Jody Goodman (DC Bar No. 404879)
(202) 326-3096; jgoodman1@ftc.gov
Elsie Kappler (MA Bar No. 562265)
(202) 326-2466; ekappler@ftc.gov
Federal Trade Commission
600 Pennsylvania Ave., NW, CC-8528
Washington, DC 20580

Local Counsel
Jeffrey Tang (CA Bar No. 308007)
(310) 824-4303; jtang@ftc.gov
Federal Trade Commission
10990 Wilshire Boulevard, Suite 400
Los Angeles, California 90024
Attorneys for Plaintiff

FILED
CLERK, U.S. DISTRICT COURT
9/9/24
CENTRAL DISTRICT OF CALIFORNIA
BY: MRV DEPUTY

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Federal Trade Commission,
Plaintiff,
v.
Ascend Capventures Inc., also doing business as Ascend Ecom LLC; Ascend Ecomm LLC; ACV; ACV Partners; Accelerated Ecommerce Ventures; Ascend Distribution LLC; Ethix Capital; and ACV Nexus, a Wyoming close corporation profit corporation,
Ascend Ecommerce Inc., also doing business as Ascend Ecom LLC, a Wyoming close corporation profit corporation,
Ascend Administration Inc., a California general stock corporation,
Ascend Ecom LLC, a Wyoming limited liability company,
Ascend Distribution LLC, a Texas limited liability company,
William Michael Basta, individually and as officer and/or owner of Ascend Ecom

No. 2:24-cv-07660SPG(JPRx)

FILED UNDER SEAL

PLAINTIFF FEDERAL TRADE COMMISSION'S EXHIBITS

VOLUME IX

Exhibit 24-27

Pages 2509 to 2631

LLC, Ascend Capventures Inc., Ascend Ecommerce Inc., Ascend Administration Inc., and Ascend Distribution LLC, and **Jeremy Kenneth Leung**, individually and as an officer and/or owner of Ascend Ecom LLC, Ascend Capventures Inc., Ascend Ecommerce Inc., Ascend Administration Inc., and Ascend Distribution LLC,

Defendants.

Volume IX – Exhibit List

Ex.	Description	Beginning Page #	Ending Page #
24	Declaration of Michael Kelley	2509	2528
25	Declaration of Kieran Moore	2529	2541
26	Documents Produced by Etsy	2542	2552
27	Documents Produced by the United States Department of State	2553	2631

Exhibit 24

DECLARATION OF MICHAEL B. KELLY

1. My name is Michael B. Kelley. I am over 18 years old and live in Long Island City, New York. The following statements are within my personal knowledge.

2. I am Head of Distribution at Yahoo Finance LLC ("Yahoo") and have been employed for approximately eight years in the Content department. In this capacity, I have been responsible for distribution of content published on the Yahoo Finance website (https://finance.yahoo.com/). I am currently responsible, in addition to my other duties, for matters related to content quality on Yahoo Finance.

3. As Head of Distribution at Yahoo, I am familiar with the process by which third-party content is made and published on Yahoo Finance. Some content is obtained through Yahoo's partnerships with press release distributors, who distribute press releases for publication on Yahoo Finance. Yahoo understands that the press release distributors accept, for a fee, press releases from merchants, corporate entities, agencies, and others for distribution to media outlets. Yahoo has guidelines for what press release distributors can submit to it, including that the press releases are required to provide information that is newsworthy and on topics of interest to Yahoo Finance consumers.

4. The press releases described in Paragraph 3 are not authored by Yahoo or any representative of Yahoo. They are not Yahoo news articles, nor are they features or endorsements by Yahoo. It is inaccurate and misleading to characterize them as such.

5. **Attachment A** is a true and correct copy of a press release regarding a company called Ascend Ecom that was available on the Yahoo Finance website on March 18, 2022. This press release is not a Yahoo news article, feature, or endorsement. The press release was distributed to Yahoo by a press release distributor, AccessWire, and was presumably authored and paid for by Ascend

Ecom. After learning about the press release from the FTC in or around late May 2024, Yahoo determined that the press release violated Yahoo's guidelines for press release distributors, including the requirement that press releases contain only factual content related to newsworthy events. Yahoo removed the press release shortly thereafter.

6. **Attachment B** are true and correct copies of email messages sent by Ascend employees and officers, including William Basta and Jeremy Leung, that the FTC gave me to review. The messages include the Yahoo Finance brand and logo at the bottom of the emails underneath the signature block and sometimes include the word "featured" in connection with Yahoo. Yahoo has not authorized Ascend Ecom, Ascend Capventures, or any of their employees or officers to use the Yahoo brand or logo. Nor is any content on the Yahoo Finance website an endorsement or feature of Ascend.

7. **Attachment C** is a true and correct copy of an Ascend Capventures website that the FTC gave me to review. The website bears the Yahoo Finance brand and logo, but it is not authorized to do so. This is not an endorsement by Yahoo of Ascend or any of its related entities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/21/2024, 2024 at Yahoo offices in New York, New York.

Signed by:
Michael B. Kelley
A267ABEDFA6A4C3...

MICHAEL B. KELLEY

Attachment A

DocuSign Envelope ID: 43930BBA-9A8C-4D19-8306-E015DF224A12

ACCESSWIRE

Ascend Ecom Works to Bring Transparency to the Ecommerce Industry

March 18, 2022 · 4 min read

LOS ANGELES, CA / ACCESSWIRE / March 18, 2022 / Over the last few years, a new trend in ecommerce has arisen: companies that create and manage their clients' online stores that sell products through Amazon and Walmart. Clients can potentially earn passive income, as the company handles everything from choosing products, to shipping, to invoicing. With everything existing in the virtual space, however, and the company often based in a city that is different from its client's, there is the possibility of fraud. It's a problem that the team at Ascend Ecom, including its founder, Will Basta, care deeply about and set out to help solve when they began building and running online ecommerce stores for people interested in potentially diversifying their income streams.

Quote Lookup

TRENDING

1. U.S. bank earnings to decline in first quarter
2. Spain to open idle liquid gas facility as European storage base
3. UPDATE 1-Evidence of war crimes in Ukraine must be collected, EU commissioner says
4. Ukraine Update: Dozens Reported Killed as Russia Bombs Evacuees
5. Russia Unexpectedly Slashes Rates as Focus Shifts to Economy

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Wayback Machine https://finance.yahoo.com/news/ascend-ecom-works-bring-transparency-175500567.html
2 captures
18 Mar 2022 - 3 Apr 2022
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About this capture

ASCEND
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URL
https://web.archive.org/web/20220408100756/https://finance.yahoo.com/news/ascend-ecom-works-bring-transparency-175500567.html
Timestamp
Monday 05 2024 09:14:28 GMT-0400 (Eastern Daylight Time)

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https://finance.yahoo.com/news/ascend-ecom-works-bring-transparency-175500567.html
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2021 2022 2023

ASCEND
GROWTH · AUTOMATED

The Problem of Fraud in Ecommerce

In the old days, brick-and-mortar stores made owning and running a business relatively simple. If you hired someone to manage your bike shop, for example, you could stop in on any given day, take a look at the books, see how business was going, and in general check to make sure everything was on the up and up.

Online stores have changed that model. Investors still have an asset that has the potential to produce cash, appreciate, and be sold, but it's in the digital space. They are no longer able to look over their manager's shoulder so easily. Instead, they must trust that the person or company managing their online business is truly shipping those orders and paying the profits they are owed.

Is it really so surprising, then, that as it becomes more popular to own a digital store run by a third party, there is the possibility of fraud?

Ascend Ecom's Solution: Bring Transparency Into Ecommerce

Ascend Ecom states that to combat the bad actors the industry has seen and maintain the trust of its clients, it has built visibility into each aspect of the customer experience. "It begins with the onboarding process. When we researched the industry, we found that too many people did not understand what they were investing in or how it would work. We decided that this would be the first part of owning an online store that we would address."

With this in mind, Ascend Ecom created an onboarding process that focuses on ensuring clients understand the backend of their business. Clients are able to ask any question and

URL
https://web.archive.org/web/20220408100756/https://finance.yahoo.com/news/ascend-ecom-works-bring-transparency-175500567.html
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EX 24
2514

Case 2:24-cv-07960-SPG-JPR Document 19 Filed 09/09/24 Page 8 of 125 Page ID #:2765

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people did not understand what they were investing in or how it would work. We decided that this would be the first part of owning an online store that we would address."

With this in mind, Ascend Ecom created an onboarding process that focuses on ensuring clients understand the backend of their business. Clients are able to ask any question and

https://finance.yahoo.com/news/ascend-ecom-works-bring-transparency-175500567.html
Go MAR APR MAY 08 2021 2022 2023

their business' development, including the creation of the website, choice of products, management of inventory, shipment of orders, and handling of all customer service.

Additionally, both the Los Angeles office and Dallas warehouse are open for anyone to visit. "We have an open door policy because we want our clients to know that real people are working for them and that there really is a warehouse that handles the shipment of all of their orders," says Ascend Ecom. "We also work hard to prioritize each of our client's businesses. At our central warehouse facility and distribution center, each client gets a unit allotted to them for their products. No one ever gets lost in the crowd."

By creating a system that prioritizes integrity and visibility, Ascend Ecom says that it has generated $25 million in revenue for its clients in 2021 alone. The company states, "We have 155 partners and clients, many of whom were referred to us because of the good reputation we have earned in the ecommerce space. All of this is because we have put ethics ahead of profits."

Ascend Ecom: The Future of Ecommerce

The reality is that so long as there is money to be made, fraud in any industry, including ecommerce, will never completely go away. That said, we may over time see less of it in the industry as customers reward companies like Ascend Ecom with their repeat business and positive reviews, ultimately leading to a stronger online shopping experience for more people.

For more information on how you can have your own online store and potentially earn passive income, please contact:

Grace, Client Relations
Grace@ascendecom.com
1-385-255-0932
Or visit:
Website: https://www.ascendecom.com/
Facebook: https://www.facebook.com/AscendEcom

SOURCE: Ascend Ecom

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Timestamp
Monday 05 2024 09:14:28 GMT-0400 (Eastern Daylight Time)

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SOURCE: Ascend Ecom

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Timestamp
Mon Aug 05 2024 09:14:28 GMT-0400 (Eastern Daylight Time)

Attachment B

Gmail

Brian Bowen [redacted]

Ascend Ecom: AMZ Welcome Email

2 messages

Ascend Support <support@ascendecom.com> Tue, Jan 17, 2023 at 8:52 AM

[redacted]

Hello Brian,

Welcome to Ascend! A lot of exciting passive business opportunities ahead and we are eager to get this Amazon Automation venture started with you!

Please watch our welcome video so you will be aware of the phases that will happen to your store: https://youtu.be/SOFYYs0kEsE

You can send the payment of your onboarding fee via wire transfer for a much faster transaction. Sending via wire will accelerate the onboarding process and enable our team to begin product research sooner. Here's the details for wire transfer:

- Bank Name: Chase
- Account Name: Ascend Ecom LLC
- Account Number: [redacted]7352
- Routing Number: [redacted]0021
- Address: 1309 Coffeen Avenue Suite 2784, Sheridan, Wyoming 82801

Alternatively, you can also make a payment via Bill.com. We will send invoice(s) for your onboarding fee and profit share via Bill.com. Please be advised that all payments via bill.com are done through ACH and the payment will be received on our end within a week.

After you made your payment, kindly send the photo or screenshot of your payment confirmation or receipt to support@ascendecom.com so we can confirm it with our billing team and continue the onboarding process.

Note: Once the payment has been made, we'll be able to work on your business sooner.

To get started, please see the attached files and complete the necessary requirements/steps:

- Requirements to Get Started on Amazon
- Amazon Seller Central Account Registration
- ClickUp Guide for Store Owners

We will also send an invitation to your email address for our ecosystem (ClickUp) that will serve as the universal platform to provide you with better experience when it comes to having access to your store's details such as your on-boarding progress/status, your store's sales, inventory, and performance data. ClickUp will also serve as your communication hub making communication more streamlined and easy to track. Please be advised that there's a software charge for this and it would be billed monthly ($5/user). If you wish to add additional users they will be billed the same way. Please see attached file for the ClickUp guide with tutorial videos on how to use it on a computer and mobile device.

Note: Our operating hours are from 9:00 AM – 5:00 PM (EST) - Weekdays, our staff won't be able to immediately respond via email and ClickUp outside said hours. To ensure that your concerns/requests are properly logged and easy to reference when our staff becomes available, kindly submit a Support Request using the Form.

Also, please download Whatsapp and provide your contact number so we can send you a message in case we won't hear back from you or when you're having trouble contacting us.

If you need help with funding, we recommend Fundwise, which, on average, has assisted our clients add over $40,000 in working capital. Alternatively, you may also apply directly to American Express for a business credit card.

Regards,

Raquel Cusay
Client Relations Associate, **Ascend Ecom**

ASCEND

www.ascendecom.com support@ascendecom.com
2219 Main St. Santa Monica, CA



3 attachments

ClickUp Guide for Store Owners.pdf
446K

Requirements to Get Started on Amazon.pdf
53K

Amazon Seller Central Account Registration.pdf
4473K

[redacted] Wed, Jan 18, 2023 at 5:09 PM

To: Ascend Support <support@ascendecom.com>

Received, thank you.
[Quoted text hidden]

Gmail Branden Lathan <[redacted]@gmail.com>

Update

11 messages

Branden Lathan <[redacted]@gmail.com> Mon, Mar 20, 2023 at 8:50 AM
To: Will Basta <will@ascendecom.com>

Will,

I want you to have real visibility to what is happening in your company. I've attached screenshots of the communications I sent to my team Friday because I received an email that required simple action. No one responded all day per usual and I ended up getting a second email saying that Amazon took action due to no response from me. At that point Skye literally had to beg someone to respond to this issue. Roland ends up responding with questions to me as if he's expecting me to handle the issue. This is truly mind blowing. I really don't know where to go from here. You guys are no longer providing the service I paid for, I still have not been transition to this new inventory platform that was supposed to take 4-5 days. It's been 20 days and I've been told nothing as to what the status is except it will be completed "ASAP".

Is it time to talk about a refund and terminating this partnership? I'm at a loss for words at how bad this experience has been since day 1 and every attempt to improve has failed and it just seems to be getting worse.

Please let me know how we will be proceeding.

Thank you

Branden

3 attachments



image0.png
1791K



image1.png
1630K



image2.png
1638K

Will Basta <will@ascendecom.com> Mon, Mar 20, 2023 at 9:00 AM
To: Branden Lathan <[redacted]@gmail.com>, Ascend Support <support@ascendecom.com>

Branden,

With FBA amazon will be handling all product and customer service related concerns. Your transition is taking longer, because of the deployment of our warehouse software which has been announced, and a full data audit for the entire company being done for inventory clarity reasons. Damaged product is a shipping issue not an ascend issue which we can claim. Ill get more eyes on your channel, but we are moving to slack, which will give senior analysts access to your chats and streamline this.

We don't do early terminations, as your upfront cost has been leveraged already via our infrastructure and team on your account, so our priority is making you profitable, but I will provide you an update on your business by tomorrow and what you expect in the next 7-14-30 days.

I don't have time to email back and forth, so my next email will be an update to you. Thank you.

Regards,

Will

[Quoted text hidden]

--



Will Basta
Co-Founder & CRO, Ascend Ecom

www.ascendecom.com will@ascendecom.com
2219 Main St. Santa Monica, CA

ASCEND

Forbes Entrepreneur yahoo! finance Inc. MAGAZINE MarketWatch

Branden Lathan <[redacted]@gmail.com> Mon, Mar 20, 2023 at 9:47 AM
To: Will Basta <will@ascendecom.com>

I understand that you don't do early termination but at this point the fact that you are no longer providing the services we agreed upon, this would likely be considered an issue of non-performance of our contract which would be grounds for early termination. I obviously would like to avoid the litigation route and like I've said before, I would still really like this partnership to work out, but I also need to protect my investment because we're not talking a small amount of money here and I haven't recouped any of the investment yet as I continue to rack up interest on my loans. I know I'm not the only client that is experiencing the same frustrations and failures as your management team has told me themselves that they are currently overwhelmed with clients that have issues similar to mine.

I will await your update and hopefully it will be sufficient enough to give me some confidence back in this partnership.

Thank you.

Sent via my iPhone.

> On Mar 20, 2023, at 9:00 AM, Will Basta <will@ascendecom.com> wrote:
>
> [Quoted text hidden]

Branden Lathan <[redacted]@gmail.com> Wed, Mar 22, 2023 at 11:47 AM
To: Will Basta <will@ascendecom.com>

Still awaiting that update that I was promised yesterday…

Sent via my iPhone.

> On Mar 20, 2023, at 9:47 AM, Branden Lathan <[redacted]@gmail.com> wrote:
>
> I understand that you don't do early termination but at this point the fact that you are no longer providing the services we agreed upon, this would likely be considered an issue of non-performance of our contract which would be grounds for early termination. I obviously would like to avoid the litigation route and like I've said before, I would still really like this partnership to work out, but I also need to protect my investment because we're not talking a small amount of money here and I haven't recouped any of the investment yet as I continue to rack up interest on my loans. I know I'm not the only client that is experiencing the same frustrations and failures as your management team has told me themselves that they are currently overwhelmed with clients that have issues similar to mine.
> [Quoted text hidden]

Will Basta <will@ascendecom.com> Thu, Mar 23, 2023 at 1:50 PM
To: Branden Lathan <[redacted]@gmail.com>

I'm not the one doing the report. My team said theyll have it for you tonight. We also are looking at getting you into this supplement line. We just sources with a low buy in an high margins.

Well get back to you soon on this.
[Quoted text hidden]

Branden Lathan <[redacted]@gmail.com> Mon, Mar 27, 2023 at 9:35 AM
To: Will Basta <will@ascendecom.com>

Will,

Still no update. Add to that my team hasn't responded to any of my messages on WhatsApp since Wednesday. Add to that their response last Wednesday was a blatant lie saying that they have been busy handling my issue with the return (I sent you the screenshot about this and you said that Amazon is handling that issue since it was FBA).

Skye was supposed to get me on your calendar for a call over two weeks ago, that hasn't happened yet. The month of March is now over and my store has essentially been inactive the entire month.

So now we've digressed into them continuing to ignore me and lie to me. This is beyond unacceptable and I can't believe that you're just letting this happen seemingly having no control over your employees while simultaneously you're continuously producing marketing materials that are dishonest and misleading in order to get new clients when you have a whole lot of clients you have turned your back on.

Sent via my iPhone.

> On Mar 23, 2023, at 1:50 PM, Will Basta <will@ascendecom.com> wrote:
>
> [Quoted text hidden]

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Jeremy Leung <jeremy@ascendecom.com>
to Will, me

Fri, Jun 9, 12:03AM

Hi Branden

We have just secured a boatload of inventory that we will begin to sell on stores once the manufacturer delivers it to us (within one month).

These items will be fulfilled by Amazon and make 25-40% ROI and we will guarantee the sale through of the inventory otherwise we will buy it back.

This will require minimum10k investment.

In the meantime I have requested your store to be selling other inventory we have in our warehouse to the tune of $5,000 of COGS which should equate to $6,000 of sales. You should see these sales begin within the next 1-2 weeks.

If you want to wait until we sell through these items first before you move forward with our FBA wholesale program that I outlined above, then we can do that.

Regards

Jeremy

•••

--



Jeremy Leung
COO, Ascend CapVentures

www.ascendcapventures.com | jeremy@ascendcapventures.com

ASCEND CAPVENTURES

Forbes Entrepreneur yahoo! finance Inc. MarketWatch

Jeremy Leung
to me, Will

Wed, Jun 21, 3:38AM (2 days ago)

Hi Brandon

We are providing you an opportunity here to purchase inventory that we will contractually guarantee the sale of within 60 days after it reaches Amazon. The inventory will make 25-40% ROI and we even provide you an invoice after we find the products should you wish to approve them. While we try our best to stick to the products on that invoice, if we find a product that has a quicker lead time and higher ROI from the manufacturer, we will switch the other products out for these ones.

We obviously want to turn your first year around and yes, as part of us operating an e-commerce business on your behalf, we need you to purchase inventory. To make things easier for our clients, we accept credit card and we then wire the amount to the manufacturers, who do not accept credit card as they give us the lowest prices so we can deliver the most profits for our clients.

