVIL ACTION NO. 4:13cv416  
(Judge Clark/Judge Mazzant)

**DECLARATION OF FRANKLIN JASON SEIBERT IN SUPPORT OF**  
**DEFENDANTS' RESPONSE TO ORDER TO SHOW CAUSE WHY RULE 37**  
**SANCTIONS SHOULD NOT BE IMPOSED**

1. I, Franklin Jason Seibert, am the attorney of record for defendants in this case.
2. On or about May 21, 2014, I contacted the forensic accounting firm of Laffer & Gottlieb in Los Angeles, California and inquired of their availability to assist in preparation of accounting documents for this matter. The firm is available.
3. On May 27, 2014, I requested confirmation from counsel for Plaintiff that the ESI information referenced in DOC-30 of the docket in the above captioned case was ever sent to Defendants. On May 28, 2014, counsel for Plaintiff confirmed they did not send the information in compliance with Rule 26 until February 26, 2014. The attached letter referenced in the email did not contain the disclosure information. On the morning of May 28, 2014, the parties discussed various issues of the case, including the "ESI" documents referenced in DOC-30. After the phone call, I informed counsel for Plaintiff that Defendants were not in receipt of the alleged disk. Counsel for Plaintiff insisted it was sent. Counsel for Plaintiff

stated he would send me a copy. See attached electronic mail correspondence between the parties as EXH-1.

4. On May 23, 2014, I sent email to counsel for Plaintiff seeking clarification of certain questions regarding the processes followed by the Commission thus far in this case, including but not limited to, what form of investigation was opened by the Commission and various other questions regarding due process and protection of rights. In response, the Commission wrote a letter dated May 27, 2014, that stated any information requested relating to the investigation must be made through separate inquiry and only under agreement of confidentiality. See attached correspondence as EXH-2.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on May 30, 2014.

*/s/ Franklin Jason Seibert*  
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