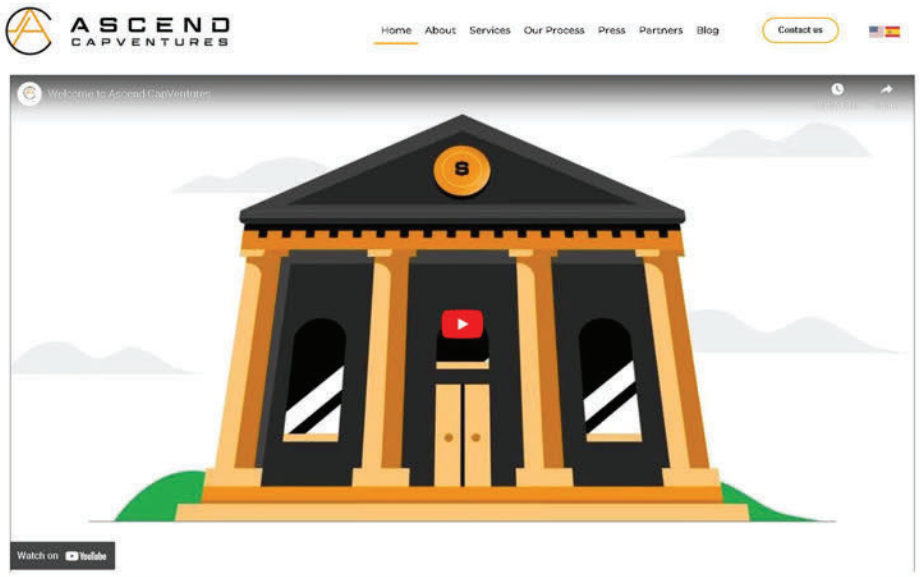
Regards

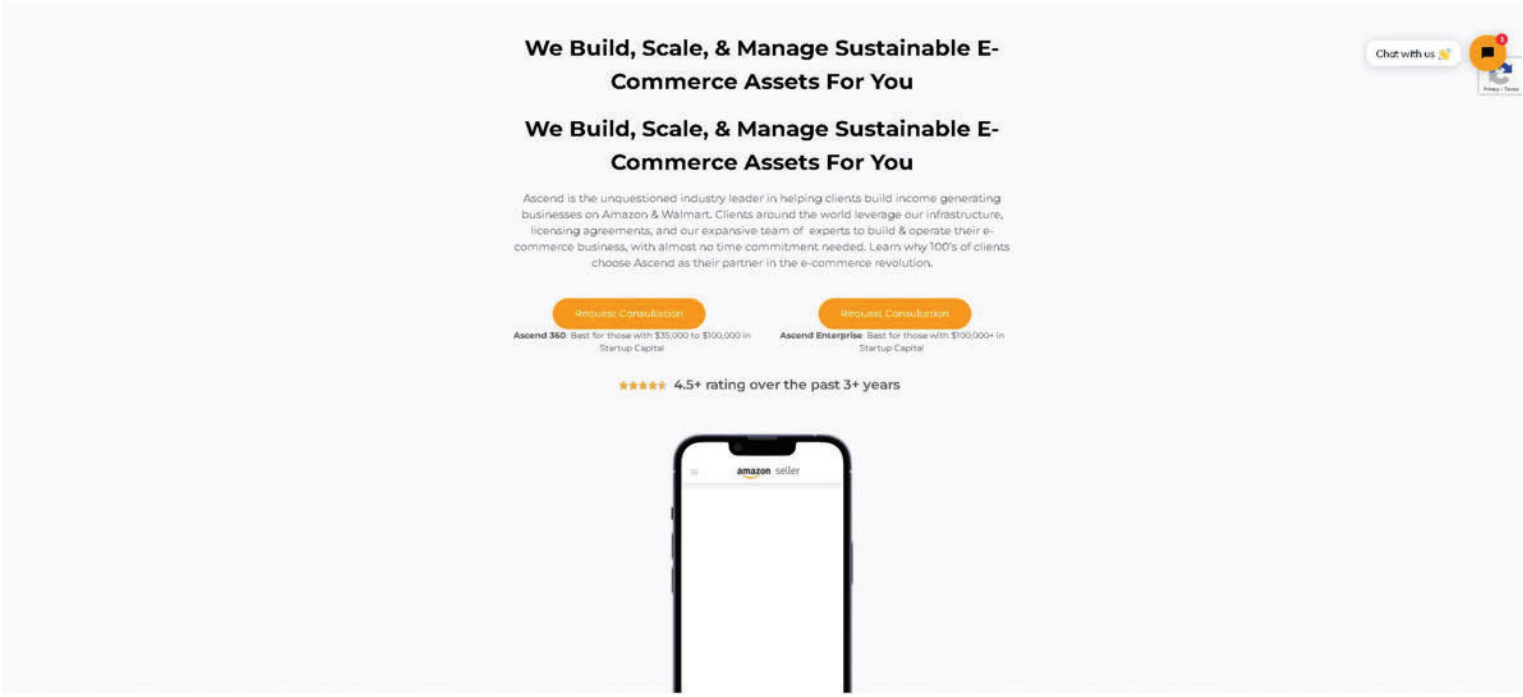
Jeremy

•••

Case 2:24-cv-07660-SPG-JPR Document 19 Filed 09/09/24 Page 16 of 125 Page ID #:2773

Attachment C


ASCEND
CAPVENTURES
Home
About
Services
Our Process
Press
Partners
Blog
Contact us
Watch on YouTube


We Build, Scale, & Manage Sustainable E-Commerce Assets For You
We Build, Scale, & Manage Sustainable E-Commerce Assets For You
Ascend is the unquestioned industry leader in helping clients build income generating businesses on Amazon & Walmart. Clients around the world leverage our infrastructure, licensing agreements, and our expansive team of experts to build & operate their e-commerce business, with almost no time commitment needed. Learn why 100's of clients choose Ascend as their partner in the e-commerce revolution.
Request Consultation
Ascend 360 Best for those with $35,000 to $100,000 in Startup Capital
Request Consultation
Ascend Enterprise Best for those with $100,000+ in Startup Capital
4.5+ rating over the past 3+ years
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Forbes
MarketWatch
BUSINESS INSIDER
Meet The Company That's Disrupting An Industry and Transforming The Digital Asset Landscape
Ascend CapVentures is a logistics company, wholesale distributor and an e-commerce seller management company all built into one powerful organization. Based in Dallas, TX with warehouses and prep centers in Texas, Florida, New York, and Michigan, we're on a mission to increase turnkey access to the 5 trillion dollar e-commerce market for both everyday retail clients and experienced institutional clients.
Read More
Easy Onboarding Process
We support you through every step of the onboarding process. Whether it's opening up a new LLC, filing tax exemptions, or securing new lines of credit — we'll help you get you set up for
Full Service E-Commerce Management
We do 100% of the work after we get you onboarded, so all you need to do is track your store performance in real-time and approve
Inventory Buyback Assurance
Your commitment is our commitment, and is backed by our contract. If your wholesale products don't sell within 90 days, we'll buy them back from you. If you don't generate a profit on
Chat with us

success. We expect to have your stores up and running in 2-8 weeks, depending on which package and type of store you choose.

invoices. We do everything from brand licensing, product sourcing, responding to customer reviews, assisting you with your annual tax returns, and everything in between. And yes, we love getting virtual high-fives from clients.

your initial fees, including setup costs, we'll buy back your store and make you whole. Our interests are deeply aligned.

Chat with us

Diversify Your Portfolio with a Sustainable Income Generating Digital Asset

Show Me The Numbers

With 4 warehouse facilities, a proven scalable infrastructure and some of the most talented leadership in the industry, Ascend CapVentures is responsible for pulling in millions in revenue on Amazon alone.

Digital Real Estate

An Amazon FBA Business can be a valuable digital asset, potentially appreciating in value over time. According to SellerApp.com (06/2023), in 2021, the average sales price for Amazon FBA brands on their marketplace had a 40X multiple in 2021 alone. Successful Amazon FBA businesses may have the potential for a strong resale market value.

Fully Managed

Our team is made up of 100's of experts in product research, logistics, operations, analytics, marketing and customer service.

Sole Ownership

Clients receive direct deposits to their bank account every 2 weeks from Amazon & Walmart directly. You own 100% of the business, and Ascend acts solely as your manager and advisor.

6 +
Years Combined Leadership Experience In Ecommerce Logistics And Tech Industry

9
Exclusive Logistics Centers

0 +
US Based Teammates

0 +
Total Teammates

1 +
Brand Licensing Partners

Chat with us

Clients With Strong Results.

When building Ascend, our executives noticed the opportunity to take a DFY (done-for-you) Amazon business model and turn it into an advanced data-driven strategy, hyper-focused on logistics at the core with perpetual innovation at the forefront. We set out to create a model where both our company's interests and our client's interests were deeply aligned; it's safe to say we've accomplished that mission.



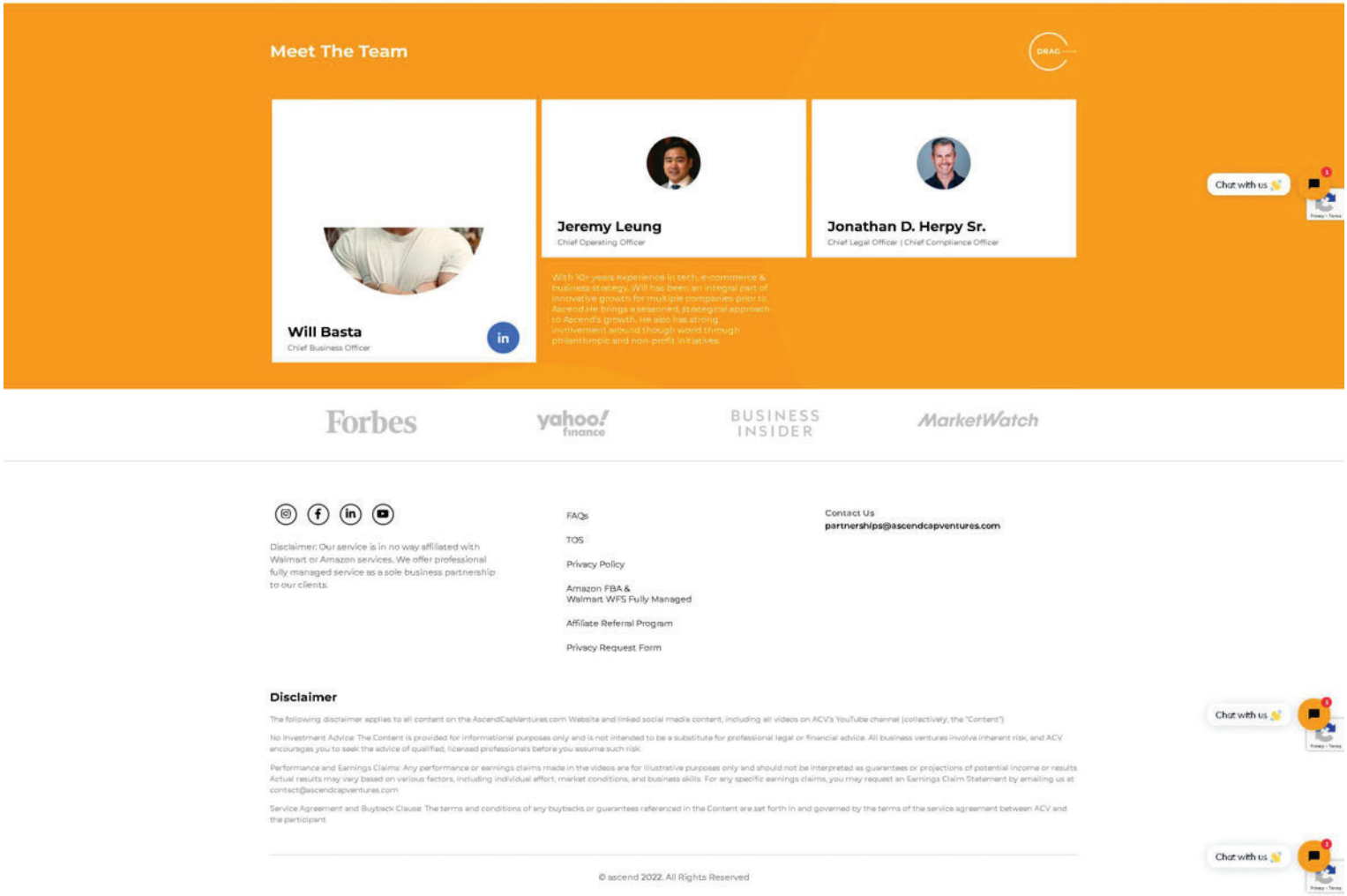
Chat with us



Schedule a Tour of Our Logistics Centers & Offices. We Take Transparency Seriously, and look forward to hosting you for a tour in our primary facilities in Dallas.

Visitors learn about the behind-the-scenes process of wholesaling, private label brand-building, operations, and the logistics process.

We have an open-door policy for both of our warehouse facilities and our offices.



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Contact Us
partnerships@ascendcapventures.com

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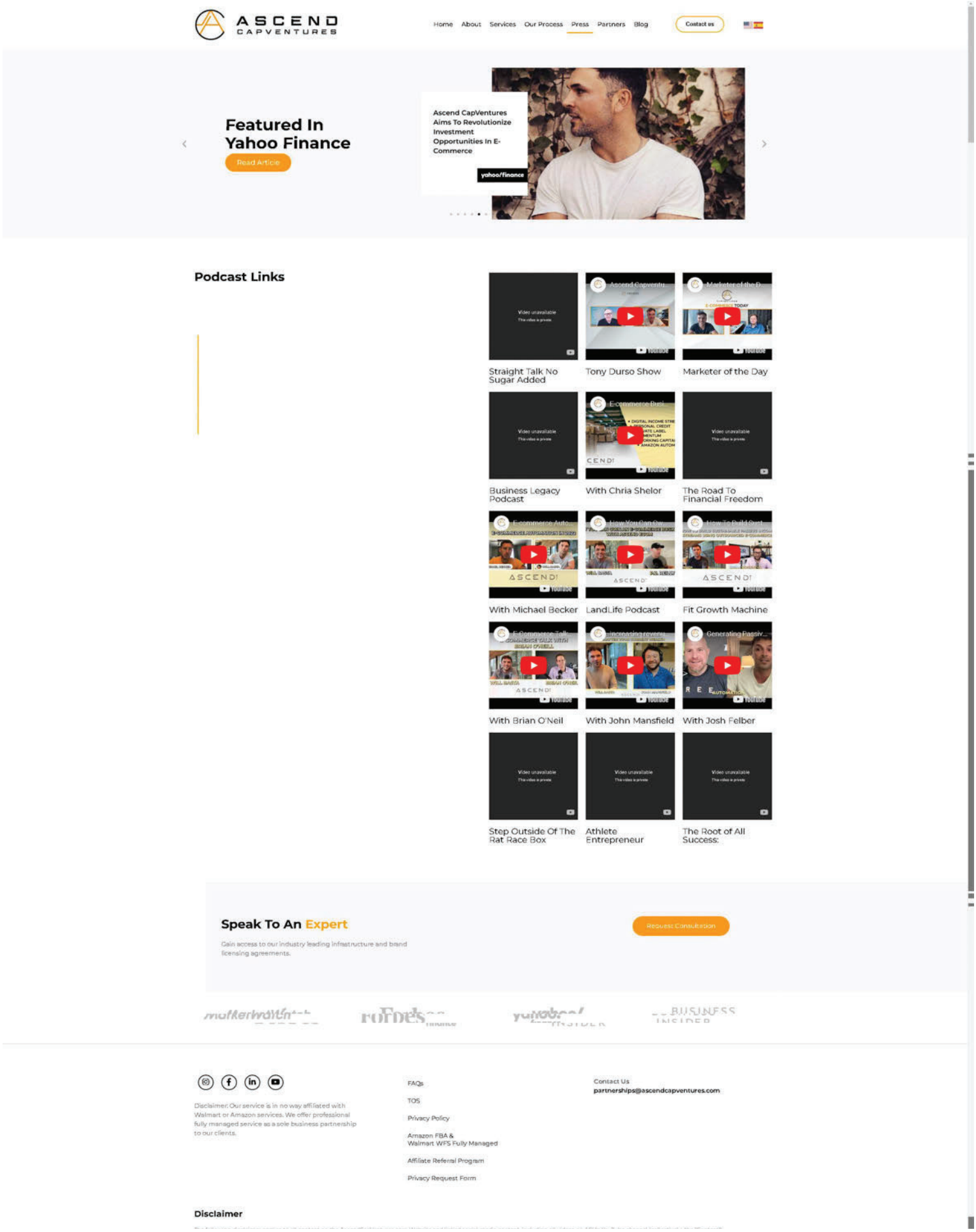
Chat with us

Chat with us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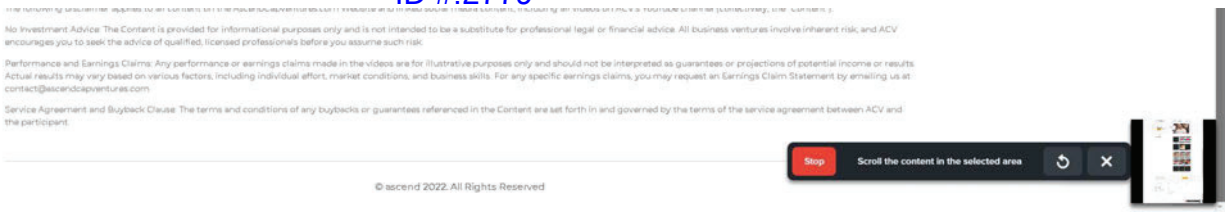
EX 24
2527



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Service Agreement and Buyback Clause: The terms and conditions of any buybacks or guarantees referenced in the Content are set forth in and governed by the terms of the service agreement between ACV and the participant.

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Exhibit 25

DECLARATION OF KIERAN MOORE

1. My name is Kieran P. Moore. I reside in Vancouver, British Columbia Canada, and I am over the age of eighteen. The following statements are within my personal knowledge.

2. I have been employed by lululemon athletica Canada Inc. for approximately 11 years in the legal department. At all times I have been responsible for managing various legal matters, including the intellectual property of lululemon globally. My current role is VP Legal, Deputy General Counsel. I am currently responsible, in addition to my other duties, for all legal matters related to anti-counterfeiting, and the legal aspects of fraudulent misrepresentations or impersonations of our brand, trademark and company name.

3. lululemon has numerous corporate entities. The Parent Holding Company of lululemon is "lululemon athletica Inc.", a Delaware entity, which is listed on "Nasdaq Global Select Market". lululemon usa inc. is a subsidiary entity that operates our stores and sales in the United States. I am employed by lululemon athletica Canada inc., which generally is the entity that would grant any license to manufacture our product or use our name or trademarks. I will collectively refer to all subsidiaries of lululemon athletica inc. herein as "**lululemon".** I am responsible for the IP and counterfeiting matters of all lululemon entities.

4. I am a lawyer, called and practicing in good-standing under the Law Society of British Columbia. I am also a registered trademark agent in Canada.

5. I am familiar with our brand authorizations, as well as brand protection and anti-counterfeiting matters that routinely come before the company.

6. **Attachment A** is a copy of a document falsely purporting to be a "SALES APPLICATION & PURCHASING AGREEMENT" of lululemon (the "Counterfeit Agreement").

7. The Counterfeit Agreement is not a genuine lululemon document. I am confident that it was not created by or authorized by lululemon.

8. The following features indicate to me that the Counterfeit Agreement is not a genuine lululemon document.

1) I have made inquiries to search our records to determine whether the Purchaser listed on the document (American Group or James Anderson) is an authorized manufacturer, distributor or agent. They are not and we do not have any record of a relationship with such an entity or person.

2) We do not create a "Sales and Purchasing Agreement". This agreement does not reflect a relationship we normally enter into.

3) We are generally a direct-to-consumer business in the United States. We operate our own retail stores. Although we have some wholesale channels, we do not have agents who sell to these channels as is suggested in this agreement.

4) Contrary to section 8 in the Counterfeit Agreement, we do not contract with individual sellers to sell directly to consumers through e-commerce. The provision "*Purchaser agrees to sell directly to consumers through e-commerce or in store only*" does not accord with our normal business practices.

5) This document is in a different form and format from any of our contracts.

6) We do not use a large watermark on our documents as is shown in the Counterfeit Agreement.

7) The logo in the corner of the Counterfeit Agreement is clearly a poor cut-and-paste from a public source such as the internet.

Close inspection shows a white square surrounding the logo, which would not be present on a genuine lululemon document.

8) We do not generally spell lululemon with a capital 'L'.

9) We do not have a record of an employee named Lexie Raitt – who is the purported signatory of the Counterfeit Agreement.

10) The alleged Director of Communication is not a genuine lululemon role. Persons working in the communications department are not responsible for authorizing any purchase or sales agreements.

11) The footer *"Prepared by: Lululemon athletica, Inc. legal department. Any legal inquiries should be directed to mail@e.lululemon.com"* does not appear in genuine lululemon agreements.

12) The email address included is not a genuine lululemon email address. Our email addresses are not hosted as *@e.lululemon.com.*

13) Although there may be some exceptions, we do not typically use the jurisdiction of the State of North Carolina for our contracts.

14) It is clear to me from reading the text of the provisions that they are not our standard wording for terms.

15) lululemon athletica, inc does not commonly enter into agreements. An agreement for sales in a country would generally be entered into by the entity for that country. In this case, lululemon usa inc would generally be the contracting entity.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 31, 2024 at Vancouver, British Columbia, Canada.

Kieran Moore

Kieran P. Moore

Attachment A

SALES APPLICATION & PURCHASING AGREEMENT

Lululemon athletica, Inc.

Date: 07-20-2023

This Sales Agreement for Products (this "Agreement") is made effective as of date listed above by and between Lululemon athletica, Inc., located at 1818 Cornwall Ave, Vancouver BC V6J 1C7, ("Lululemon athletica"), and Purchaser (purchaser as set forth below).

PURCHASER INFORMATION: (please fill out completely)

Company Name: American Group

Company Point of Contact Name: James Anderson

Company Point of Contact Phone: 512 394 [redacted]

Company Point of Contact Email: procurementhubcoglobal@gmail.com

Shipping Address: [redacted], Pomona, NY, 10970

Billing Address: P.O Box [redacted], Austin, Texas, 78711-3697

Company EIN: _____ or Company Resale Tax ID#: 803869052

Company Website(Optional): _____

Platforms you wish to sell Lululemon athletica: Online own website and 3rd party seller forums.

1. PRODUCT STANDARDS. The Goods shall comply with industry standards.

2. TITLE/RISK OF LOSS. Buyer shall pay reasonable shipping costs in accordance with its shipping instructions, but the seller shall be responsible for packaging, shipping and safe delivery and shall bear all risk of damage or loss until the goods are delivered to the buyer's address.

3. PAYMENT. Payment shall be made to Lululemon athletica, Inc. in the full amount of invoice at time that Purchase Order (PO) is received by Lululemon athletica, Inc. from the buyer and Lululemon athletica provides the invoice for payment. Product will not ship until payment is received in full.

In addition to any other right or remedy provided by law, if purchaser fails to pay for the Goods when due, Lululemon athletica has the option to treat such failure to pay as a material breach of this Agreement and may cancel this Agreement and/or seek legal remedies as described below under "Remedies on Default."

4. DELIVERY. Time is of the essence in the performance of this Agreement. Lululemon athletica will arrange for delivery, by carrier chosen by Lululemon athletica according to the following schedule: Within 20 business days of payment being received unless unforeseen issues arise which Lululemon athletica, Inc. will make purchaser aware of.

5. PAYMENT OF TAXES. Purchaser agrees to pay all taxes of every description, federal, state, and municipal, that arise as a result of this sale, excluding income taxes.

6. WARRANTIES. Lululemon athletica warrants that the Goods shall be free of substantive defects in material and workmanship.

LULULEMON ATHLETICA SHALL IN NO EVENT BE LIABLE FOR ANY INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES OF ANY NATURE, EVEN IF LULULEMON ATHLETICA HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Lululemon athletica agrees to indemnify, hold harmless, and defend purchaser, its affiliates, successors, assignees, customers, and users from any and all claims,

demands, suits at law or equity, and all expenses including attorneys' fees, involving infringement or alleged infringement of any patent, trademark, or copyright resulting from the purchase, use, or sale of the Goods.

No refunds are permitted on Lululemon athletica products. Exchanges for other, in stock items, is permissible. NOTE: Not all Lululemon athletica Products are available for resale on all sales platforms. Please confirm with your sales representative prior to ordering.

7. INSPECTION. Purchaser, upon receiving possession of the Goods, shall have a reasonable opportunity to inspect the Goods to determine if the Goods conform to the requirements of this Agreement. If purchaser, in good faith, determines that all or a portion of the Goods are non-conforming, purchaser may return the Goods to Lululemon athletica at purchaser's expense. Purchaser must provide written notice to Lululemon athletica of the reason for rejecting the Goods. Lululemon athletica will have 14 days from the return of the Goods to remedy such defects under the terms of this Agreement.

8. SALES. Purchaser agrees to sell directly to consumers through e-commerce or in store only. No distribution of product is permitted to other wholesale vendors for resale.

9. DEFAULT. The occurrence of any of the following shall constitute a material default under this Agreement:

a. The failure to make a required payment when due.

b. The insolvency or bankruptcy of either party.

c. The subjection of any of either party's property to any levy, seizure, general assignment for the benefit of creditors, application, or sale for or by any creditor or government agency.

d. The failure to make available or deliver the Goods in the time and manner provided for in this Agreement.

e. Purchaser is not permitted to resell Lululemon athletica products to other resellers.

f. If purchaser is selling on Amazon or other e-commerce platforms, the purchaser’s name on the invoice and the purchasers store name must be one in

the same.

9. REMEDIES ON DEFAULT. In addition to all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term or condition of this Agreement (including without limitation the failure to make a monetary payment when due), the other party may terminate the Agreement by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the default. The party receiving such notice shall have 2 days from the effective date of such notice to cure the default(s). Unless waived by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Agreement and purchaser will be held liable for fines up to $100,000.00, damages and all legal fees.

10. FORCE MAJEURE. If performance of this Agreement or any obligation under this Agreement is prevented, restricted, or interfered with by causes beyond either party's reasonable control ("Force Majeure"), and if the party unable to carry out its obligations gives the other party prompt written notice of such event, then the obligations of the party invoking this provision shall be suspended to the extent necessary by such event. The term Force Majeure shall include, without limitation, acts of God, plague, epidemic, pandemic, outbreaks of infectious disease or any other public health crisis, including quarantine or other employee restrictions, fire, explosion, vandalism, storm or other similar occurrence, orders or acts of military or civil authority, or by national emergencies, insurrections, riots, or wars, or strikes, lock-outs, work stoppages, or other labor disputes, or supplier failures. The excused party shall use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and shall proceed to perform with reasonable dispatch whenever such causes are removed or ceased. An act or omission shall be deemed within the reasonable control of a party if committed, omitted, or caused by such party, or its employees, officers, agents, or affiliates.

11. DISPUTE RESOLUTION. Any controversies or disputes arising out of or relating to this Contract shall be resolved by binding arbitration in accordance under the rules of the American Arbitration Association. The parties shall select a mutually acceptable arbitrator knowledgeable about issues relating to the subject matter of this Contract. The arbitrator(s) shall not have the authority to modify any provisions of this Contract or to award punitive damages. The arbitrator(s) shall have the power to issue mandatory orders and restraint orders in connection with

the arbitration. The decision rendered by the arbitrator(s) shall be final and binding on the parties, and judgment may be entered in conformity with the decision in any court having jurisdiction. During the continuance of any arbitration proceeding, the parties shall continue to perform their respective obligations under this Contract.

12. CONFIDENTIALITY. Both parties acknowledge that during the course of this Agreement, each may obtain confidential information regarding the other party's business. Both parties agree to treat all such information and the terms of this Agreement as confidential and to take all reasonable precautions against disclosure of such information to unauthorized third parties during and after the term of this Agreement. Upon request by an owner, all documents relating to the confidential information will be returned to such owner.

Upon termination of this Agreement, Lululemon athletica will return to purchaser all records, notes, documentation and other items that were used, created, or controlled by Lululemon athletica during the term of this Agreement.

13. NOTICE. Any notice or communication required or permitted under this Agreement shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the addresses listed above or to such other address as one party may have furnished to the other in writing. The notice shall be deemed received when delivered or signed for, or on the third day after mailing if not signed for. Purchaser may send communications to mail@e.lululemon.com

14. ENTIRE AGREEMENT. This Agreement contains the entire agreement of the parties regarding the subject matter of this Agreement, and there are no other promises or conditions in any other agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties.

15. AMENDMENT. This Agreement may be modified or amended if the amendment is made in writing and signed by both parties.

16. SEVERABILITY. If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

17. WAIVER OF CONTRACTUAL RIGHT. The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

18. APPLICABLE LAW. This Agreement shall be governed by and construed according to the laws of the State of North Carolina without reference to its conflicts of law principles.

19. SIGNATURES. This Agreement shall be signed on behalf of the Purchaser and on behalf of Lululemon athletica by Lululemon athletica, Inc., Lexie Raitt
Director of Communication, Lululemon Athletica and effective as of the date first above written.

20. Resell Restriction: E-Commerce vendors are mandated to sell under one name/storefront only. The name on this contract, the paid invoice and the storefront name must all be on in the same. Failure to have a signed agreement per store is in violation of this contract and federal governances. This subjects you to fines as well as criminal prosecution

Buyer/Purchaser:

James Anderson

Signature

Date: 07-20-2023

By:
Printed Name

James Anderson

Seller: Lululemon athletica, Inc.

Signature

By: Director of Communication

Date: 07-20-2023

Printed Name

Lexie Raitt

Prepared by: Lululemon athletica, Inc. legal department. Any legal inquiries should be directed to mail@e.lululemon.com

Exhibit 26

Etsy

To: [redacted]
Federal Trade Commission
Bureau of Consumer Protection • Division of Marketing Practices
Mailstop CC-5201 • Room CC-8533
600 Pennsylvania Ave., NW
Washington, DC 20580

From: Etsy, Inc.
117 Adams Street
Brooklyn, NY 11201

Re: CID from FTC

Date: August 22, 2024

To Whom It May Concern:

As custodian of records to Etsy, Inc. ("Etsy"), I make the following representations to the requests for information:

Requested Documents to be Produced	Reply
Basic Subscriber Information for Etsy account [redacted] (Shop Name: [redacted])	**EXHIBIT A**
Customer Communications for account [redacted] (Shop Name: [redacted])	**EXHIBIT B**

Please note that Etsy objects to all requests to the extent they are vague, ambiguous, and/or overbroad, including any request that seeks "any" or "all" documents or records without limitation or further detail. In addition, Etsy objects to all requests for documents or records that are not reasonably accessible, or that are not in Etsy's possession, custody, or control. Etsy also objects to requests for documents and/or records that are publicly available or, if applicable, equally available from other parties. Furthermore, Etsy objects to all other requests for documents and/or records that are not otherwise provided herein.

Etsy does not waive and expressly reserves any rights and objections.

Sincerely,

Erin Reilly
Etsy, Inc.

Affidavit

I, Erin Reilly hereby certify:

1. I am employed by Etsy, Inc., located in Brooklyn, New York. I have authority to submit this affidavit on behalf of Etsy. I have personal knowledge of the following facts, except if noted, and could testify competently thereto if called as a witness.

2. Attached is a true and correct copy of file(s) of data associated with Etsy user accounts "8[redacted]4 "("Documents") produced in response to a request submitted on August 21, 2024.

3. The attached Documents are records made and maintained by Etsy. Etsy's servers record this data automatically at or near the time it is entered or transmitted by the user, and this data is kept in the course of regularly conducted business activity, and was prepared by regularly conducted activity as a regular practice and custom of Etsy.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



_____ Date: August 22, 2024

(Signature of Custodian of Records)

Erin Reilly

_____

(Name of Custodian of Records)

EXHIBIT A

Basic Subscriber Information for Etsy Seller account 8zajjxw54cpzuhm4 (Shop Name: [redacted])	
Username	[redacted]
Shop Name	[redacted]
User ID	[redacted]
Shop ID	[redacted]
Join Date	2024-03-21
Shop Create Date	2024-03-21
Account Closure Date	2024-06-18
Account Status	Suspended
Account Closure Reason	Not Handmade
Full Name(s)	[redacted]
Legal Address(es)	[redacted] CA [redacted] United States
Business Name (from Shop Set Up)	[redacted] LLC
Email Address(es)	[redacted]
Bank Account(s)	Name on Account [redacted] LLC (legal name from Taxpayer page) Bank Name: Bank of America Account Number: [redacted] Routing Number: 1[redacted] Currency: USD Country: United States Date Added: Apr 1, 2024
Phone Number(s)	[redacted]
Last Login Date	2024-08-07
IP Address at Last Login	[redacted]
Browser	Chrome 127.0.0.0 on Windows 10 (WholeSale Internet) en-US
Sales and Orders	65 sales, 6 cancelled
Cases	3- Not As described

Etsy <noreply@etsy.com> May 15, 2024 at 1:04 pm EST

to: [redacted]@gmail.com

Hi [redacted]

This is Etsy's Trust & Safety team.

We're always working hard to keep Etsy a special destination for unique and creative goods, vintage items, and craft supplies. One of the many ways we do this is by helping sellers understand and follow our policies for selling on Etsy.

Why we're reaching out

It looks like some of your listings weren't in line with our Handmade Policy, so after review by our team, we've removed them from our marketplace. These listings may have been reported to us or flagged by Etsy's internal systems. This means they're not active anymore and won't be seen by buyers—and you can't edit to relist them on Etsy. To see which listings we removed, check your inactive items.

What you'll need to do next

To avoid more policy violations, make sure your listings follow our Handmade Policy—here are some quick tips to help make things easier:

- **Handmade items have to be made or designed by you.** You can't resell anything in our handmade category--only certain vintage goods or craft supplies can be resold on Etsy. Learn more about reselling.
- **Selecting** colors, shapes, and other **ready-made options available from a supplier**, or adding your own logo or branding to items that you are not otherwise designing or making, **does not meet our handmade criteria**.
- **Selling craft or party supplies?** Mark it as "A supply or tool to make things" in your listing's core details.
- If you **work with someone who's not part of your Etsy shop to help make your items**, you'll need to **add them as a production partner** in your listing's core details.
- Use your own images for your listings. **Using others' photos or stock images of items that are similar to yours is not permitted.**
- Looking for more examples of what can and can't be sold on Etsy? Check our Seller Handbook.

Keep in mind, if you have multiple policy violations, we may need to remove any Star Seller badges you have or suspend your account.

We're grateful that you've chosen to be part of our community and appreciate your help in protecting all that makes Etsy special.

Thanks,

Etsy's Trust & Safety team
https://www.etsy.com/help

———

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Etsy <noreply@etsy.com> May 30, 2024 at 8:23 am EST

to: [redacted]@gmail.com

Hi [redacted]

This is Etsy's Trust & Safety team.

We're always working hard to keep Etsy a special destination for unique and creative goods, vintage items, and craft supplies. One of the many ways we do this is by helping sellers understand and follow our policies for selling on Etsy.

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Etsy <noreply@etsy.com> Jun 11, 2024 at 11:24 am EST

to: [redacted]@gmail.com

Hi [redacted],

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- Use your own images for your listings. **Using others' photos or stock images of items that are similar to yours is not permitted.**
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Thanks,

Etsy's Trust & Safety team
https://www.etsy.com/help

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June 24, 2024 at 3:31 PM

Your legal full name:
What kind of items do you sell?: Items that I design that other people help me make
List all the locations where your current shop members are signing into your account: City: Kansas City Region: Missouri Country: United States
Why are you appealing your account suspension?: I have resolved all issues and will no longer violate Etsys policies
Other reason:
Are there any actions you've taken to address your suspension?: There is no such issue, We have resolved all buyer's concerns already
How will your business practices change if you regain account access?: Dear Etsy Support Team, I am writing to appeal the suspension of my Etsy account, magasinHaven, which was suspended on 06-18-2024. I received notification that my account was suspended due to suspected involvement in spam activities, specifically clicking on spam links. First and foremost, I want to express my sincere apologies for any actions that may have violated Etsy's policies. I understand the seriousness of spamming and the negative impact it can have on the Etsy community. I want to assure you that it was never my intention to engage in spammy behavior, and I take full responsibility for any inadvertent actions that may have led to this suspension. In response to the suspension, I have taken immediate action to rectify the situation. I have ceased all activities that may have contributed to the violation, and I have enhanced my awareness of Etsy's policies to prevent similar issues in the future. Additionally, I have reviewed my browsing habits and implemented measures to avoid clicking on any suspicious or spammy links in the future. Sincerely, @gmail.com
Describe any extenuating circumstances that may have contributed to your suspension:

June 25, 2024 at 1:35 PM

Hello,

This is Ivy from Etsy's Trust & Safety team. We appreciate you taking the time to file an appeal with Etsy. **After careful consideration, we've determined your account does not qualify for reinstatement.** We've performed a comprehensive review of your account and the information you provided, and are unable to reconsider this decision.

The items you've listed in your Shop do not qualify to be sold in Etsy's marketplace per Etsy's Handmade Policy.

On multiple occasions, between May 15 and June 11, 2024 we notified you that continuing to list non-qualifying items in your Shop may result in the permanent suspension of your account. Although we wish every seller success with running their businesses on Etsy's platform, we must take this type of repeated violation of Etsy's policies into consideration due to the risk involved to the marketplace.

To clarify, the items we removed from your shop appear to be resold items that are commercially available on major retail platforms. For example, your listing "Vintage Women's Summer Embroidery Cotton linen Shirts, Unique Style Blouses, Loose Short Sleeve Cotton Top, Women Clothing, Gift For Her" can also be found here: https://fr.aliexpress.com/item/1005005489328531.html?src=google&aff_fcid=d74409800abd4ae59a36eda31aae860d-1718119418907-02329-UneMJZVf&aff_fsk=UneMJZVf&aff_platform=aaf&sk=UneMJZVf&aff_trace_key=d74409800abd4ae59a36eda31aae860d-1718119418907-02329-UneMJZVf&terminal_id=d27a7b6bbe5042abb35cfee772e8d5bd&afSmartRedirect=y

Reselling is not allowed in the Handmade category.

Although we're unable to discuss your account status further, you can find additional information about your rights in our Terms of Use.

We appreciate the time you've invested on Etsy and wish you success in your future endeavors.

Best,
Ivy
Etsy Trust and Safety

August 8, 2024 at 11:26AM

Your legal full name:
What kind of items do you sell?: Items that I design that other people help me make
List all the locations where your current shop members are signing into your account: CA USA
Why are you appealing your account suspension?: I have not violated Etsys policies or had any account issues
Other reason:
Are there any actions you've taken to address your suspension?: No , I did pay all bills and I think I did not violate Etsy policies
How will your business practices change if you regain account access?: Hi Etsy team! i think i did not violated of Etsy rules, I was working at handmade item which designed by me and manufactured by another person. i read the Etsy policies for handmade item its allow like that but my account has been suspend I don't know why Etsy not tell to me what the violation in handmade item please reopen my shop I was running a small family business to support my family it was the only source of income for me and my family. i think due to photo shoot etsy auto detect and suspend my account , even I did use my own photoshoot. I will reread the policies of etsy for handmade item and will be careful in future. thanks
Describe any extenuating circumstances that may have contributed to your suspension: Hi etsy team i think due to my photo shoot etsy algorithm has auto detect and suspend my shop I did use my own shoot I did not copy from another site. please reopen my shop I will use a different photo shoot if its the reason of my shop suspension. please give me one more chance for correction of my mistake if I did any I don't know why etsy suspend my shop I will read all rules for etsy seller again thanks thanks

August 9, 2024 at 7:50AM

Hello,

This is Etsy's Trust & Safety team.

We appreciate you taking the time to file an appeal with Etsy. After careful consideration, we've determined **your account does not qualify for reinstatement**. We've performed a comprehensive review of your account and the information you provided, and are unable to reconsider this decision.

The items you've listed in your Shop do not qualify to be sold in Etsy's marketplace per Etsy's Seller Policy.

Although we're unable to discuss your account status further, if you have questions related to fulfilling orders, your Payment account, or your business history, please let us know. You can find additional information about your rights in our Terms of Use.

We appreciate the time you've invested on Etsy and wish you success in your future endeavors.

Best,

Alex

Exhibit 27

United States Department of State
Washington, D.C. 20520

RE: Certification of Visa Records of the Bureau of Consular Affairs, U.S. Department of State

I, Larry W. Talbott hereby declare under penalty of perjury:

I am Deputy Director with the Office of Information Management and Liaison within the Visa Office of the Bureau of Consular Affairs, U.S. Department of State. I am authorized to certify the authenticity of visa records for the Bureau of Consular Affairs, including the visa records from the Consular Consolidated Database. The Consular Consolidated Database contains records of U.S. visa applications since 1997.

The attached documents are true, accurate and complete copies of the information contained in the Consular Consolidated Database maintained by the U.S. Department of State, Bureau of Consular Affairs, for the non-immigrant visa application submitted by **Jeremy Kenneth Leung** (Date of Birth [redacted]) and adjudicated at the U.S. Consulate General in **Melbourne** (Control Number [redacted]). This record was made from the information provided by the visa applicant at or near in time to when that information was transmitted to the Department of State. The record was kept pursuant to the Department of State's procedures for the adjudication and retention of visa applications and was made as part of a regular practice.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Washington, D.C.
May 22, 2024

Larry W. Talbott

Larry W. Talbott

NIV Applicant Detail

[redacted]

The United States Department of State/Bureau of Consular Affairs

Sensitive But Unclassified (SBU)–Information Protected under INA 222(f) and 9 FAM 603: This information "shall be considered confidential" per Section 222(f) of the Immigration and Nationality Act (INA) [8 U.S.C. Section 1202]. Access to and use of such information must be solely for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States under INA 222(f) and 9 FAM 603. Do not access this information in anything other than an official capacity, and do not share it without the permission of the Department of State. If this record is for Visa Class LPR, the subject of the record is a lawful permanent resident of the U.S., and the personally identifiable information (PII) contained in the record is subject to the Privacy Act of 1974 and must be protected in accordance with those provisions.

Refer to FPU (Fraud Prevention Unit)

Matches... MATRIX (Match Analytics and Trusted Real-time Identity X-ref)...



Issuing Post Name
MELBOURNE (MLB)
Surname
LEUNG
Given Name
JEREMY KENNETH

Control Number
[redacted]

Passport Number
[redacted], Regular

Gender
Male

Date of Birth
[redacted]

Nationality
ASTL

Place of Birth
Australia (ASTL)

City of Birth

[redacted]

Visa Data

Visa Class
Student (Academic Or Language) (F1)
Issued
16-JUL-2019
Entries
M
Expires
14-JUL-2024
Foil Number
[redacted]
Annotation
[redacted]
UNIVERSITY OF MICHIGAN

Additional Case Notes

There are presently no additional case notes for this case.

Case Memo(s)

Filter this table

Copy | Excel | PDF (Portable Document Format)

Date Entered	User ID	Memo
15-JUL (July)-2019	[redacted]	F ASTL citizen. Activity for F1 valid - MBA at U of Michigan. Finances and I-20 okay. SEVIS paid. Credible. Issued. Fee paid.
15-JUL (July)-2019	[redacted]	[redacted]
22-JUN (June)-2023	[redacted]	[redacted]
11-DEC (December)-2023	[redacted]	[redacted]
11-DEC (December)-2023	[redacted]	[redacted]

Adjudication History

Filter this table

Copy Excel PDF (Portable Document Format)

Adjud Date	Status
15-JUL (July)-2019	Issued

10

records per page

Showing 1 to 1 of 1 entries

Previous 1 Next

Foil History

Filter this table

Copy Excel PDF (Portable Document Format)

Foil Number	Class	Printed	Foil Status	Date Spoiled
[redacted]	F1	16-JUL (July)-2019	Printed and passed QA	

[redacted]

Application Data

Appointment Date

Birth Place City
MELBOURNE
Passport Number
[redacted]
Passport Issue Date
23-MAR-2018
Passport City
MELBOURNE ASTL
Passport Book Number

Passport Expires
23-MAR-2028
Passport Country
ASTL
Address
[redacted] KEW
City
KEW
Country

State
VICTORIA
Postal Code
[redacted]
Barcode Number
[redacted]
National ID

Employer
[redacted]
Occupation
OTHER
Visa Type
Regular
Petitioner Name

STC Name

Telephone
[redacted] (home)
Email
[redacted]@GMAIL.COM
Contact Name
[redacted]
Contact Phone(s)
[redacted]
Arrival Date
27-JUL-2019
Misc Data

Associated Case(s)

There are presently no other cases known to be associated with this case.

NIV Online Application

View NIV Online Application Detail

Scanned Documents

There are presently no known documents associated with this case.

CEAC DS-160 Report - Sensitive But Unclassified(SBU)

[redacted]

PASSPORT
PREVIOUS US TRAVEL

BARCODE #: [redacted]

Data Check Pending

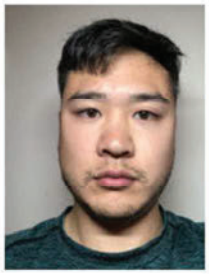
STATUS:
SUBMITTED

REMARKS

Seq.	Section	Remarks	Added By	Submit Date	Site Code

PERSONAL

Name Provided:	**LEUNG, JEREMY KENNETH**
Full Name in Native Language:	JEREMY KENNETH LEUNG
Other Names Used:	NO
Do you have a telecode that represents your name?	NO
Date of Birth:	[redacted]
Country/Region of Birth:	**MELBOURNE, VICTORIA, AUSTRALIA**
Country/Region of Origin (Nationality):	**AUSTRALIA**
Do you hold or have you held any nationality other than the one indicated above on nationality?	NO
Are you a permanent resident of a country/region other than your country/region of origin (nationality) indicated above?	NO
Sex:	**MALE**
Marital Status:	**SINGLE**
National Identification Number:	DOES NOT APPLY
U.S. Social Security Number:	[redacted]
U.S. Taxpayer ID Number:	DOES NOT APPLY



PASSPORT

Passport/Travel Document Type:	**REGULAR**
	[redacted]

TRAVEL

The List of Purposes of Trip to the U.S.

(1) Purpose of Trip:	**ACADEMIC OR LANGUAGE STUDENT (F)**
Specify:	**STUDENT (F1)**
Specific Travel Plan?	YES
Date of Arrival in U.S.:	27 JULY 2019
Arrival Flight:	CX806
Arrival City:	CHICAGO
Date of Departure from U.S.:	01 JANUARY 2021
Departure City:	DWT

The Location you plan to visit in the U.S.:

(1) Location :	NEW YORK, LOS ANGELES
Address where you will stay in the U.S.:	[redacted]
	ANN ARBOR, MICHIGAN [redacted]
Person/Entity Paying for Your Trip:	SELF

TRAVEL COMPANION

Other Persons Traveling with You:	NO

US CONTACT

Contact Person Name in the U.S.:	[redacted]
Organization Name in the U.S.:	DO NOT KNOW
Relationship to You:	[redacted]
U.S. Contact Address:	[redacted]
	TAMARAC, FLORIDA [redacted]
Phone Number:	[redacted]
Email Address:	[redacted]

PREVIOUS US TRAVEL

Have you ever been in the U.S.?	YES

Passport/Travel Document Number:	
Passport Book Number:	DOES NOT APPLY
Country/Authority that Issued Passport/Travel Document:	**AUSTRALIA**
City Where Issued:	**MELBOURNE**
State/Province Where Issued:	**VICTORIA**
Country/Region Where Issued:	**AUSTRALIA**
Issuance Date:	**23 MARCH 2018**
Expiration Date:	**23 MARCH 2028**
Have you ever lost a passport or had one stolen?	YES

(1) Passport/Travel Document Number:	[redacted]
Country/Authority that Issued Passport/Travel Document:	AUSTRALIA
Explain:	AS PREVIOUSLY EXPLAINED IN THE PREVIOUS VISA SECTION

WORK, EDUCATION AND TRAINING

Present Work/Education/Training

Primary Occupation:	OTHER
Specify Other:	FASHION
Present Employer or School Name:	[redacted]
Address:	[redacted]
	[redacted]
[redacted]	[redacted]
State/Province:	VIC
Postal Zone/Zip Code:	[redacted]
Country/Region:	AUSTRALIA
Employment Date From:	04 JANUARY 2019
Work Phone Number:	[redacted]
Monthly Income in Local Currency(if employed):	8000
Briefly Describe your Duties:	OPERATIONS MANAGER MANAGE THE CUSTOMER SERVICE TEAM MANAGE THE LOGISTICS TEAM DEAL WITH SUPPLIERS

Previous Work/Education/Training

Were you previously employed?	YES
(1) Employer Name:	[redacted]

Provide information on your last five U.S. visits:	
(1) Date Arrived:	01 APRIL 2019
Length of Stay:	7 DAY(S)
(2) Date Arrived:	01 SEPTEMBER 2018
Length of Stay:	3 MONTH(S)
Do you or did you hold a U.S. Driver's License?	NO
Have you ever been issued a U.S. Visa?	YES
Date Last Visa was Issued:	01 MAY 2018
Visa Number:	[redacted]
Are you applying for the same type of visa?	NO
Are you applying in the same country or location where the visa above was issued, and is this country or location your place of principal of residence?	**YES**
Have you been ten-printed?	**NO**
Has your U.S. Visa ever been lost or stolen?	YES
Year visa was lost or stolen:	**2018**
Explain:	**PASSPORT WAS STOLEN WHEN I WAS COMMUTING FROM MY HOME TO A GMAT EXAM THAT REQUIRED MY PASSPORT.**
Has your U.S. Visa ever been cancelled or revoked?	**NO**
Have you ever been refused a U.S. Visa, or been refused admission to the United States, or withdrawn your application for admission at the port of entry?	**NO**
Have you ever been denied travel authorization by the Department of Homeland Security through the Electronic System for Travel Authorization (ESTA)?	**NO**
Has anyone ever filed an immigrant petition on your behalf with the United States	NO

Employer Address:	[redacted]
City:	NEW YORK
State/Province:	NEW YORK
Postal Zone/Zip Code:	[redacted]
Country/Region:	UNITED STATES OF AMERICA
Telephone Number:	[redacted]
Job Title:	DIRECTOR OF BUSINESS INNOVATION AND POLICY
Supervisor's Surnames:	[redacted]
Supervisor's Given Names:	[redacted]
Employment Date From:	01 SEPTEMBER 2017
Employment Date To:	01 MAY 2018
Briefly describe your duties:	CREATE AND MANAGE THE AMERICAN AUSTRALIAN BUSINESS ASSOCIATION
(2) Employer Name:	THE HON JULIE BISHOP MP MINISTER FOR FOREIGN AFFAIRS
Employer Address:	PARLIAMENT HOUSE CAPITAL HILL
City:	CANBERRA
State/Province:	AUSTL. CAP. TERR.
Postal Zone/Zip Code:	2603
Country/Region:	AUSTRALIA
Telephone Number:	[redacted]
Job Title:	ADVISOR
Supervisor's Surnames:	[redacted]
Supervisor's Given Names:	[redacted]
Employment Date From:	11 NOVEMBER 2013
Employment Date To:	01 JUNE 2017
Briefly describe your duties:	ADVISE THE MINISTER FOR FOREIGN AFFAIRS WRITE SPEECHES MANAGE QUESTION TIME

Have you attended any educational institutions at a secondary level or above?	YES

(1) Name of Institution:	UNIVERSITY OF MELBOURNE
Address of Institution:	PARKVILLE
City:	MELBOURNE

Citizenship and Immigration Services?

STUDENT/EXCHANGE VISA

Additional Point of Contact

(1) Names:	[redacted]
Street Address:	[redacted]
City:	RICHMOND
State/Province:	VIC
Postal Zone/ZIP Code:	[redacted]
Country/Region:	AUSTRALIA
Telephone Number:	[redacted]
Email Address:	[redacted]
(2) Names:	[redacted]
Street Address:	[redacted]
City:	CAUFIELD
State/Province:	VIC
Postal Zone/ZIP Code:	[redacted]
Country/Region:	AUSTRALIA
Telephone Number:	[redacted]
Email Address:	[redacted]

[redacted]

[redacted]

SECURITY AND BACKGROUND

Part 1

Do you have a communicable disease of public health significance? (Communicable diseases of public significance include chancroid, gonorrhea, granuloma inguinale, infectious leprosy, lymphogranuloma venereum, infectious stage syphilis, active tuberculosis, and other diseases as determined by the Department of Health and Human Services.)	NO
Do you have a mental or physical disorder that poses or is likely to pose a threat to the safety or welfare of yourself or others?	NO
Are you or have you ever been a drug abuser or addict?	NO

Part 2

Have you ever been arrested or convicted for any offense or crime, even though subject of a pardon, amnesty, or other similar action?	NO
	NO

State/Province:	VIC
Postal Zone/ZIP Code:	30010
Country/Region:	AUSTRALIA
Course of Study:	BACHELOR OF COMMERCE AND ARTS
Date of Attendance From:	01 FEBRUARY 2007
Date of Attendance To:	01 DECEMBER 2012
(2) Name of Institution:	[redacted]
Address of Institution:	[redacted]
City:	HAWTHORN
State/Province:	VICTORIA
Postal Zone/ZIP Code:	[redacted]
Country/Region:	AUSTRALIA
Course of Study:	HIGH SCHOOL
Date of Attendance From:	[redacted]
Date of Attendance To:	[redacted]

Additional Work/Education/Training

Do you belong to a clan or tribe?	NO
Provide a List of Languages You Speak	
(1) Language Name:	ENGLISH
Have you traveled to any countries/regions within the last five years?	**YES**
Provide a List of Countries/Regions Visited	
(1) Country/Region:	ARGENTINA
(2) Country/Region:	CANADA
(3) Country/Region:	CHILE
(4) Country/Region:	COLOMBIA
(5) Country/Region:	UNITED STATES OF AMERICA
(6) Country/Region:	HONG KONG
(7) Country/Region:	CHINA
Have you belonged to, contributed to, or worked for any professional, social, or charitable organization?	YES
(1) Name of Organization:	AMERICAN AUSTRALIAN ASSOCIATION
Do you have any specialized skills or training, including firearms, explosives, nuclear, biological, or chemical experience?	**NO**

Have you ever violated, or engaged in a conspiracy to violate, any law relating to controlled substances?	
Are you coming to the United States to engage in prostitution or unlawful commercialized vice or have you been engaged in prostitution or procuring prostitutes within the past 10 years?	NO
Have you ever been involved in, or do you seek to engage in, money laundering?	NO
Have you ever committed or conspired to commit a human trafficking offense in the United States or outside the United States?	NO
Are you the spouse, son, or daughter of an individual who has committed or conspired to commit a human trafficking offense in the United States or outside the United States and have you within the last five years, knowingly benefited from the trafficking activities?	NO
Have you ever knowingly aided, abetted, assisted or colluded with an individual who has committed, or conspired to commit a severe human trafficking offense in the United States or outside the United States?	NO

Part 3

Do you seek to engage in espionage, sabotage, export control violations, or any other illegal activity while in the United States?	NO
Do you seek to engage in terrorist activities while in the United States or have you ever engaged in terrorist activities?	NO
Have you ever or do you intend to provide financial assistance or other support to terrorists or terrorist organizations?	NO
Are you a member or representative of a terrorist organization?	NO
Have you ever ordered, incited, committed, assisted, or otherwise participated in genocide?	NO
Have you ever committed, ordered, incited, assisted, or otherwise participated in torture?	NO
Have you committed, ordered, incited, assisted, or otherwise participated in extrajudicial killings, political killings, or other acts of violence?	NO
Have you ever engaged in the recruitment or the use of child soldiers?	NO
Have you, while serving as a government official, been responsible for or directly carried out, at any time, particularly severe violations of religious freedom?	NO
Have you ever been directly involved in the establishment or enforcement of population controls forcing a woman to undergo an abortion against her free choice or a man or a woman to undergo sterilization against his or her free will?	NO
Have you ever been directly involved in the coercive transplantation of human organs or bodily tissue?	NO

Part 4

Have you ever served in the military?	**NO**
Have you ever served in, been a member of, or been involved with a paramilitary unit, vigilante unit, rebel group, guerrilla group, or insurgent organization?	**NO**

ADDRESS AND PHONE

Home Address:	[redacted]
City:	**KEW**
State/Province:	**VICTORIA**
Postal Zone/ZIP Code:	[redacted]
Country/Region:	**AUSTRALIA**
Same Mailing Address?	YES
Primary Phone Number:	[redacted]
Secondary Phone Number:	DOES NOT APPLY
Work Phone Number:	DOES NOT APPLY
Email Address:	[redacted]@gmail.com
(1) Social Media Provider/Platform:	INSTAGRAM
Social Media User ID:	[redacted]

FAMILY

Relatives

Father's Surnames:	[redacted]
Father's Given Names:	[redacted]
Father's Date of Birth:	[redacted]
Is your father in the U.S.?	NO
Mother's Surnames:	[redacted]
Mother's Given Names:	[redacted]
Mother's Date of Birth:	[redacted]
Is your mother in the U.S.?	NO
Do you have any immediate relatives, not including parents in the U.S.?	NO
Do you have any other relatives in the United States?	NO

Have you ever been the subject of a removal or deportation hearing?	NO
Have you ever sought to obtain or assist others to obtain a visa, entry into the United States, or any other United States immigration benefit by fraud or willful misrepresentation or other unlawful means?	NO
Have you failed to attend a hearing on removability or inadmissibility within the last five years?	NO
Have you ever been unlawfully present, overstayed the amount of time granted by an immigration official or otherwise violated the terms of a U.S. visa?	NO

Part 5

Have you ever withheld custody of a U.S. citizen child outside the United States from a person granted legal custody by a U.S. court?	NO
Have you voted in the United States in violation of any law or regulation?	NO
Have you ever renounced United States citizenship for the purpose of avoiding taxation?	NO
Have you attended a public elementary school on student (F) status or a public secondary school after November 30, 1996 without reimbursing the school?	NO

LOCATION, PREPARER AND SUBMISSION

Current Location	
Location where you will be submitting your application:	MELBOURNE
CEAC Version NO:	01.05.02
Preparer of Application	
Did anyone assist you in filling out this application?	NO
Submission	
Creation IP Address:	[redacted]
Submission IP Address:	[redacted]
Date of Submission:	12 JULY 2019 12:54:37 AM (GMT -05.00)

SIGN AND SUBMIT LANGUAGE

By clicking "Sign and Submit Application" you are electronically signing the application. You are required to electronically sign your application yourself, unless otherwise exempt by regulation, even if the application has been prepared by someone other than yourself. Your electronic signature certifies that you have read and understood the questions in this application and that your answers are true and correct to the best of your knowledge and belief. The submission of an application containing any false or misleading statements may result in the permanent refusal of a visa or the denial of entry into the United States. All declarations made in this application are unsworn declarations made under penalty of perjury. (28 U.S.C. 1746).

Additionally, by clicking "Sign and Submit Application" you are certifying that you understand that you are required to submit your visa to the United States Immigration Officer at the port where you apply to enter the United States, and that possession of the visa does not entitle you to enter the United States if, upon your arrival, you are found to be inadmissible under U.S. immigration laws. You are certifying that you understand that any willfully false or misleading statement or willful concealment of a material fact made by you within the application may subject you to permanent exclusion from the United States and, if you are admitted to the United States, may subject you to criminal prosecution and/or deportation.

Some visa applicants are required to undergo a medical examination with an authorized physician to assess visa eligibility consistent with INA Sections 212 (a) and 221(d), and will be notified of the requirement. If you are notified and required to undergo a medical examination, failure to provide required information may cause delay or denial of your visa application. If required to undergo a medical examination, your medical examination information may be collected and temporarily stored in the eMedical system hosted, operated, and maintained by the Australian Department of Home Affairs. If your medical examination is collected in eMedical, you will be requested to provide consent to its collection and

temporary storage in such system, and being transferred to the U.S. Government for the purposes of enabling the U.S. Department of State to determine your medical eligibility and for the U.S. Centers for Disease Control and Prevention to undertake public health functions under the Public Health Service Act Section 325 and INA Section 212(a).

The information that you have provided in your application and other information submitted with your application may be accessible to other government agencies having statutory or other lawful authority to use such information, including for law enforcement and immigration law enforcement purposes. If fingerprints are collected as part of your application process, they may be used for the purpose of comparing them to other fingerprints in the FBI's Next Generation Identification (NGI) fingerprint system or its successor systems (including civil, criminal, and latent fingerprint repositories). If you wish to correct a record as it appears in the FBI's CJIS Division Records System, you should follow procedures to change, correct, or update a record that are set forth in Title 28, CFR, Section 16.34. The photograph that you provide with your application may be used for employment verification or other U.S. law purposes.

Data Check Details

Seq.	Data Check Type	Data Checked By	Data Checked Date	Site Code
(1)	DATA CHECK	[redacted]	2019-07-15	MLB

To Top

Data Check Type: - SELECT ONE -

Enter the reason for reopening the applicant's DS-160 application below, then click "OK". If you did not intend to reopen the DS-160 application, click "Cancel".

0 of 4000 characters entered.

Note: Per VO guidance, once the DS-160 is reopened the applicant must resubmit the DS-160 before further NIV processing.

Are you sure that you want to request the previous report to display?

United States Department of State
Washington, D.C. 20520

RE: Certification of Visa Records of the Bureau of Consular Affairs, U.S. Department of State

I, Larry W. Talbott hereby declare under penalty of perjury:

I am Deputy Director with the Office of Information Management and Liaison within the Visa Office of the Bureau of Consular Affairs, U.S. Department of State. I am authorized to certify the authenticity of visa records for the Bureau of Consular Affairs, including the visa records from the Consular Consolidated Database. The Consular Consolidated Database contains records of U.S. visa applications since 1997.

The attached documents are true, accurate and complete copies of the information contained in the Consular Consolidated Database maintained by the U.S. Department of State, Bureau of Consular Affairs, for the non-immigrant visa application submitted by **Jeremy Kenneth Leung** (Date of Birth [redacted]) and adjudicated at the U.S. Embassy in **London** (Control Number [redacted]). This record was made from the information provided by the visa applicant at or near in time to when that information was transmitted to the Department of State. The record was kept pursuant to the Department of State's procedures for the adjudication and retention of visa applications and was made as part of a regular practice.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Washington, D.C.
May 22, 2024

Larry W. Talbott

Larry W. Talbott

NIV Applicant Detail

[redacted]

The United States Department of State/Bureau of Consular Affairs

Sensitive But Unclassified (SBU)–Information Protected under INA 222(f) and 9 FAM 603: This information "shall be considered confidential" per Section 222(f) of the Immigration and Nationality Act (INA) [8 U.S.C. Section 1202]. Access to and use of such information must be solely for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States under INA 222(f) and 9 FAM 603. Do not access this information in anything other than an official capacity, and do not share it without the permission of the Department of State. If this record is for Visa Class LPR, the subject of the record is a lawful permanent resident of the U.S., and the personally identifiable information (PII) contained in the record is subject to the Privacy Act of 1974 and must be protected in accordance with those provisions.

Refer to FPU (Fraud Prevention Unit)

Matches... MATRIX (Match Analytics and Trusted Real-time Identity X-ref)...



[redacted]

Issuing Post Name
LONDON (LND)
Surname
LEUNG
Given Name
JEREMY KENNETH

Control Number
[redacted]

Passport Number	Gender	Date of Birth	Nationality
[redacted] Regular	Male	[redacted]	ASTL

Place of Birth
Australia (ASTL)

City of Birth
MELBOURNE

[redacted]

Visa Data

Visa Class	Treaty Aliens In Specialty Occupations (E3)		
Issued	01-FEB-2022	**Expires**	24-JAN-2024
Entries	M	**Foil Number**	R1248674
Annotation	ASCEND ADMINISTRATION [redacted]		

Additional Case Notes

There are presently no additional case notes for this case.

Case Memo(s)

Filter this table

Copy | Excel | PDF (Portable Document Format)

Date Entered	User ID	Memo
25-JAN (January)-2022	[redacted]	Entered UK in 24th Jan 2022.
25-JAN (January)-2022	[redacted]	Prior approved visas. E3 Australian to Ascend Administration LLC as Operations Manager. Has MBA. Approved LCA seen. 221g [redacted]
25-JAN (January)-2022	[redacted]	***REFUSAL REMARKS*** See previous remarks.

Date Entered	User ID	Memo
25-JAN (January)-2022	[redacted]	[redacted] Please request app come in for another interview.
25-JAN (January)-2022	[redacted]	***REFUSAL REMARKS*** See previous remarks.
26-JAN (January)-2022	[redacted]	emailed app to arrange 2nd interview. Case with ppt filed in NIV pending.
31-JAN (January)-2022	[redacted]	[redacted] app has no ineligibilities or ties to motorcycle gang. [redacted] Ok to issue.
04-OCT (October)-2023	[redacted]	[redacted]
02-JAN (January)-2024	[redacted]	[redacted]

Adjudication History

Filter this table

Copy | Excel | PDF (Portable Document Format)

Adjud Date	Status	Refusal	Section of Law	O/W?	Approval Date
25-JAN (January)-2022	Refused	G	221(G)	Overcome	31-JAN-22
		G	221(G)	Overcome	25-JAN-22
31-JAN (January)-2022	Issued				

10 records per page

Showing 1 to 3 of 3 entries

Previous 1 Next

Foil History

Filter this table

Copy | Excel | PDF (Portable Document Format)

Foil Number	Class	Printed	Foil Status	Date Spoiled
[redacted]	E3	01-FEB (February)-2022	Printed and passed QA	

[redacted]

[redacted]

Application Data

Appointment Date	25-JAN-2022	**Birth Place City**	MELBOURNE
Passport Number	[redacted]	**Passport Book Number**	
Passport Issue Date	23-MAR-2018	**Passport Expires**	23-MAR-2028
Passport City	MELBOURNE ASTL	**Passport Country**	ASTL
Address	[redacted]	**State**	CALIFORNIA
City	VENICE	**Postal Code**	[redacted]
Country	USA		
Barcode Number	[redacted]	**Visa Type**	Regular
National ID		**Petitioner Name**	
Employer		**STC Name**	
Occupation	NOT EMPLOYED		
Telephone	[redacted] (home)	**Email**	JEREMY@VERALMAGROUP.CC
Contact Name	WILLIAM BASTA	**Contact Phone(s)**	[redacted]
Arrival Date	16-FEB-2022	**Misc Data**	RA

Associated Case(s)

There are presently no other cases known to be associated with this case.

NIV Online Application

View NIV Online Application Detail

Scanned Documents

There are presently no known documents associated with this case.

[redacted]

[redacted]

CEAC DS-160 Report - Sensitive But Unclassified(SBU)

[redacted]

PASSPORT **BARCODE #:** [redacted] **Data Check Pending**

STATUS: SUBMITTED

REMARKS

Seq.	Section	Remarks	Added By	Submit Date	Site Code
(1)	PERSONAL	ppt name: LEUNG, JEREMY kenneth	[redacted]	25-JAN-2022 15:18:08 GMT	LND

PERSONAL

Name Provided:	**LEUNG, JEREMY**
Full Name in Native Language:	JEREMY KENNETH LEUNG
Other Names Used:	NO
Do you have a telecode that represents your name?	NO
Date of Birth:	[redacted]
Country/Region of Birth:	**MELBOURNE, VICTORIA, AUSTRALIA**
Country/Region of Origin (Nationality):	**AUSTRALIA**
Do you hold or have you held any nationality other than the one indicated above on nationality?	NO
Are you a permanent resident of a country/region other than your country/region of origin (nationality) indicated above?	NO
Sex:	**MALE**
Marital Status:	**SINGLE**
National Identification Number:	DOES NOT APPLY
U.S. Social Security Number:	[redacted]
U.S. Taxpayer ID Number:	DOES NOT APPLY

IMAGE NOT AVAILABLE

PASSPORT

Passport/Travel Document Type:	**REGULAR**
Passport/Travel Document Number:	[redacted]

TRAVEL

The List of Purposes of Trip to the U.S.

(1) Purpose of Trip:	**TREATY TRADER OR INVESTOR (E)**
Specify:	**AUSTRALIAN IN SPEC. OCCUPATION (E3)**
Are you in possession of an approved labor condition application (LCA)?	**YES**
LCA Number:	[redacted]
Specific Travel Plan?	YES
Date of Arrival in U.S.:	16 FEBRUARY 2022
Arrival Flight:	QF93
Arrival City:	LOS ANGELES
Date of Departure from U.S.:	16 FEBRUARY 2023
Departure City:	LOS ANGELES

The Location you plan to visit in the U.S.:

(1) Location :	LOS ANGELES
Address where you will stay in the U.S.:	[redacted] VENICE, CALIFORNIA [redacted]
Person/Entity Paying for Your Trip:	SELF

TRAVEL COMPANION

Other Persons Traveling with You:	NO

US CONTACT

Passport Book Number:	DOES NOT APPLY
Country/Authority that Issued Passport/Travel Document:	**AUSTRALIA**
City Where Issued:	**MELBOURNE**
State/Province Where Issued:	**VICTORIA**
Country/Region Where Issued:	**AUSTRALIA**
Issuance Date:	**23 MARCH 2018**
Expiration Date:	**23 MARCH 2028**
Have you ever lost a passport or had one stolen?	YES

(1) Passport/Travel Document Number:	[redacted]
Country/Authority that Issued Passport/Travel Document:	AUSTRALIA
Explain:	PASSPORT WAS STOLEN WHILE I WAS ON MY E3 3 YEARS AGO. AUTHORITIES WERE NOTIFIED AND THE PASSPORT WAS REPLACED IMMEDIATELY.

WORK, EDUCATION AND TRAINING

Present Work/Education/Training

Primary Occupation:	NOT EMPLOYED
Explain:	WAS PREVIOUSLY ON F1 VISA AS A STUDENT AND NOW HAVE A JOB OFFER FROM ASCEND ADMINISTRATION LLC.

Previous Work/Education/Training

Were you previously employed?	YES

(1) Employer Name:	[redacted]
Employer Address:	[redacted]
City:	MELBOURNE
State/Province:	VICTORIA
Postal Zone/Zip Code:	[redacted]
Country/Region:	AUSTRALIA
Telephone Number:	[redacted]
Job Title:	HEAD OF SALES STRATEGY & GROWTH
Supervisor's Surnames:	[redacted]
Supervisor's Given Names:	[redacted]
Employment Date From:	01 AUGUST 2017
Employment Date To:	01 AUGUST 2019
Briefly describe your duties:	MANAGED PARTNERSHIP MANAGED CUSTOMER EXPERIENCE AND IDENTIFIED CUSTOMER PAIN

Contact Person Name in the U.S.:	BASTA, WILLIAM
Organization Name in the U.S.:	ASCEND ADMINISTRATION
Relationship to You:	EMPLOYER
U.S. Contact Address:	[redacted]
	VENICE, CALIFORNIA [redacted]
Phone Number:	[redacted]
Email Address:	WILL@VERALMAGROUP.COM

PREVIOUS US TRAVEL

Have you ever been in the U.S.?	YES

Provide information on your last five U.S. visits:

(1) Date Arrived:	01 SEPTEMBER 2020
Length of Stay:	14 MONTH(S)
(2) Date Arrived:	16 FEBRUARY 2020
Length of Stay:	9 MONTH(S)
(3) Date Arrived:	20 AUGUST 2019
Length of Stay:	5 MONTH(S)

Do you or did you hold a U.S. Driver's License?	NO
Have you ever been issued a U.S. Visa?	YES
Date Last Visa was Issued:	16 JULY 2019
Visa Number:	[redacted]
Are you applying for the same type of visa?	NO
Are you applying in the same country or location where the visa above was issued, and is this country or location your place of principal of residence?	**NO**
Have you been ten-printed?	**YES**
Has your U.S. Visa ever been lost or stolen?	**NO**
Has your U.S. Visa ever been cancelled or revoked?	**NO**
Have you ever been refused a U.S. Visa, or been refused admission to the United States, or withdrawn your application for	**NO**

	POINTS REDUCE SHOPPING CART ABANDONMENT
(2) Employer Name:	OFFICE OF THE HON JULIE BISHOP MP MINISTER FOR FOREIGN AFFAIRS
Employer Address:	PARLIAMENT HOUSE
City:	CANBERRA
State/Province:	ACT
Postal Zone/Zip Code:	2603
Country/Region:	AUSTRALIA
Telephone Number:	[redacted]
Job Title:	POLITICAL ADVISOR
Supervisor's Surnames:	[redacted]
Supervisor's Given Names:	[redacted]
Employment Date From:	01 NOVEMBER 2013
Employment Date To:	01 MAY 2017
Briefly describe your duties:	- MANAGED POLITICAL AFFAIRS - PROVIDE POLITICAL ADVICE - ADVANCE THE MINISTER FOR HER TRAVEL

Have you attended any educational institutions at a secondary level or above?	YES
(1) Name of Institution:	UNIVERSITY OF MICHIGAN
Address of Institution:	500 S STATE ST
City:	ANN ARBOR
State/Province:	MICHIGAN
Postal Zone/ZIP Code:	48109
Country/Region:	AUSTRALIA
Course of Study:	MBA
Date of Attendance From:	26 AUGUST 2019
Date of Attendance To:	01 MAY 2021
(2) Name of Institution:	UNIVERSITY OF MELBOURNE
Address of Institution:	PARKVILLE
City:	PARKVILLE
State/Province:	VICTORIA
Postal Zone/ZIP Code:	3010
Country/Region:	AUSTRALIA
Course of Study:	BACHELOR OF COMMERCE/ARTS (MEDIA AND COMMUNICATIONS)
Date of Attendance From:	03 FEBRUARY 2007
Date of Attendance To:	01 DECEMBER 2012

Additional Work/Education/Training

NO

admission at the port of entry?	
Have you ever been denied travel authorization by the Department of Homeland Security through the Electronic System for Travel Authorization (ESTA)?	**NO**
Has anyone ever filed an immigrant petition on your behalf with the United States Citizenship and Immigration Services?	NO

TEMPORARY WORK VISA

Where Do You Intend to Work?

Name of Employer:	ASCEND ADMINISTRATION
Address:	2219 MAIN STREET SANTA MONICA, CALIFORNIA 90405
Phone Number:	[redacted]
Enter Monthly Income (in USD):	$11,500

SECURITY AND BACKGROUND

Part 1

Do you have a communicable disease of public health significance? (Communicable diseases of public significance include chancroid, gonorrhea, granuloma inguinale, infectious leprosy, lymphogranuloma venereum, infectious stage syphilis, active tuberculosis, and other diseases as determined by the Department of Health and Human Services.)	NO
Do you have a mental or physical disorder that poses or is likely to pose a threat to the safety or welfare of yourself or others?	NO
Are you or have you ever been a drug abuser or addict?	NO

Part 2

Have you ever been arrested or convicted for any offense or crime, even though subject of a pardon, amnesty, or other similar action?	NO
Have you ever violated, or engaged in a conspiracy to violate, any law relating to controlled substances?	NO
Are you coming to the United States to engage in prostitution or unlawful commercialized vice or have you been	NO

Do you belong to a clan or tribe?	
Provide a List of Languages You Speak	
(1) Language Name:	ENGLISH
Have you traveled to any countries/regions within the last five years?	**YES**
Provide a List of Countries/Regions Visited	
(1) Country/Region:	ARGENTINA
(2) Country/Region:	AUSTRALIA
(3) Country/Region:	UNITED KINGDOM
(4) Country/Region:	SINGAPORE
Have you belonged to, contributed to, or worked for any professional, social, or charitable organization?	YES
(1) Name of Organization:	AMERICAN AUSTRALIAN ASSOCIATION
Do you have any specialized skills or training, including firearms, explosives, nuclear, biological, or chemical experience?	**NO**
Have you ever served in the military?	**NO**
Have you ever served in, been a member of, or been involved with a paramilitary unit, vigilante unit, rebel group, guerrilla group, or insurgent organization?	**NO**

ADDRESS AND PHONE

Home Address:	[redacted]
City:	**VENICE**
State/Province:	**CALIFORNIA**
Postal Zone/ZIP Code:	[redacted]
Country/Region:	**UNITED STATES OF AMERICA**
Same Mailing Address?	YES
Primary Phone Number:	[redacted]
Secondary Phone Number:	DOES NOT APPLY
Work Phone Number:	DOES NOT APPLY
Have you used any other telephone numbers during the last five years?	**YES**
(1) Additional Phone Number	[redacted]
Email Address:	jeremy@veralmagroup.com
Have you used any other email addresses during the last five years?	**YES**

engaged in prostitution or procuring prostitutes within the past 10 years?	
Have you ever been involved in, or do you seek to engage in, money laundering?	NO
Have you ever committed or conspired to commit a human trafficking offense in the United States or outside the United States?	NO
Are you the spouse, son, or daughter of an individual who has committed or conspired to commit a human trafficking offense in the United States or outside the United States and have you within the last five years, knowingly benefited from the trafficking activities?	NO
Have you ever knowingly aided, abetted, assisted or colluded with an individual who has committed, or conspired to commit a severe human trafficking offense in the United States or outside the United States?	NO
Part 3	
Do you seek to engage in espionage, sabotage, export control violations, or any other illegal activity while in the United States?	NO
Do you seek to engage in terrorist activities while in the United States or have you ever engaged in terrorist activities?	NO
Have you ever or do you intend to provide financial assistance or other support to terrorists or terrorist organizations?	NO
Are you a member or representative of a terrorist organization?	NO
Are you the spouse, son, or daughter of an individual who has engaged in terrorist activity, including providing financial assistance or other support to terrorists or terrorist organizations, in the last five years?	NO
Have you ever ordered, incited, committed, assisted, or otherwise participated in genocide?	NO
Have you ever committed, ordered, incited, assisted, or otherwise participated in torture?	NO
Have you committed, ordered, incited, assisted, or otherwise participated in extrajudicial killings, political killings, or other acts of violence?	NO
Have you ever engaged in the recruitment or the use of child soldiers?	NO
Have you, while serving as a government official, been responsible for or directly carried out, at any time, particularly severe violations of religious freedom?	NO

(1) Additional Email Address:	[redacted]@GMAIL.COM
(2) Additional Email Address:	[redacted]@GMAIL.COM
(3) Additional Email Address:	[redacted]@GMAIL.COM
(1) Social Media Provider/Platform:	FACEBOOK
Social Media User ID:	HTTPS://WWW.FACEBOOK.COM[redacted]
Do you wish to provide information about your presence on any other websites or applications you have used within the last five years to create or share content (photos, videos, status updates, etc.)?	NO

FAMILY

Relatives

Father's Surnames:	[redacted]
Father's Given Names:	[redacted]
Father's Date of Birth:	[redacted]
Is your father in the U.S.?	NO
Mother's Surnames:	[redacted]
Mother's Given Names:	[redacted]
Mother's Date of Birth:	[redacted]
Is your mother in the U.S.?	NO
Do you have any immediate relatives, not including parents in the U.S.?	NO
Do you have any other relatives in the United States?	NO

LOCATION, PREPARER AND SUBMISSION

Current Location

Location where you will be submitting your application:	LONDON
CEAC Version NO:	01.08.06

Preparer of Application

Did anyone assist you in filling out this application?	NO

Submission

Creation IP Address:	[redacted]
Submission IP Address:	[redacted]
Date of Submission:	21 JANUARY 2022 05:20:51 PM (GMT -05.00)

SIGN AND SUBMIT LANGUAGE

Have you ever been directly involved in the establishment or enforcement of population controls forcing a woman to undergo an abortion against her free choice or a man or a woman to undergo sterilization against his or her free will?	
Have you ever been directly involved in the coercive transplantation of human organs or bodily tissue?	NO

Part 4

Have you ever been the subject of a removal or deportation hearing?	NO
Have you ever sought to obtain or assist others to obtain a visa, entry into the United States, or any other United States immigration benefit by fraud or willful misrepresentation or other unlawful means?	NO
Have you ever been removed or deported from any country?	NO
Have you failed to attend a hearing on removability or inadmissibility within the last five years?	NO
Have you ever been unlawfully present, overstayed the amount of time granted by an immigration official or otherwise violated the terms of a U.S. visa?	NO

Part 5

Have you ever withheld custody of a U.S. citizen child outside the United States from a person granted legal custody by a U.S. court?	NO
Have you voted in the United States in violation of any law or regulation?	NO
Have you ever renounced United States citizenship for the purpose of avoiding taxation?	NO
Have you attended a public elementary school on student (F) status or a public secondary school after November 30, 1996 without reimbursing the school?	NO

By clicking "Sign and Submit Application" you are electronically signing the application. You are required to electronically sign your application yourself, unless otherwise exempt by regulation, even if the application has been prepared by someone other than yourself. Your electronic signature certifies that you have read and understood the questions in this application and that your answers are true and correct to the best of your knowledge and belief. The submission of an application containing any false or misleading statements may result in the permanent refusal of a visa or the denial of entry into the United States. All declarations made in this application are unsworn declarations made under penalty of perjury. (28 U.S.C. 1746).

Additionally, by clicking "Sign and Submit Application" you are certifying that you understand that you are required to submit your visa to the United States Immigration Officer at the port where you apply to enter the United States, and that possession of the visa does not entitle you to enter the United States if, upon your arrival, you are found to be inadmissible under U.S. immigration laws. You are certifying that you understand that any willfully false or misleading statement or willful concealment of a material fact made by you within the application may subject you to permanent exclusion from the United States and, if you are admitted to the United States, may subject you to criminal prosecution and/or deportation.

Some visa applicants are required to undergo a medical examination with an authorized physician to assess visa eligibility consistent with INA Sections 212(a) and 221(d), and will be notified of the requirement. If you are notified and required to undergo a medical examination, failure to provide required information may cause delay or denial of your visa application. If required to undergo a medical examination, your medical examination information may be collected and temporarily stored in the eMedical system hosted, operated, and maintained by the Australian Department of Home Affairs. If your medical examination is collected in eMedical, you will be requested to provide consent to its collection and temporary storage in such system, and being transferred to the U.S. Government for the purposes of enabling the U.S. Department of State to determine your medical eligibility and for the U.S. Centers for Disease Control and Prevention to undertake public health functions under the Public Health Service Act Section 325 and INA Section 212(a).

The information that you have provided in your application and other information submitted with your application may be accessible to other government agencies having statutory or other lawful authority to use such information, including for law enforcement and immigration law enforcement purposes. If fingerprints are collected as part of your application process, they may be used for the purpose of comparing them to other fingerprints in the FBI's Next Generation Identification (NGI) fingerprint system or its successor systems (including civil, criminal, and latent fingerprint repositories). If you wish to correct a record as it appears in the FBI's CJIS Division Records System, you should follow procedures to change, correct, or update a record that are set forth in Title 28, CFR, Section 16.34. The photograph that you provide with your application may be used for employment verification or other U.S. law purposes.

Data Check Details

Seq.	Data Check Type	Data Checked By	Data Checked Date	Site Code
(1)	DATA CHECK	[redacted]	2022-01-25	LND

To Top

Data Check Type: - SELECT ONE -

Enter the reason for reopening the applicant's DS-160 application below, then click "OK". If you did not intend to reopen the DS-160 application, click "Cancel".

0 of 4000 characters entered.

Note: Per VO guidance, once the DS-160 is reopened the applicant must resubmit the DS-160 before further NIV processing.

Are you sure that you want to request the previous report to display?

United States Department of State
Washington, D.C. 20520

RE: Certification of Visa Records of the Bureau of Consular Affairs, U.S. Department of State

I, Larry W. Talbott hereby declare under penalty of perjury:

I am Deputy Director with the Office of Information Management and Liaison within the Visa Office of the Bureau of Consular Affairs, U.S. Department of State. I am authorized to certify the authenticity of visa records for the Bureau of Consular Affairs, including the visa records from the Consular Consolidated Database. The Consular Consolidated Database contains records of U.S. visa applications since 1997.

The attached documents are true, accurate and complete copies of the information contained in the Consular Consolidated Database maintained by the U.S. Department of State, Bureau of Consular Affairs, for the non-immigrant visa application submitted by **Jeremy Kenneth Leung** (Date of Birth [redacted]) and adjudicated at the U.S. Consulate General in **Perth** (Control Number [redacted]). This record was made from the information provided by the visa applicant at or near in time to when that information was transmitted to the Department of State. The record was kept pursuant to the Department of State's procedures for the adjudication and retention of visa applications and was made as part of a regular practice.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Washington, D.C.
May 22, 2024

Larry W. Talbott

Larry W. Talbott

NIV Applicant Detail

[redacted]

The United States Department of State/Bureau of Consular Affairs

Sensitive But Unclassified (SBU)–Information Protected under INA 222(f) and 9 FAM 603: This information "shall be considered confidential" per Section 222(f) of the Immigration and Nationality Act (INA) [8 U.S.C. Section 1202]. Access to and use of such information must be solely for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States under INA 222(f) and 9 FAM 603. Do not access this information in anything other than an official capacity, and do not share it without the permission of the Department of State. If this record is for Visa Class LPR, the subject of the record is a lawful permanent resident of the U.S., and the personally identifiable information (PII) contained in the record is subject to the Privacy Act of 1974 and must be protected in accordance with those provisions.

Refer to FPU (Fraud Prevention Unit)

Matches... MATRIX (Match Analytics and Trusted Real-time Identity X-ref)...



Issuing Post Name
PERTH (PRT)
Surname
LEUNG
Given Name
JEREMY KENNETH

Control Number
[redacted]

Passport Number
[redacted], Regular

Gender
Male

Date of Birth
[redacted]

Nationality
ASTL

Place of Birth
Australia (ASTL)

City of Birth
MELBOURNE

[redacted]

Visa Data

Visa Class
Visitor For Business And Pleasure (B1/B2)
Issued

Entries
M
Expires
06-DEC-2028
Foil Number

Annotation

Additional Case Notes

There are presently no additional case notes for this case.

Case Memo(s)

Filter this table

Copy | Excel | PDF (Portable Document Format)

Date Entered	User ID	Memo
11-DEC (December)-2023	[redacted]	Amazon consultant service COO going to visit fiance. [redacted] 6C1 because applicant states he did not disclose the fact that he was doing online buying and selling while he was an MBA student at Univ of Michigan on his E visa application. [redacted] notes also indicate association with Anthony Hess. App states he no longer has any contact with him and that he has prior work for the govt of ASTL including security cont
11-DEC (December)-2023	[redacted]	... clearances. [redacted] Now has stable job as Amazon advisory consultant. Presented packet of documents from lawyer. 221g for now to review. And request PC. Also to make determination of wehether to submit waiver rqequest. App's lawyer documetns state app is in the process of submitting 3A1 waiver currently.

Date Entered	User ID	Memo
11-DEC (December)-2023	[redacted]	***REFUSAL REMARKS*** See previous remarks.

Adjudication History

Filter this table

Copy | Excel | PDF (Portable Document Format)

Adjud Date	Status	Refusal	Section of Law	O/W?	Approval Date
11-DEC (December)-2023	Refused	G	221(G)		

10 records per page

Showing 1 to 1 of 1 entries

Previous 1 Next

[redacted]

Application Data

Appointment Date

Birth Place City
MELBOURNE
Passport Number
[redacted]
Passport Issue Date
23-MAR-2018
Passport City
AUSTRALIA
Passport Book Number

Passport Expires
23-MAR-2028
Passport Country
ASTL
Address
[redacted]
City
KEW
Country
ASTL
State

VIC
Postal Code
[redacted]
Barcode Number
[redacted]
National ID

Employer
ASCEND CAPVENTURES INC
Occupation
BUSINESS
Visa Type
Regular
Petitioner Name

STC Name

Telephone
[redacted](home)
Email
[redacted]@GMAIL.COM
Contact Name
[redacted]
Contact Phone(s)
[redacted]
Arrival Date
31-JAN-2024
Misc Data

Associated Case(s)

There are presently no other cases known to be associated with this case.

NIV Online Application

View NIV Online Application Detail

Scanned Documents

Scan Batch

Date Scanned

Scanned By

Comments

[redacted]

14-DEC-2023 10:59

[redacted]

Doc Number	Doc Type	Duplex Part
1	APPLICATION	Front

Scan Batch

Date Scanned

Scanned By

Comments

[redacted]

14-DEC-2023 11:12

[redacted]

Supplemental Information

Doc Number	Doc Type	Duplex Part
1	APPLICATION	Front
2	APPLICATION	Back
3	APPLICATION	Front
4	APPLICATION	Back
5	APPLICATION	Front
6	APPLICATION	Back
7	APPLICATION	Front
8	APPLICATION	Back
9	APPLICATION	Front
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27	APPLICATION	Front
28	APPLICATION	Back
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34	APPLICATION	Back
35	APPLICATION	Front
36	APPLICATION	Back
37	APPLICATION	Front
38	APPLICATION	Back

Doc Number	Doc Type	Duplex Part
39	APPLICATION	Front
40	APPLICATION	Back
41	APPLICATION	Front
42	APPLICATION	Back
43	APPLICATION	Front
44	APPLICATION	Back
45	APPLICATION	Front
46	APPLICATION	Back
47	APPLICATION	Front
48	APPLICATION	Back
49	APPLICATION	Front
50	APPLICATION	Back
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56	APPLICATION	Back
57	APPLICATION	Front
58	APPLICATION	Back
59	APPLICATION	Front

Scan Batch

Date Scanned

Scanned By

Comments

[redacted]

18-DEC-2023 07:46

[redacted]

Doc Number	Doc Type	Duplex Part
1	APPLICATION	Front

Scan Batch

Date Scanned

Scanned By

Comments

[redacted]

18-DEC-2023 07:47

[redacted]

Doc Number	Doc Type	Duplex Part
1	APPLICATION	Front

CEAC DS-160 Report - Sensitive But Unclassified(SBU)

[redacted]

PASSPORT
SECURITY AND BACKGROUND
PREVIOUS US TRAVEL

BARCODE #: [redacted]

STATUS: SUBMITTED

Data Check Pending

REMARKS

Seq.	Section	Remarks	Added By	Submit Date	Site Code

PERSONAL

Name Provided:	**LEUNG, JEREMY KENNETH**
Full Name in Native Language:	DOES NOT APPLY/TECHNOLOGY NOT AVAILABLE
Other Names Used:	NO
Do you have a telecode that represents your name?	NO
Date of Birth:	[redacted]
Country/Region of Birth:	**MELBOURNE, VICTORIA, AUSTRALIA**
Country/Region of Origin (Nationality):	**AUSTRALIA**
Do you hold or have you held any nationality other than the one indicated above on nationality?	NO
Are you a permanent resident of a country/region other than your country/region of origin (nationality) indicated above?	NO
Sex:	**MALE**
Marital Status:	**SINGLE**
National Identification Number:	DOES NOT APPLY
U.S. Social Security Number:	[redacted]
U.S. Taxpayer ID Number:	DOES NOT APPLY



PASSPORT

Passport/Travel Document Type:	**REGULAR**
	[redacted]

TRAVEL

The List of Purposes of Trip to the U.S.

(1) Purpose of Trip:	**TEMP. BUSINESS PLEASURE VISITOR (B)**
Specify:	**BUSINESS & TOURISM (TEMPORARY VISITOR) (B1/B2)**

Specific Travel Plan? NO

Intended Date of Arrival:	31 JANUARY 2024
Intended Length of Stay in U.S.:	50 DAY(S)
Address where you will stay in the U.S.:	[redacted]
	VENICE, CALIFORNIA [redacted]
Person/Entity Paying for Your Trip:	SELF

TRAVEL COMPANION

Other Persons Traveling with You:	NO

US CONTACT

Contact Person Name in the U.S.:	[redacted]
Organization Name in the U.S.:	DO NOT KNOW
Relationship to You:	OTHER
U.S. Contact Address:	[redacted]
	VENICE, CALIFORNIA [redacted]
Phone Number:	[redacted]
Email Address:	[redacted]

PREVIOUS US TRAVEL

Have you ever been in the U.S.?	YES

Provide information on your last five U.S. visits:

(1) Date Arrived:	17 JANUARY 2023
Length of Stay:	5 MONTH(S)

Passport/Travel Document Number:	
Passport Book Number:	DOES NOT APPLY
Country/Authority that Issued Passport/Travel Document:	**AUSTRALIA**
City Where Issued:	**MELBOURNE**
State/Province Where Issued:	**VICTORIA**
Country/Region Where Issued:	**AUSTRALIA**
Issuance Date:	**23 MARCH 2018**
Expiration Date:	**23 MARCH 2028**
Have you ever lost a passport or had one stolen?	YES
(1) Passport/Travel Document Number:	[redacted]
Country/Authority that Issued Passport/Travel Document:	AUSTRALIA
Explain:	MY HOUSE WAS BROKEN AND MY PASSPORT WAS STOLEN IN OR ABOUT 2017

WORK, EDUCATION AND TRAINING

Present Work/Education/Training

Primary Occupation:	BUSINESS
Present Employer or School Name:	ASCEND CAPVENTURES INC
Address:	1309 COFFEEN AVE
	STE 8847
City:	SHERIDAN
State/Province:	WY
Postal Zone/Zip Code:	82801
Country/Region:	UNITED STATES OF AMERICA
Employment Date From:	15 FEBRUARY 2023
Work Phone Number:	[redacted]
Monthly Income in Local Currency(if employed):	20833
Briefly Describe your Duties:	CHIEF OPERATION OFFICER. PARTNER AT ASCEND CAPVENTURES INC.

Previous Work/Education/Training

Were you previously employed?	YES
(1) Employer Name:	ASCEND ECOM LLC
Employer Address:	1309 COFFEEN AVE
	2784
(2) Date Arrived:	18 FEBRUARY 2022
Length of Stay:	10 MONTH(S)
(3) Date Arrived:	08 MARCH 2020
Length of Stay:	2 MONTH(S)
(4) Date Arrived:	08 JANUARY 2020
Length of Stay:	6 WEEK(S)
(5) Date Arrived:	01 SEPTEMBER 2020
Length of Stay:	17 MONTH(S)
Do you or did you hold a U.S. Driver's License?	NO
Have you ever been issued a U.S. Visa?	YES
Date Last Visa was Issued:	01 FEBRUARY 2022
Visa Number:	[redacted]
Are you applying for the same type of visa?	NO
Are you applying in the same country or location where the visa above was issued, and is this country or location your place of principal of residence?	**YES**
Have you been ten-printed?	**YES**
Has your U.S. Visa ever been lost or stolen?	YES
Year visa was lost or stolen:	**2017**
Explain:	**PASSPORT WAS STOLEN FROM MY HOUSE.**
Has your U.S. Visa ever been cancelled or revoked?	YES
Explain:	THE APPLICANT'S E3 VISA ([redacted] WAS REVOKED ON 14 JUNE 2023 DUE TO CBP OFFICERS MAKING A FINDING THAT HE HAD VIOLATED HIS PRIOR F-1 STUDENT VISA STATUS
Have you ever been refused a U.S. Visa, or been refused admission to the United States, or withdrawn your application for admission at the port of entry?	YES
Explain:	THE APPLICANT WAS REFUSED ADMISSION AS AN E3 NIV HOLDER DUE TO THE OFFICER BELIEVING THAT HE HAD

City:	SHERIDAN
State/Province:	WY
Postal Zone/Zip Code:	82801
Country/Region:	UNITED STATES OF AMERICA
Telephone Number:	[redacted]
Job Title:	CHIEF OPERATING OFFICER
Supervisor's Surnames:	BASTA
Supervisor's Given Names:	WILLIAM
Employment Date From:	18 FEBRUARY 2022
Employment Date To:	14 FEBRUARY 2023
Briefly describe your duties:	MANAGED E-COMMERCE BUSINESS (SALE OF GOODS ONLINE)

Have you attended any educational institutions at a secondary level or above?	YES

(1) Name of Institution:	UNIVERSITY OF MICHIGAN
Address of Institution:	500 S STATE ST
City:	ANN ARBOR
State/Province:	MICHIGAN
Postal Zone/ZIP Code:	48109
Country/Region:	UNITED STATES OF AMERICA
Course of Study:	BUSINESS
Date of Attendance From:	01 AUGUST 2019
Date of Attendance To:	30 APRIL 2021

Additional Work/Education/Training

Do you belong to a clan or tribe?	NO

Provide a List of Languages You Speak

(1) Language Name:	ENGLISH

Have you traveled to any countries/regions within the last five years?	**YES**

Provide a List of Countries/Regions Visited

(1) Country/Region:	UNITED ARAB EMIRATES
(2) Country/Region:	SINGAPORE
(3) Country/Region:	JAPAN
(4) Country/Region:	MALDIVES

Have you belonged to, contributed to, or worked for any professional, social,	NO
	VIOLATED HIS VISA STATUS WHEN HE WAS A STUDENT.
Have you ever been denied travel authorization by the Department of Homeland Security through the Electronic System for Travel Authorization (ESTA)?	**NO**
Has anyone ever filed an immigrant petition on your behalf with the United States Citizenship and Immigration Services?	NO

SECURITY AND BACKGROUND

Part 1

Do you have a communicable disease of public health significance? (Communicable diseases of public significance include chancroid, gonorrhea, granuloma inguinale, infectious leprosy, lymphogranuloma venereum, infectious stage syphilis, active tuberculosis, and other diseases as determined by the Department of Health and Human Services.)	NO
Do you have a mental or physical disorder that poses or is likely to pose a threat to the safety or welfare of yourself or others?	NO
Are you or have you ever been a drug abuser or addict?	NO

Part 2

Have you ever been arrested or convicted for any offense or crime, even though subject of a pardon, amnesty, or other similar action?	NO
Have you ever violated, or engaged in a conspiracy to violate, any law relating to controlled substances?	NO
Are you coming to the United States to engage in prostitution or unlawful commercialized vice or have you been engaged in prostitution or procuring prostitutes within the past 10 years?	NO
Have you ever been involved in, or do you seek to engage in, money laundering?	NO
Have you ever committed or conspired to commit a human trafficking offense in the United States or outside the United States?	NO
Are you the spouse, son, or daughter of an individual who has committed or conspired to commit a human trafficking offense in the United States or outside the United States and have you within the last five years, knowingly benefited from the trafficking activities?	NO
Have you ever knowingly aided, abetted, assisted or colluded with an individual who has committed, or conspired to commit a severe	NO

or charitable organization?	
Do you have any specialized skills or training, including firearms, explosives, nuclear, biological, or chemical experience?	**NO**
Have you ever served in the military?	**NO**
Have you ever served in, been a member of, or been involved with a paramilitary unit, vigilante unit, rebel group, guerrilla group, or insurgent organization?	**NO**

ADDRESS AND PHONE

Home Address:	[redacted]
City:	**KEW**
State/Province:	**VIC**
Postal Zone/ZIP Code:	[redacted]
Country/Region:	**AUSTRALIA**
Same Mailing Address?	YES
Primary Phone Number:	[redacted]
Secondary Phone Number:	DOES NOT APPLY
Work Phone Number:	DOES NOT APPLY
Have you used any other telephone numbers during the last five years?	NO
Email Address:	[redacted]@gmail.com
Have you used any other email addresses during the last five years?	NO
(1) Social Media Provider/Platform:	NONE
Do you wish to provide information about your presence on any other websites or applications you have used within the last five years to create or share content (photos, videos, status updates, etc.)?	NO

FAMILY

human trafficking offense in the United States or outside the United States?	

Part 3

Do you seek to engage in espionage, sabotage, export control violations, or any other illegal activity while in the United States?	NO
Do you seek to engage in terrorist activities while in the United States or have you ever engaged in terrorist activities?	NO
Have you ever or do you intend to provide financial assistance or other support to terrorists or terrorist organizations?	NO
Are you a member or representative of a terrorist organization?	NO
Are you the spouse, son, or daughter of an individual who has engaged in terrorist activity, including providing financial assistance or other support to terrorists or terrorist organizations, in the last five years?	NO
Have you ever ordered, incited, committed, assisted, or otherwise participated in genocide?	NO
Have you ever committed, ordered, incited, assisted, or otherwise participated in torture?	NO
Have you committed, ordered, incited, assisted, or otherwise participated in extrajudicial killings, political killings, or other acts of violence?	NO
Have you ever engaged in the recruitment or the use of child soldiers?	NO
Have you, while serving as a government official, been responsible for or directly carried out, at any time, particularly severe violations of religious freedom?	NO
Have you ever been directly involved in the establishment or enforcement of population controls forcing a woman to undergo an abortion against her free choice or a man or a woman to undergo sterilization against his or her free will?	NO
Have you ever been directly involved in the coercive transplantation of human organs or bodily tissue?	NO

Part 4

Have you ever been the subject of a removal or deportation hearing?	YES
Explain: A# [redacted] THE APPLICANT WAS PLACED ON EXPEDITED REMOVAL PROCEEDINGS UNDER INA SECTION 235(B)(1). THE APPLICANT WAS ISSUED AN EXPEDITED ORDER OF REMOVAL ON 14 JUNE 2023 BY CBP OFFICERS AT THE LOS ANGELES (LAX) PORT OF ENTRY CONCERNING FRAUD OR MISREPRESENTATION ALLEGATIONS AND FOR NOT BEING IN POSSESSION OF A VALID DOCUMENT AT TIME OF ENTRY.	
Have you ever sought to obtain or assist others to obtain a visa, entry into the United States, or any other United States immigration benefit by	YES

Relatives

Father's Surnames:	[redacted]
Father's Given Names:	[redacted]
Father's Date of Birth:	[redacted]
Is your father in the U.S.?	NO
Mother's Surnames:	[redacted]
Mother's Given Names:	[redacted]
Mother's Date of Birth:	[redacted]
Is your mother in the U.S.?	NO
Do you have any immediate relatives, not including parents in the U.S.?	NO
Do you have any other relatives in the United States?	NO

LOCATION, PREPARER AND SUBMISSION

Current Location

Location where you will be submitting your application:	PERTH
CEAC Version NO:	01.09.01

Preparer of Application

Did anyone assist you in filling out this application?	YES
Preparer Surnames:	[redacted]
Preparer Given Names:	[redacted]
Organization Name:	[redacted]
Street Address:	[redacted]
City:	GRANADA HILLS
State/Province:	CA
Postal Zone/ZIP Code:	[redacted]
Country/Region:	UNITED STATES OF AMERICA
Relationship to You:	ATTORNEY

Submission

Creation IP Address:	[redacted]
Submission IP Address:	[redacted]
Date of Submission:	20 NOVEMBER 2023 06:54:48 PM (GMT -05.00)

fraud or willful misrepresentation or other unlawful means?	
Explain: A# [redacted] THE APPLICANT WAS CHARGED UNDER INA SECTION 212(A)(6)(C)(I) CONCERNING FRAUD OR MISREPRESENTATION. ON JUNE 13, 2023, THE APPLICANT PRESENTED A VALID E3 NON-IMMIGRANT VISA ([redacted]) AT THE LOS ANGELES (LAX) PORT OF ENTRY. HIS E-3 VISA HAD A VALIDITY PERIOD FROM 1 FEBRUARY 2022 THROUGH 21 JANUARY 2024. ON SECONDARY INSPECTION, CBP OFFICERS MADE FINDINGS THAT THE APPLICANT HAD VIOLATED HIS PRIOR F-1 NON-IMMIGRANT VISA STATUS ([redacted]) (ISSUED 16 JULY 2019 THROUGH 14 JUNE 2024) BY VIRTUE OF ENGAGING IN EMPLOYMENT OUSTIDE THE SCOPE OF HIS F-1 VISA. CBP ALSO DETERMINED THAT THE APPLICANT HAD FAILED TO DISCLOSE THIS INFORMATION AT THE TIME OF HIS SUBSEQUENT E-3 [redacted] VISA APPLICATION.	
Have you ever been removed or deported from any country?	YES
Explain: A [redacted] AN EXPEDITED ORDER OF REMOVAL UNDER INA SECTION 235(B)(1) WAS ISSUED ON 14 JUNE 2023 BY U.S. CUSTOM BORDER PATROL AGENTS.	
Have you failed to attend a hearing on removability or inadmissibility within the last five years?	NO
Have you ever been unlawfully present, overstayed the amount of time granted by an immigration official or otherwise violated the terms of a U.S. visa?	NO

Part 5

Have you ever withheld custody of a U.S. citizen child outside the United States from a person granted legal custody by a U.S. court?	NO
Have you voted in the United States in violation of any law or regulation?	NO
Have you ever renounced United States citizenship for the purpose of avoiding taxation?	NO
Have you attended a public elementary school on student (F) status or a public secondary school after November 30, 1996 without reimbursing the school?	NO

SIGN AND SUBMIT LANGUAGE

By clicking "Sign and Submit Application" you are electronically signing the application. You are required to electronically sign your application yourself, unless otherwise exempt by regulation, even if the application has been prepared by someone other than yourself. Your electronic signature certifies that you have read and understood the questions in this application and that your answers are true and correct to the best of your knowledge and belief. The submission of an application containing any false or misleading statements may result in the permanent refusal of a visa or the denial of entry into the United States. All declarations made in this application are unsworn declarations made under penalty of perjury. (28 U.S.C. 1746).

Additionally, by clicking "Sign and Submit Application" you are certifying that you understand that you are required to submit your visa to the United States Immigration Officer at the port where you apply to enter the United States, and that possession of the visa does not entitle you to enter the United States if, upon your arrival, you are found to be inadmissible under U.S. immigration laws. You are certifying that you understand that any willfully false or misleading statement or willful concealment of a material fact made by you within the application may subject you to permanent exclusion from the United States and, if you are admitted to the United States, may subject you to criminal prosecution and/or deportation.

Some visa applicants are required to undergo a medical examination with an authorized physician to assess visa eligibility consistent with INA Sections 212 (a) and 221(d), and will be notified of the requirement. If you are notified and required to undergo a medical examination, failure to provide required information may cause delay or denial of your visa application. If required to undergo a medical examination, your medical examination information may be collected and temporarily stored in the eMedical system hosted, operated, and maintained by the Australian Department of Home Affairs. If your medical examination is collected in eMedical, you will be requested to provide consent to its collection and temporary storage in such system, and being transferred to the U.S. Government for the purposes of enabling the U.S. Department of State to determine your medical eligibility and for the U.S. Centers for Disease Control and Prevention to undertake public health functions under the Public Health Service Act Section 325 and INA Section 212(a).

The information that you have provided in your application and other information submitted with your application may be accessible to other government agencies having statutory or other lawful authority to use such information, including for law enforcement and immigration law enforcement purposes. If fingerprints are collected as part of your application process, they may be used for the purpose of comparing them to other fingerprints in the FBI's Next Generation Identification (NGI) fingerprint system or its successor systems (including civil, criminal, and latent fingerprint repositories). If you wish to correct a record as it appears in the FBI's CJIS Division Records System, you should follow procedures to change,

correct, or update a record that are set forth in Title 28, CFR, Section 16.34. The photograph that you provide with your application may be used for employment verification or other U.S. law purposes.

Data Check Details

Seq.	Data Check Type	Data Checked By	Data Checked Date	Site Code
(1)	BIODATA VERIFIED W/TRAVEL DOC	[redacted]	2023-12-11	PRT

To Top

Data Check Type: - SELECT ONE -

Enter the reason for reopening the applicant's DS-160 application below, then click "OK". If you did not intend to reopen the DS-160 application, click "Cancel".

0 of 4000 characters entered.

Note: Per VO guidance, once the DS-160 is reopened the applicant must resubmit the DS-160 before further NIV processing.

Are you sure that you want to request the previous report to display?

Batch ID [redacted]
Seq Num 17

EXHIBIT 4

022

Batch ID [redacted]
Seq Num 18

Financial Status

7. Currently, I am transitioning between employments and have an employment offer with [redacted] as Business Development Manager to start on January 3, 2024 in Melbourne, Australia. Part of my new employment includes driving growth of new business for [redacted] in the United States of America, including developing new contacts, research new market opportunities and oversee growth project.

8. I maintain approximately $[redacted] USD in my Australian bank account and $[redacted] USD in a bank account located in Dubai, where I have been temporarily residing during this transitioning period since June 2023 when my order was issued and I was removed. I have been engaging in day trading of shares and foreign exchange before returning to my homeland of Australia.

9. Additionally, I own two properties in Dubai, and I possess hard copies of the relevant paperwork, which I can present for verification.

Family and Ties in Australia

10. I am currently engaged to my U.S. Citizen Fiancée, [redacted] who works for [redacted] in Seattle, Washington and also has a remote job at a company called [redacted]

11. We have our wedding ceremony scheduled for May 17, 2024, in Melbourne, Australia.

12. After marriage, our intention is to purchase a house in Australia and begin our family life there. [redacted] and I do not have intentions of permanently relocating to the United States for the foreseeable future. The B1/B2 Visa I am applying for will be used for business-related purposes, and spending time with my fiancée and my future in-laws while we plan for our wedding and spending holidays with her family in the U.S.

13. In an abundance of caution, I am filing a waiver request. I kindly request your consideration of my visa application including my waiver applications as the consular officer may deemed required and kindly request the issuance of a B1/B2 Visa to facilitate my planned activities. I assure you of my commitment to complying with all U.S. immigration laws and regulations during my stay.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Jeremy K. Leung _____ Date

Batch ID [redacted]
Seq Num 19

DECLARATION OF JEREMY K. LEUNG

1. My name is Jeremy Kenneth Leung. I was born on [redacted] in Melbourne, Australia.

2. I am writing to formally request a B1/B2 Visa and inadmissibility waivers as determined by the consular officer for entry into the United States for the purpose of conducting business meetings and occasional holiday visits. I am providing this declaration to offer additional context and information regarding my application.

Background Information

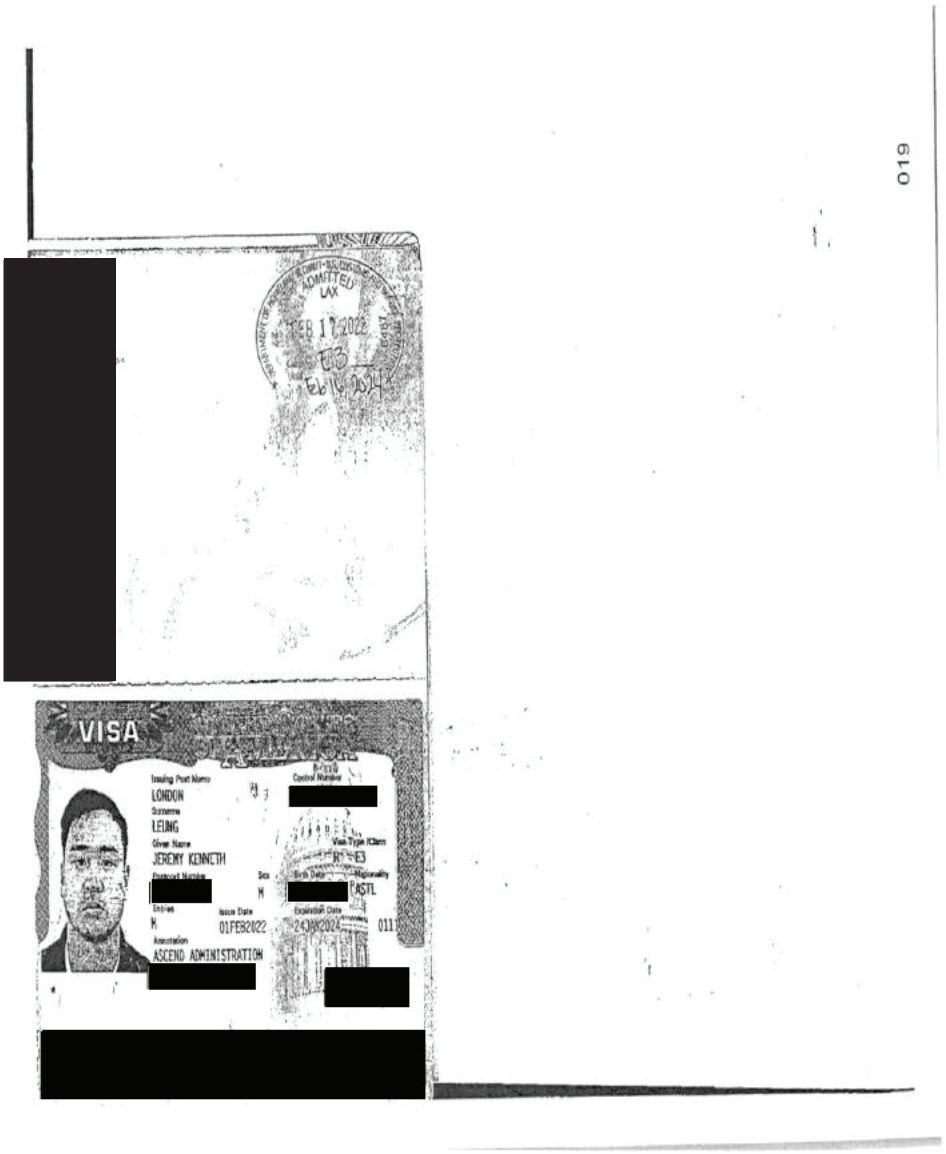
3. I originally came to the United States on an F1 Visa to pursue a Master of Business Administration (MBA) degree at the University of Michigan. During the pandemic in 2020, I embarked on a venture selling household items on Shopify, inspired by my professor's entrepreneurship class. This venture was operated for a few months (approximately between June through September 2020), but it generated minimal, if any, profit. I apologize for work-related activity that I engaged in during my F-1 student visa status.

4. After completing my degree, I applied for Optional Practical Training (OPT), which encountered processing errors. I submitted my application with the EAD category c (3)(b) for post OPT F-1 visa applicant. However, USCIS subsequently requested evidence through a Request for Evidence (RFE), and ultimately, my Employment Authorization Document (EAD) was denied on the incorrect EAD category, which was read as"c(36)" for spouses and children of approved employment-based visas. I provided all information of work-related activity to USCIS, and was told even though my OPT was denied, I was able to apply under a work visa without prejudice of this decision.

5. I subsequent filed for an E-3 Specialty Occupation Worker Visa as an employee of Ascend Administration. My role in the company was as Operations Manager, where I managed the back-end operations of the business, including responsibilities such as warehousing, product sourcing, and staff and HR management. My E-3 visa was issued on February 1, 2022 with a validity period until January 21, 2024.

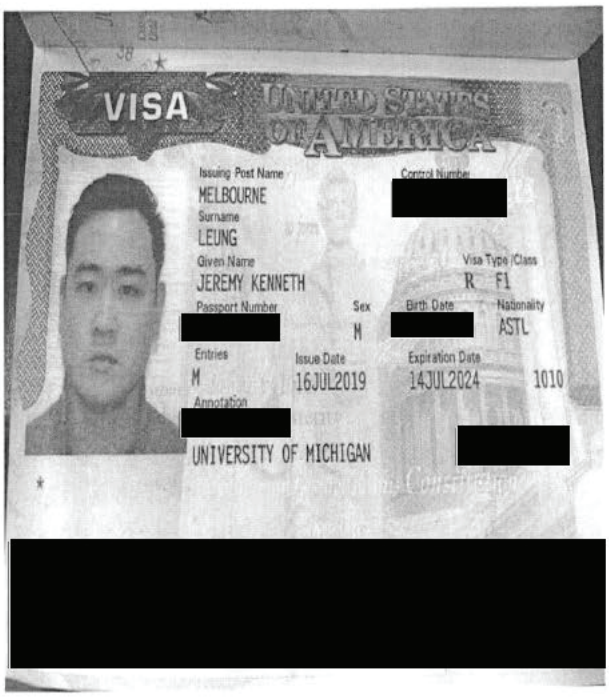
6. During my attempted entry to the United States on June 13, 2023, CBP officers found me inadmissible because they determined I had engaged on work outside the scope during my prior F-1 visa and for not disclosing this information to the consular officer at the time of my E-3 Specialty Occupation Worker Visa application, even though I did, he said he did not have any evidence of this because on my Visa Application form I had ticked that I hadn't violated any visa conditions of the past. When I applied for my E-3 Visa, I was asked questions on this, and had provided all the information about work-related activities during the F1, including the USCIS letter that said that it would not hold prejudice against me if I applied for a work visa in the future. The border officer denied this and still claimed that I had lied on my form. My E-3 visa was revoked and I was issued an expedited order of removal on June 13, 2023.

Batch ID [redacted]
Seq Num 20

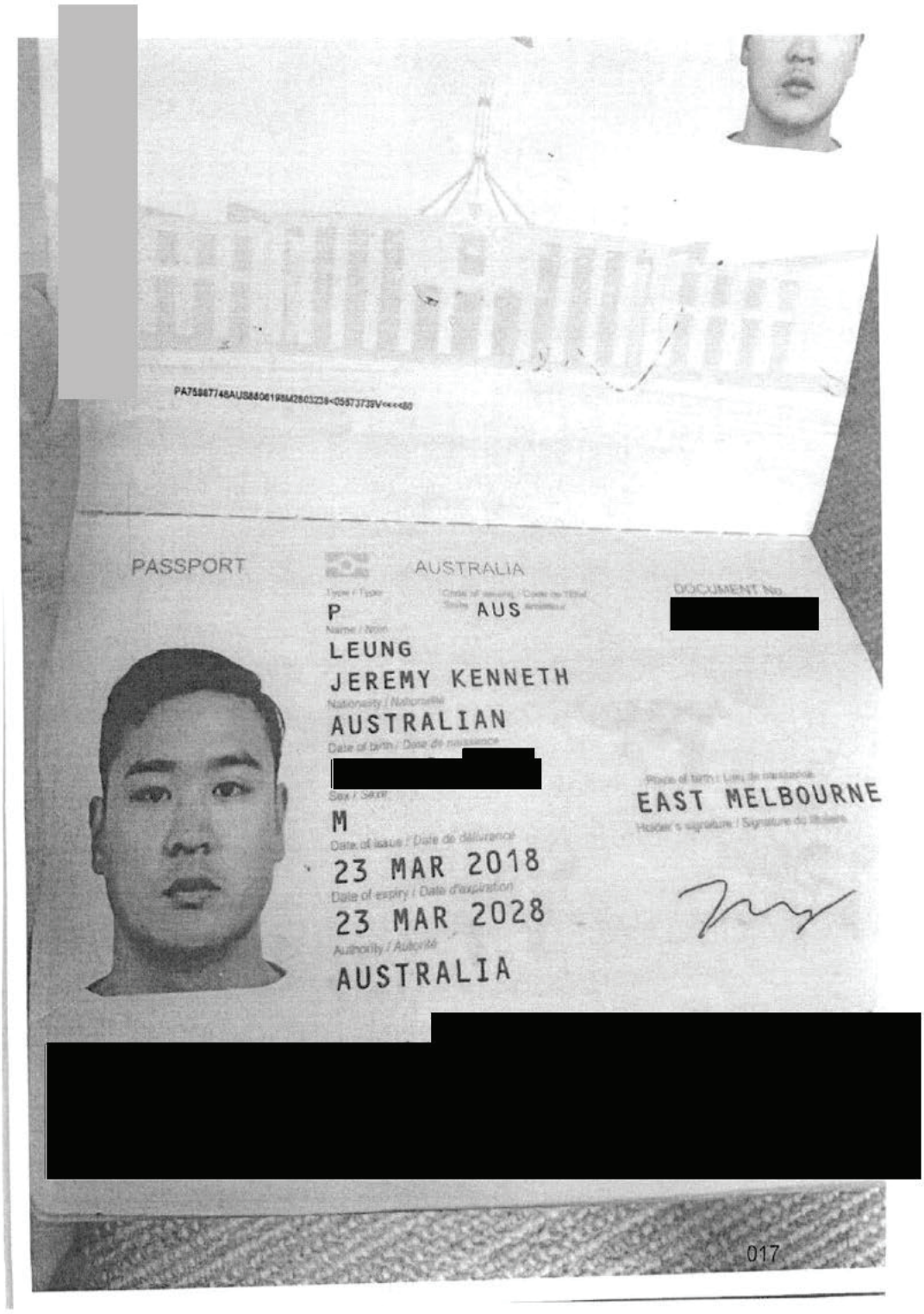


Batch ID [redacted]
Seq Num 21

018



Batch ID [redacted]
Seq Num 22



Batch ID [redacted]
Seq Num 23

EXHIBIT 3

016

Batch ID [redacted]
Seq Num 24

U.S. DEPARTMENT of STATE
CONSULAR ELECTRONIC APPLICATION CENTER

Online Nonimmigrant Visa Application (DS-160)

[redacted]

Confirmation

This confirms the submission of the Nonimmigrant visa application for:



Name Provided:	LEUNG, JEREMY KENNETH
Date Of Birth:	[redacted]
Place of Birth:	MELBOURNE, AUSTRALIA
Gender:	Male
Country/Region of Origin (Nationality) :	AUSTRALIA
Passport Number:	[redacted]
Purpose of Travel:	BUSINESS/PERSONAL (B1/B2)
Completed On:	20 NOV 2023
Confirmation No:	[redacted]

Location Selected:
PRT
U.S. Consulate General Perth
16 St. Georges Terrace
Perth, Western Australia 6000
Australia

Version 01.09.01

THIS IS NOT A VISA

Note: Electronically submitting your DS-160 online application is the FIRST STEP in the visa application process. The next step is to review the internet page of the embassy or consulate where you plan to apply for your visa. Most visa applicants will need to schedule a visa interview, though some applicants may qualify for visa renewal. The embassy or consulate information may include specific local instructions about scheduling interviews, submitting your visa application, and other frequently asked questions.

YOU MUST BRING the confirmation page and the following document(s) with you at all steps during the application process:

Passport

You may also provide any additional documents you feel will support your case.

[redacted]

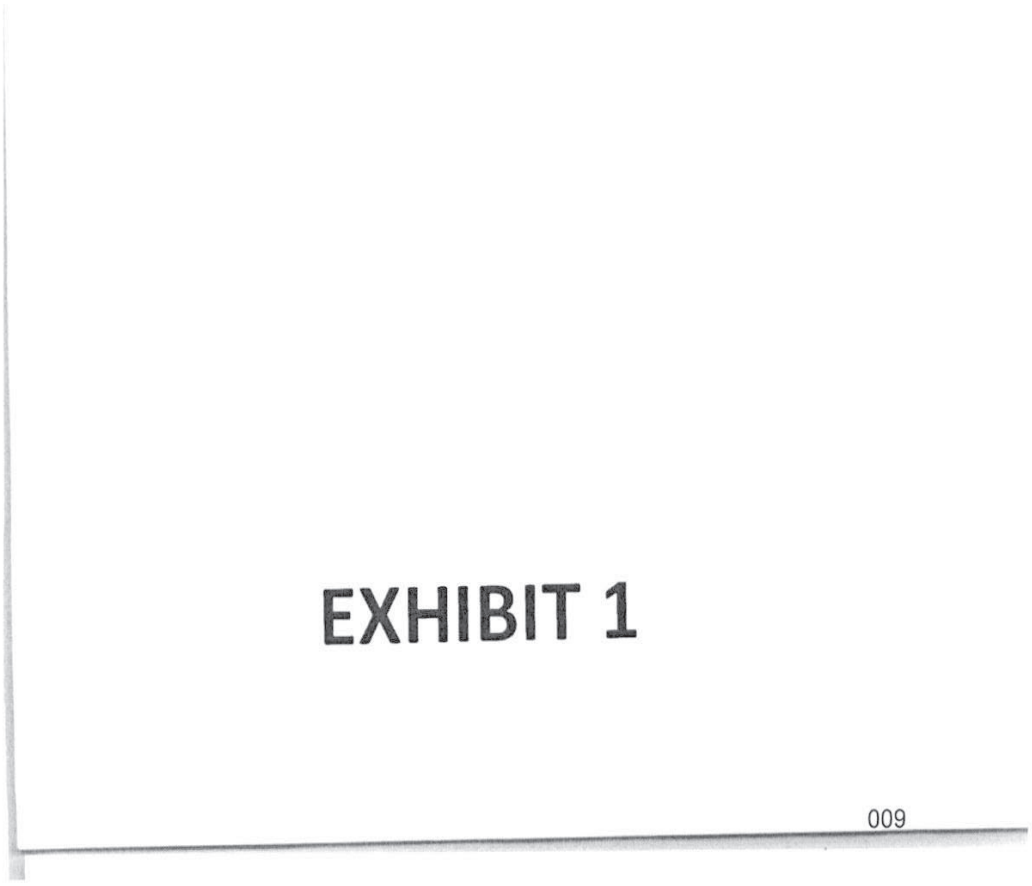
015

Batch ID [redacted]
Seq Num 25

EXHIBIT 2

014

Batch ID [redacted]
Seq Num 30



Batch ID [redacted]
Seq Num 31

1. Form G-28, Attorney or Representative's Notice of Entry of Appearance as Attorney or Accredited Representative.

2. DS-160 Application Confirmation.

3. **Personal Information and Supporting Documents**
   - Copy of Mr. Leung's Australian Passport
   - Copy of Mr. Leung's Visa F-1
   - Copy of Mr. Leung's E-3 Visa
   - Copy of Mr. Leung's Declaration

4. **Immigration Records**
   - Notice and Order of Expedited Removal
   - Record of Sworn Statement
   - Notice to Alien Ordered Removed
   - USCIS Form I-765 application listing eligibility category as "c (3)(b)" for Post completion OPT F1 visa student applications.
   - USCIS Decision on Employment Authorization Document dated May 26, 2023 denying his EAD under the "c36" category.

5. **Financial Documents**
   - Balance Certificate from Mashreq Bank in Dubai, UAE dated 12/5/2023 listing that the Applicant has a balance of US [redacted]
   - Westpac Choice Bank Proof of Account Balance # [redacted]7412 showing balance of US [redacted] as of December 9, 2023 and Currency Converter Chart dated 12/09/2023. Personal Bank Accounts' Total: US $[redacted]

6. **Employment-related Documents**
   - Copy Mr. Leung's Employment Offer Letter to start on January 3, 2024 as Business Development Manager for [redacted] with an annual salary of $[redacted] in Melbourne, Australia.

7. **Appendix**
   - Wedding Invitation with U.S. fiancée, [redacted] to be celebrated at Carousel Park in Melbourne, Australia on [redacted]
   - Copies of Carousel Park Wedding Venue
   - Copy of [redacted] US Passport

Batch ID [redacted]
Seq Num 32

required to prove extreme hardship to his future U.S. citizen spouse, potentially resulting in a permanent barrier to obtaining an approved immigrant visa.

IV. CONCLUSION

Mr. Leung respectfully presents his nonimmigrant visa waiver request to rectify his removal order. Furthermore, we maintain that Mr. Leung did not engage in misrepresentation as defined by the statute, as he had previously disclosed his brief work-related activity during his interview process and acknowledged his prior errors. Should this be the case, Mr. Leung is also submitting this request to waive the inadmissibility ground related to misrepresentation.

While the exercise of discretion and sound judgment is crucial, a consular officer has the authority to recommend waivers for any valid travel purpose. Mr. Leung is requesting the issuance of a B1/B2 Visa for business-related purposes, and spending time with his fiancée and future in-laws while they plan for their wedding and spending holidays with her family in the U.S.

Should you have any questions, please do not hesitate to contact undersigned at [redacted] or by email at [redacted]@gpvimmigration.com. Thank you in advance for your prompt attention to this matter.

Respectfully submitted,

[redacted]

Batch ID [redacted]
Seq Num 33

Pursuant to the FAM[12], a consular officer should consider the following factors, among others, when deciding whether to recommend a waiver:

(1) The recency and seriousness of the activity or condition causing the applicant's ineligibility;
(2) The reasons for the proposed travel to the United States;
(3) Whether there is a single, isolated incident or a pattern of misconduct; and
(4) Evidence of reformation or rehabilitation[13]

First, Mr. Leung does not present a risk of harm if admitted to the United States. He is an MBA graduate of the University of Michigan. On January 1, 2024, he will start a new job as Business Development Manager in the city of Melbourne with an annual salary of $150,000. He has personal accounts in Dubai, UEA and Australia that amount to over USD $312,795.33. **See Exhibit 5 (Financial Documents).** He is also set to marry his U.S. citizen fiancé in Melbourne on May 17, 2024 and after marriage the couple have plans of buying a home in Melbourne and begin their family life in Australia.

Second, the Consular Officer should consider that Mr. Leung's act where not that serious. During the pandemic in 2020, Mr. Leung and a friend embarked on an e-commerce venture selling household items online, which was inspired by his business professor's entrepreneurship class. This was an isolated incident. This venture was operational for a few months but yielded minimal, if any, profit approximately between the time period of June 2020 through September 2020. Mr. Leung acknowledged and apologized on his declaration for engaging in any work-related activities that may have infringed on his F-1 student visa status. When he filed for his E-3 visa, he was asked about his activities during his interview and clarified this information and his E-3 visa was issued.

Third, Mr. Leung is set to assume the role of Business Development Manager with a starting date of January 3, 2024 with [redacted] in Melbourne, Australia. As part of his new role, Mr. Leung will be responsible for driving the growth of [redacted] business in the United States of America. This will involve tasks such as establishing new contacts, conducting market research to identify new opportunities, and overseeing growth projects in the U.S. market. His job requires him to do about 3-4 short trips to the United States for this purpose. The B1/B2 Visa that Mr. Leung is applying for will primarily serve business-related purposes and will allow him to spend time with his U.S. citizen fiancée and future in-laws as they plan for their wedding and share holidays with her family in the U.S. After marriage, Mr. Leung and his fiancée's intention is to purchase a house in Australia and commence their family life there. His fiancée and soon to be wife, [redacted] will be relocating to Australia. Therefore, they have no immediate plans to live in the United States or filing for Mr. Leung's immigrant visa process. Nonetheless, finding Mr. Leung inadmissible on the grounds of misrepresentation could potentially create complications in his immigrant visa application process if the family chooses to return to the U.S. This could become a significant issue if Mr. Leung cannot meet the demanding criteria

[12] *Id.*

[13] Although the court in Hranka did not specifically include rehabilitation as a criterion, the court indicated that the applicant's rehabilitation was a factor. Therefore, this element would be most relevant to applicants who have a *criminal record* in an effort to improve their chances of a successful waiver application.

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In connection with orders of removal, an individual is ineligible under INA § 212(a)(9)(A)(i) or (ii) if the Secretary of Homeland Security has consented to the individual reapplying for admission. The individual must file Form I-212 (Application for Permission to Reapply for Admission into the United States After Deportation or Removal) to obtain "Consent to Reapply" (CTR) before they can lawfully return to the United States. "Consent to Reapply" ("CTR") is also called "permission to reapply." If the Secretary of Homeland Security consents, then the ineligibility no longer applies. Although the consent to reapply removes the ground of ineligibility, it does not remove the factual circumstances which led to the original finding of ineligibility, nor does it affect any other ground of ineligibility.

For Non-Immigrant Visa Applicants however, DHS will consider CTR to have been granted for ineligibility under INA § 212(a)(9)(A)(i) or (ii) with the approval of a consent to reapply through the Admissibility Review Information Service (ARIS) via an "ARIS Waiver Request Form." The consular officer may favorably recommend a waiver for an NIV applicant ineligible under INA § 212(a)(9)(A)(i) or (ii) at any time within the 5, 10, 20 year, or permanent bar. Therefore, when a consular officer is recommending a waiver through ARIS for **NIV applicants, *the applicant should not file an I-212.***[8]

Custom Border Patrol, on June 13, 2023, issued an expedited order of removal against Mr. Leung, leading to the revocation of his E-3 visa. He is submitting a waiver application under INA Section 212(d)(3) to address the inadmissibility grounds that would prevent his return to the U.S. for a five-year period as a result of the order of removal.

C. NON-IMMIGRANT VISA WAIVER UNDER INA S 212(d)(3)(a)

Section 212(d)(3) of the INA provides broad authority to DHS to waive most grounds of inadmissibility for foreign nationals applying for a nonimmigrant visa at a consular post abroad or who apply for admission to the United States as a nonimmigrant at a port of entry. While the waiver is available, the standard for granting such a waiver is not defined in the INA or in any agency regulations. The matter is addressed, however, in the Foreign Affairs Manual ("FAM") and in a BIA[9] case, *Matter of Hranka,*.[10] This case sets forth a three-pronged balancing test for determining eligibility for a §212(d)(3)(a) waiver as follows:

1) The risk of harm in admitting the applicant;
2) The seriousness of the acts that caused the inadmissibility; and
3) The importance of the applicant's reason for seeking entry into the United States.

Eligibility for a waiver is not conditioned on having a qualifying family relationship, or the passage of some specified amount of time, or any other special statutory threshold requirement. The law does not require that such action be limited to humanitarian or other exceptional cases. While the exercise of discretion and good judgment is essential, a consular officer may recommend waivers for any legitimate purpose of travel.[11]

[8] 9 FAM 302.11-2(B)(5): Permission to Reapply or Consent to Reapply (CTR).
[9] Board of Immigration Appeals.
[10] 9 FAM 305.4-3(B)–(D); Matter of Hranka, 16 I&N Dec. 491 (BIA 1978).
[11] 9 FAM 305.4-3(C).

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Seq Num 35

"A misrepresentation made in connection with an application for a visa or other documents, or with admission to the United States, is material if either:

(1) The individual is ineligible on the true facts; or

(2) "[T]he misrepresentation tends to shut off a line of inquiry which is relevant to the alien's eligibility and which might well have resulted in a proper determination that he or she be inadmissible." (Matter of S- and B-C, 9 I. & N. Dec. 436, at 447.) This is also often referred to as "The Rule of Probability."

(3) Materiality is determined in the context of the individual case as to whether the misrepresentation was of direct and objective significance to the proper resolution of the individual's application for a visa, admission to the United States, or other immigration benefit.[6]

While on his F-1 visa status during the pandemic in 2020, Mr. Leung with a friend embarked on an e-commerce venture selling household items online, which was inspired by his business professor's entrepreneurship class. This venture was operational for a few months but yielded minimal, if any, profit approximately between the time period of June 2020 through September 2020.

On June 13, 2023, when questioned by Custom Border Patrol officers at the LAX point of entry as to the reasons Mr. Leung had not disclosed his work activities on his February 2022 E-3 visa application, Mr. Leung acknowledged it was a mistake. Pursuant to 9 FAM 302.9-4(B)(3), failure to volunteer information does not in itself constitute a misrepresentation under INA 212(a)(6)(C)(i). But Mr. Leung rectified the mistake by disclosing to the consular officer his work-related activities during his previous F-1 Visa, even including a USCIS letter stating that no prejudice would be held against him if he sought a work visa in the future. Despite his comprehensive disclosure, the border officer rejected his account and asserted that he had provided false information on his application and failed to communicate this information to the consular officer. Consequently, Mr. Leung's E-3 visa was revoked, and he received an expedited order of removal on June 13, 2023.

Mr. Leung believed that any work-related activities had been cleared and his E-3 visa issued without any problems and thus the misrepresentation inadmissibility ground should not stand. Furthermore, should Mr. Leung be found ineligible under this criterion, he will likewise be obligated to pursue a misrepresentation waiver in the event of applying for an immigrant visa. This obligation may potentially become burdensome and detrimental if Mr. Leung is unable to meet the rigorous criteria necessary for demonstrating extreme hardship to a qualifying relative. In an abundance of caution, he submits his waiver request under INA Section 212(d)(3) should the consular officer reviewing his B1/B2 non-immigrant visa application should find it necessary.

B. CBP issued an Expedited Removal Order on June 13, 2023

INA § 212(a)(9)(A)(i) makes ineligible for a visa any individual who has been ordered removed under INA § 235(b)(1) or INA 240 as an arriving traveler, and who seeks admission within 5 years (or 20 years if second or subsequent removal or at any time if convicted of an aggravated felony) of the date of such removal, unless prior permission has been granted[7]

[6] 9 FAM 302.9-4(B)(5): Interpretation of the Term Material Fact.
[7] 9 FAM 302.11-2(B)(5).

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Mr. Leung has an employment offer to start on January 3, 2024 as Business Development Manager for [redacted] with an annual salary of $150,000 in the city of Melbourne. As part of his role in the company, his job duties include 3-4 short travel trips to the United States as well as driving growth of new business for [redacted] in the United States of America, including developing new contacts, research new market opportunities and oversee growth projects. **See Exhibit 6**

Mr. Leung's parents and family members reside in Australia and Mr. Leung is engaged to a U.S. citizen, [redacted] whom he will marry in Melbourne, Australia on May 17, 2024. **See Exhibit 7 (Wedding Invitation, Venue Pictures, and Fiancée's US passport).** Mr. Leung states in his declaration that following their marriage, the couple's intention is to buy a house in Australia and start their family life there. [redacted] currently works for [redacted] in Seattle, Washington and also has a remote job at a company called [redacted] that will continue on after relocating to Australia. Both Mr. Leung and his fiancée, [redacted] have no plans for permanent relocation to the United States in the foreseeable future and consequently will hold off on applying for his immigrant visa at this time. The B1/B2 Visa application is being requested for business-related purposes and for spending quality time with his fiancée and future in-laws. This includes planning for their wedding and enjoying holidays with [redacted] family in the United States while they reside in Australia.

III. ARGUMENT

A. Mr. Leung submits a waiver in an abundance of caution for the misrepresentation inadmissibility ground

To find an individual ineligible under INA[3] § 212(a)(6)(C)(i), the following four elements have been satisfied: There has been an affirmative act of misrepresentation made by the applicant; The misrepresentation was willfully made; The fact misrepresented is material and; The applicant by using fraud or misrepresentation seeks to procure, has sought to procure, or has procured a visa, other documentation, admission into the United States.

The Board of Immigration Appeals determined that "fraud" typically means that the individual made a false representation of a material fact with knowledge of its falsity and with the intent to deceive a consular or immigration officer. Further, the representation must have been believed and acted upon by a consular officer or other U.S. official.[4] On the other hand, a "willful misrepresentation" does not require either an intent to deceive or that the officer either believes or acted upon the false representation. See Matter of S and B-C, 9 I. & N. Dec. 436, 448-449 (A.G. 1961 and Matter of Kai Hing Hui, 15 I. & N. Dec. 288 (BIA 1975).

Most cases of INA 212(a)(6)(C)(i) ineligibility involve "material misrepresentations" rather than "fraud" since determining that an individual had the intent to deceive an officer and that the fraud was believed and acted upon is a higher legal standard. Pursuant to 9 FAM 302.9-4(B)(3), failure to volunteer information does not in itself constitute a misrepresentation under INA 212(a)(6)(C)(i).[5] In determining if a misrepresentation is "material" with respect to INA 212(a)(6)(C)(i), the Attorney General has declared as follows:

[3] Immigration and Nationality Act ("INA")
[4] Matter of G, 7 I. & N. Dec. 161 (BIA 1956).
[5] 9 FAM 302.9-4(B)(3): Interpretation of the Term Misrepresentation.

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II. FACTS

Mr. Jeremy Leung ("Mr. Leung" or Applicant") is an Australian national. **See Exhibit 3.** The Applicant was initially issued an F-1 student visa status[1] issued on July 16, 2019 through June 14, 2024. *Id.* While in the United States he attended University of Michigan and pursued his Masters of Business Administration Degree from 2019 through 2021.

During the global pandemic of 2020, Mr. Leung and a friend embarked on a venture selling household items online, which was inspired by his business professor's entrepreneurship class. This venture was operational for a few months but yielded minimal, if any, profit approximately between the time period of June 2020 through September 2020. **See Exhibit 4 (Record of Sworn Statement).**

On or about April 16, 2021, Mr. Leung submitted an employment authorization document ("EAD") application listing the "c(3)(b)" category for post completion OPT F-1 visa applicants. **See Exhibit 4 (Immigration Records).** He subsequently received a Request for Evidence, which he complied with. In the USCIS Decision for Employment Authorization Document, dated May 26, 2023, the EAD application of Mr. Leung was denied due to an error in categorization. The decision incorrectly categorized his eligibility as "c(36)," intended for spouses or children of principal beneficiaries for approved employment-based categories, instead of the correct category "c(3)(b)" for post completion OPT F-1 visa applicants. Consequently, the denial was issued because Mr. Leung did not meet the eligibility requirements under the incorrect "C36" category. **See Exhibit 3 (Copy of Declaration).**

In February 2022, Mr. Leung applied for an E-3 Specialty Occupation Worker Visa through the petitioner, *Ascend Administration LLC*. In his capacity as Operations Manager within the company, he would oversee various aspects of the business's back-end operations, including warehousing, product sourcing, staff management, and HR responsibilities. The E-3 visa was granted on February 1, 2022, with a validity period extending until January 21, 2024. ***Id;* Exhibit 3 (Copy of E-3 visa).**

During Mr. Leung's attempted entry into the United States on June 13, 2023, Customs and Border Protection (CBP) officers found him inadmissible. They determined that he had engaged in work outside the scope of his prior F-1 visa and that he had failed to disclose this information to the consular officer when applying for his E-3 Specialty Occupation Worker Visa. When questioned by Custom Border Patrol officers at the LAX point of entry as to the reasons Mr. Leung had not disclosed his work activities on his February 2022 E-3 visa application, Mr. Leung acknowledged it was a mistake. Despite Mr. Leung's assertion that he had provided all the relevant information about his work-related activities during his F-1 visa, during his interview, including a USCIS letter indicating it would not hold prejudice against him for future work visa applications, the border officers denied his entry and alleged that he had lied on his application form. As a result, Mr. Leung's E-3 visa was revoked, and he was issued an expedited order of removal on June 13, 2023.[2] **See Exhibit 3 (Copy of Declaration); See Exhibit 4 (Notice and Order of Expedited Removal).**

[1] F-1 NIV # [redacted]
[2] He was also found removable under INA Section 212(a)(7)(1)(i) for not having a valid documentation at the time of entry. INA 212(a)(7)(A) is not applicable to NIV applicants pursuant to 9 FAM 302.1-3(D)(2).

Batch ID [redacted]
Seq Num 38

GPV
IMMIGRATION LAW, APC

[redacted]@gpvimmigration.com
Main Office: [redacted] Granada Hills, CA [redacted]
Mailing address: [redacted] Granada Hills, CA [redacted]
WWW.GPVIMMIGRATION.COM

December 11, 2023

Submitted In Person by Applicant
US Consulate General – Australia
(Attention: NIV Section)
16 St Georges Terrace; Level 4
Perth, WA, 6000

Re: **LEUNG, JEREMY KENNETH ("Applicant")**
DS 160: [redacted]
A#:
Interview Date and Time: 12/11/2023 8:00:00 AM

APPLICANT'S NON-IMMIGRANT VISA WAIVER REQUEST UNDER INA SECTION 212(d)(3)(A)(i)

I. INTRODUCTION

Our law firm represent Mr. Jeremy K. Leung in connection with his B1/B2 non-immigrant application before the U.S. Consulate in Australia. **See Exhibit 2.** Mr. Leung's consular interview is scheduled for December 11, 2023.

On June 13, 2023, CBP issued an expedited order of removal against him, which resulted in the revocation of his E-3 visa. He is now in the process of submitting a waiver application under INA Section 212(d)(3)(A)(i) to overcome the inadmissibility ground preventing his return to the U.S. for a five-year period due to the order of removal. Additionally, in an abundance of caution, the applicant's waiver request includes a plea to waive INA Section 212(a)(6)(C)(i), which involve allegations of misrepresentation and fraud. This stems from the Custom Border Patrol officers' determination that Mr. Leung failed to disclose prior employment while on his F-1 visa at the time of his E-3 visa application. **See Exhibit 4.** Our Notice of Representation, Form G-28 and evidence is submitted with this request. **See Exhibit 1.**

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EXHIBIT 5

043

Batch ID [redacted]
Seq Num 44

mashreq المشرق

Balance Certificate

Jeremy Kenneth Leung
[redacted]
Saud Street - Dubai - United Arab Emirates Dubai
[redacted]

Private & Confidential

Date of issue 05 Dec, 2023

TO,
Jeremy Leung

This letter is to certify that Jeremy Kenneth Leung (the 'Customer') is maintaining accounts with Mashreqbank psc (the 'Bank'). The balance as on close of business dated 04-12-2023 is as follows:

Details of Account	Amount
Foreign Currency Account [redacted]	USD [redacted] US Dollar Two Hundred Twenty Eight Thousand Three Hundred Twenty Three and Thirty Three Cent Only
Neo Salary Transfer Account [redacted]	AED 85.69 UAE Dirham's Eighty Five and Sixty Nine Fils Only

MASHREQ BANK PSC P.O BOX: 1250 DUBAI

This is a computer-generated letter issued in standard format. No signature is required.

This letter is issued at the request of the Customer and is without any risk or responsibility on the Bank or any of its officers. This letter has been issued at the request of the Customer and should not be construed as a financial guarantee or any other liability on the part of the Bank or any of its employees. This letter is intended solely for the addressee hereto and is issued for information purposes only. This letter shall not be construed as an obligation, commitment, guarantee or warranty of the Bank or any of its employees nor does it create or purport to create any legally binding obligations on behalf of the Bank (including its employees) or any of its affiliates (including their employees) to grant or continue to grant the Customer or any third party with any facilities whatsoever

CONFIDENTIALITY NOTE: This letter/document/report/certificate is intended only for the person or the entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected. Therefore, disclosure, dissemination, distribution or copying the information herein by anyone other than the intended recipient is prohibited. If you have received this letter/document/report/certificate erroneously, please notify the bank immediately.

Note: You should verify the information shown on this document and report any discrepancies to the bank in writing within 30 days of the document date, otherwise the content will be assumed to be correct. To raise any enquiries, requests, feedback or complaints, please sign into Mashreq Online and write to us through the 'contact us' option.

044

Batch ID [redacted]
Seq Num 45

This letter is to certify that Jeremy Kenneth Leung (the 'Customer') is maintaining accounts with Mashreqbank psc (the 'Bank'). The balance as on close of business dated 04-12-2023 is as follows:

Neo MaxSaver Account [redacted]	AED 500.13 UAE Dirham's Five Hundred and Thirteen Fils Only

MASHREQ BANK PSC P.O.BOX: 1250 DUBAI

This is a computer-generated letter issued in standard format. No signature is required.

This letter is issued at the request of the Customer and is without any risk or responsibility on the Bank or any of its officers. This letter has been issued at the request of the Customer and should not be construed as a financial guarantee or any other liability on the part of the Bank or any of its employees. This letter is intended solely for the addressee hereto and is issued for information purposes only. This letter shall not be construed as an obligation, commitment, guarantee or warranty of the Bank or any of its employees nor does it create or purport to create any legally binding obligations on behalf of the Bank (including its employees) or any of its affiliates (including their employees) to grant or continue to grant the Customer or any third party with any facilities whatsoever

CONFIDENTIALITY NOTE: This letter/document/report/certificate is intended only for the person or the entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected. Therefore, disclosure, dissemination, distribution or copying the information herein by anyone other than their intended recipient is prohibited. If you have received this letter/document/report/certificate erroneously, please notify the bank immediately.

Note: You should verify the information shown on this document and report any discrepancies to the bank in writing within 30 days of the document date, otherwise the content will be assumed to be correct. To raise any enquiries, requests, feedback or complaints, please sign into Mashreq Online and write to us through the "contact us" option.

045

Batch ID [redacted]
Seq Num 46

Proof of account balance

JEREMY LEUNG
[redacted]
KEW, VIC, [redacted]
AU

Account balances
The account balances shown are for selected accounts as at the report creation date.

Account name	Available Balance	Current Balance
Westpac Choice [redacted]		
Accounts total		

Things you should know

1. This report displays Westpac branded accounts available through Online Banking and selected by the user for display. It may not include all accounts held with the Westpac Group. The report is correct at the time it is generated. Westpac does not accept any liability for you relying on this report.
2. All amounts, including foreign currency accounts, are in AUD unless specified.
3. Account balances may not include pending transactions and pre-authorisations awaiting final approval. The balance may also exclude cheque payments awaiting clearance.

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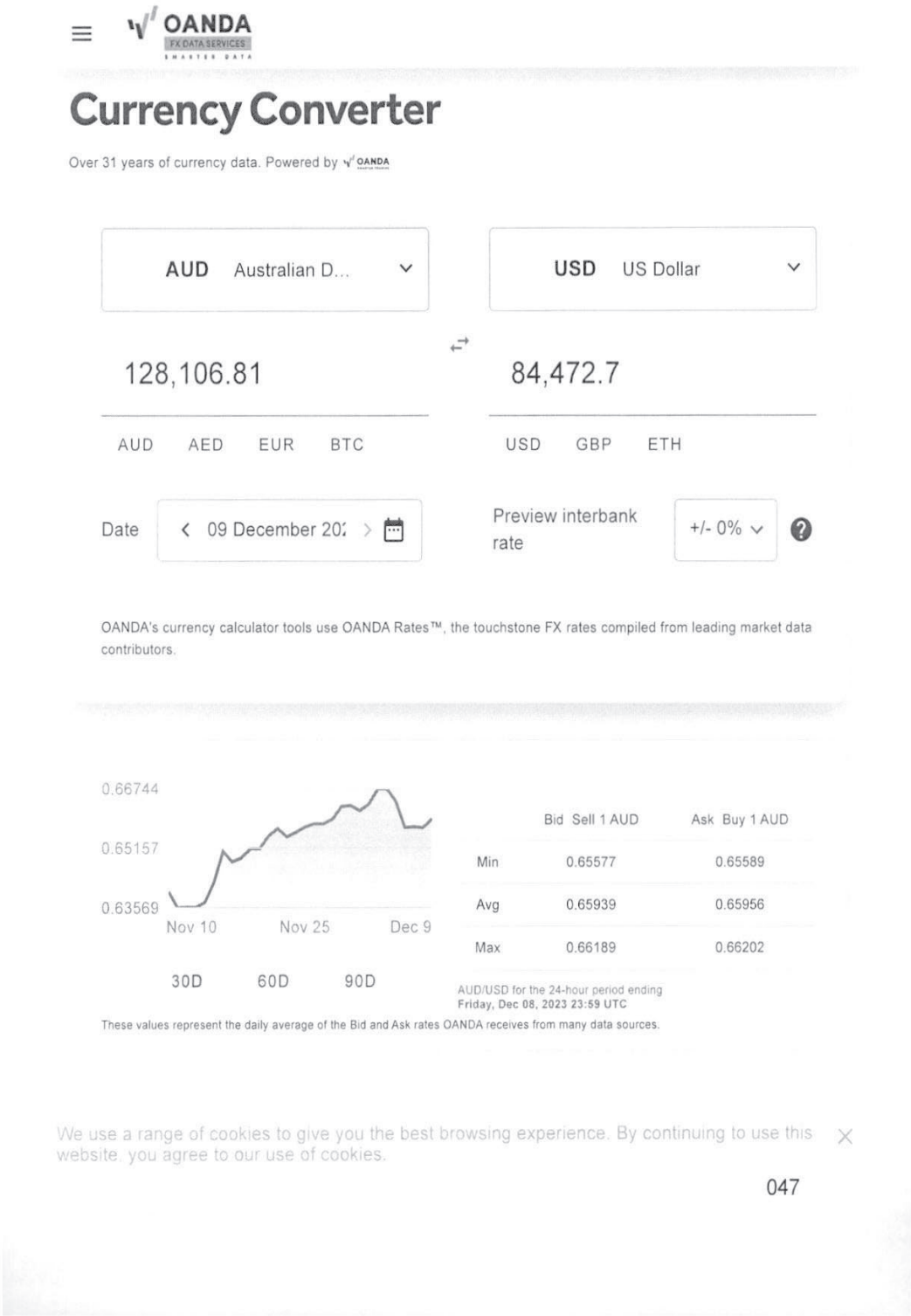
Date created: 09-Dec-2023 08:56 am

Batch ID [redacted]
Seq Num 47



Batch ID [redacted]
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EXHIBIT 6

048

Batch ID [redacted]
Seq Num 49

[redacted]
ABN: [redacted]
Ph: [redacted]

Jeremy Leung
[redacted]@gmail.com

Private and Confidential
5th of December, 2023

Dear Jeremy Kenneth Leung,

Re: Letter of Engagement - Offer of employment starting the period of 3rd of January, 2024.

We are pleased to offer you a position at [redacted] as a Business Development Manager on the terms and conditions set out in this letter. The offer is for a position from the 3rd of January with a probation period of 6 month and is contingent upon a background check and drug screening. Continued employment after this period will be dependent on mutual review.

1. **Position**
   a. Your employment will officially commence on Wednesday, 3rd of January, 2024.
   b. Your employment will be on an at-will basis, which means you and the company are free to terminate employment at any time, with or without cause or advance notice.
   c. The duties of this position are set out as a Business Development Manager. You are required to perform these duties, and any other duties [redacted] may assign to you in the future, having regard to your skills, training and experience.
   d. You will be required to perform your duties as directed by [redacted]
   e. Your roles include:
      i. Driving growth of new business for [redacted] in the United States of America, including developing new contacts, research new market opportunities and oversee growth projects;
      ii. Focusing on digital and experience design services in the United States of America;
      iii. Undertaking 3-4 short trips per year to the United States of America.
      iv. Meeting with potential clients and creating opportunities that align with the company's vision and improve it's revenue;
      v. Developing sustainable business strategies for the short and long term;
      vi. Balancing intent and delivery methods with continuous improvement on Business and Management Processes;
      vii. Creating the right project opportunities for future scalability and growth;
   f. You will be reporting directly to [redacted]

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2. **Probation Period**
   a. Your continued employment will be dependent upon a 6-month period.
   b. You will receive a performance review on the 3rd of June 2021 in which your continued employment will be discussed, unless otherwise discussed with you.

3. **Terms and Conditions of Employment**
   a. The terms and conditions of your employment will be those set out in the applicable legislation. This includes, but is not limited to, the National Employment Standards in the *Fair Work Act 2009*.

4. **Ordinary hours of work**
   a. Your ordinary hours of work will be 45 hours over a working week, plus any additional hours that are necessary to fulfil your duties as otherwise required by [redacted]
   b. It is important to be aware that from time to time you may be required to work extended hours to meet deadlines, and the like and any additional hours will be negotiated with us before you work them.
   c. Normal working hours are:
      8:00am - 6pm Monday to Friday
      1 Hour lunch break between the hours of 12.30 - 2.00pm.

5. **Remuneration**
   a. Your starting salary is $12,500 monthly ($150,000 annually) excluding superannuation into your nominated account. Weekly time sheets will be required to be signed off by your coordinator and this will be reviewed after your trial.
   b. You will have a work credit card with a monthly spending of $500 for work purposes only and a company car.
   c. In addition you will be eligible to receive an annual bonus subject to your performance.
   d. You will be paid on a fortnightly basis (payroll will be processed on **Thursdays**) by electronic funds transfer into your nominated bank account and emailed your pay slip. You will need to submit your time card by Thursday morning 9am, every fortnight.

6. **Leave**
   a. Leave is accrued at the statutory rate.

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7. **Your obligations to the employer**
   a. You will required to perform all duties to the best of your ability at all times.
   b. You will be required to use your best endeavours to promote and protect the interests of the employer.
   c. You will be required to follow all reasonable and lawful directions given to you by the employer, including complying with policies and procedures as amended from time to time.
   d. Any work completed for [redacted] during your period of employment will belong (including all copyrights and other rights to distribution) to [redacted]
   e. In relation to any work that you perform for [redacted] Jeremy Kenneth Leung ('you') in the course of the work done agree that given the nature of the work, and the purpose, manner and context of its intended use:
      i. Unless you and [redacted] agree otherwise in writing, you will not be attributed personally as the author of the work.
      ii. You must describe [redacted] as the author of the work and as the designer of the building or project.
      iii. [redacted] may agree on the form of attribution to be given to the company by the client.
      iv. Without notifying or consulting you, [redacted] may alter your work in any way that [redacted] considers necessary.
      v. [redacted] need not advise you if [redacted] is notified of any intended alteration to any project or building related to your work.
      vi. [redacted] may provide a copy of this consent to any client.
      vii. [redacted]

   From time to time you may undertake other specific projects to [redacted] If you do so, this consent will apply to those projects.

8. **Non-Solicitation Clause**
   a. During your employment with [redacted] and for a period of 2 years following the termination of your employment, you agree not to directly or indirectly, individually or on behalf of any other person or entity, solicit or attempt to solicit any clients or customers of [redacted] for the purpose of providing goods or services that are in direct competition with [redacted] This includes, but is not limited to, solicitation through phone calls, emails, in-person meetings, social media, or any other means of communication.
   b. You further agree not to induce or attempt to induce any clients or customers of [redacted] to reduce, modify, or terminate their business relationship with [redacted] during the term of your employment and for a period of 2 years after your employment terminates.
   c. [redacted] reserves the right to seek legal remedies in the event of any breach of this clause, which may include injunctive relief and damages.

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9. **Confidentiality**
   a. By accepting this letter of offer, you acknowledge and agree that you will not, during the course of your employment or thereafter, except with the consent of the employer, as required by law or in the performance of your duties, use or disclose confidential information relating to the business of the employer, including but not limited to client lists, trade secrets, client details and pricing structures.

10. **Entire Agreement**
   a. The terms and conditions referred to in this letter constitute all of the terms and conditions of your employment and replace any prior understanding or agreement between you and the employer.
   b. The terms and conditions referred to in this letter may only be varied by written agreement and signed by both you and the employer.

If you have any questions about the terms and conditions of employment please do not hesitate to contact me.

You may also seek information about the minimum terms and conditions of employment from the Fair Work Ombudsman. You can contact them on 13 13 94 or visit their website at www.fairwork.gov.au

To accept this offer of employment please return a signed and dated copy to of this letter to me at your earliest convenience.

Yours sincerely,

[redacted]

[redacted]

[redacted]
Director

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053

Please keep a copy of this letter for your records.

Print Name: .....

Date: .....

Signed: .....

[redacted]

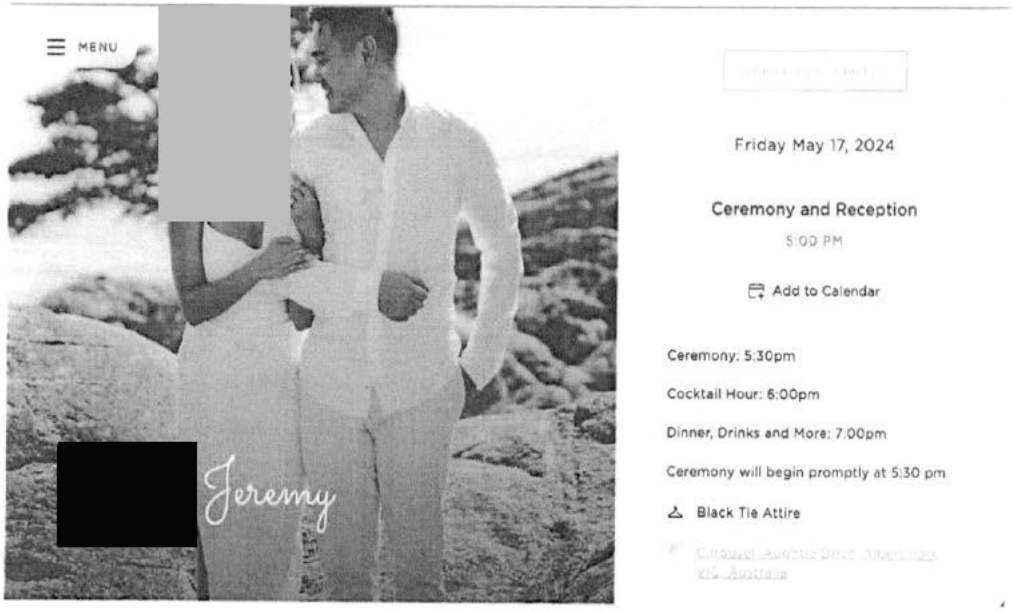
I, **Jeremy Kenneth Leung**, have read and understood this letter of engagement - offer and accept the offer of employment from [redacted] on the terms and condition set out in the letter.

Batch ID [redacted]
Seq Num 54

EXHIBIT 7

054

Batch ID [redacted]
Seq Num 55



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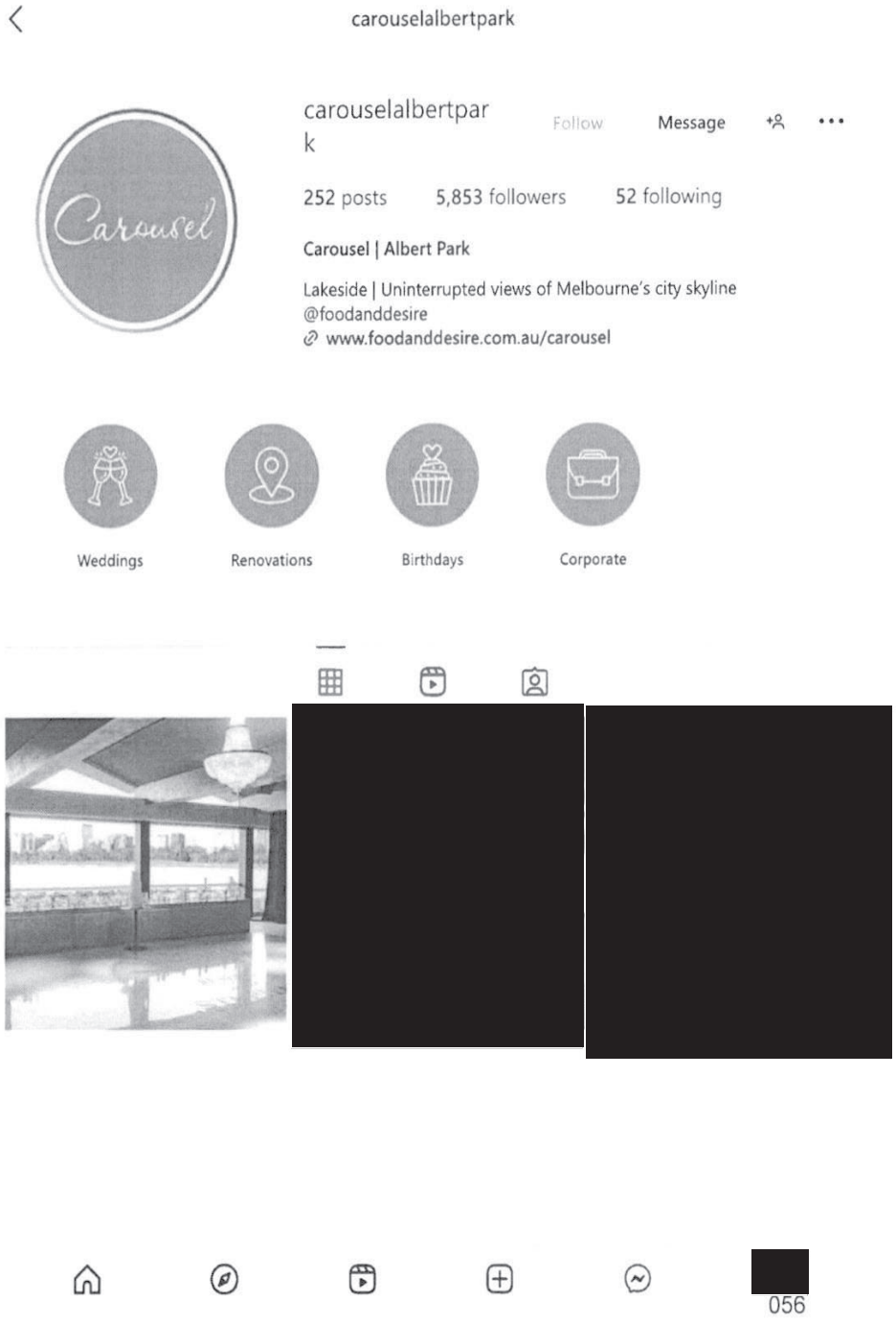
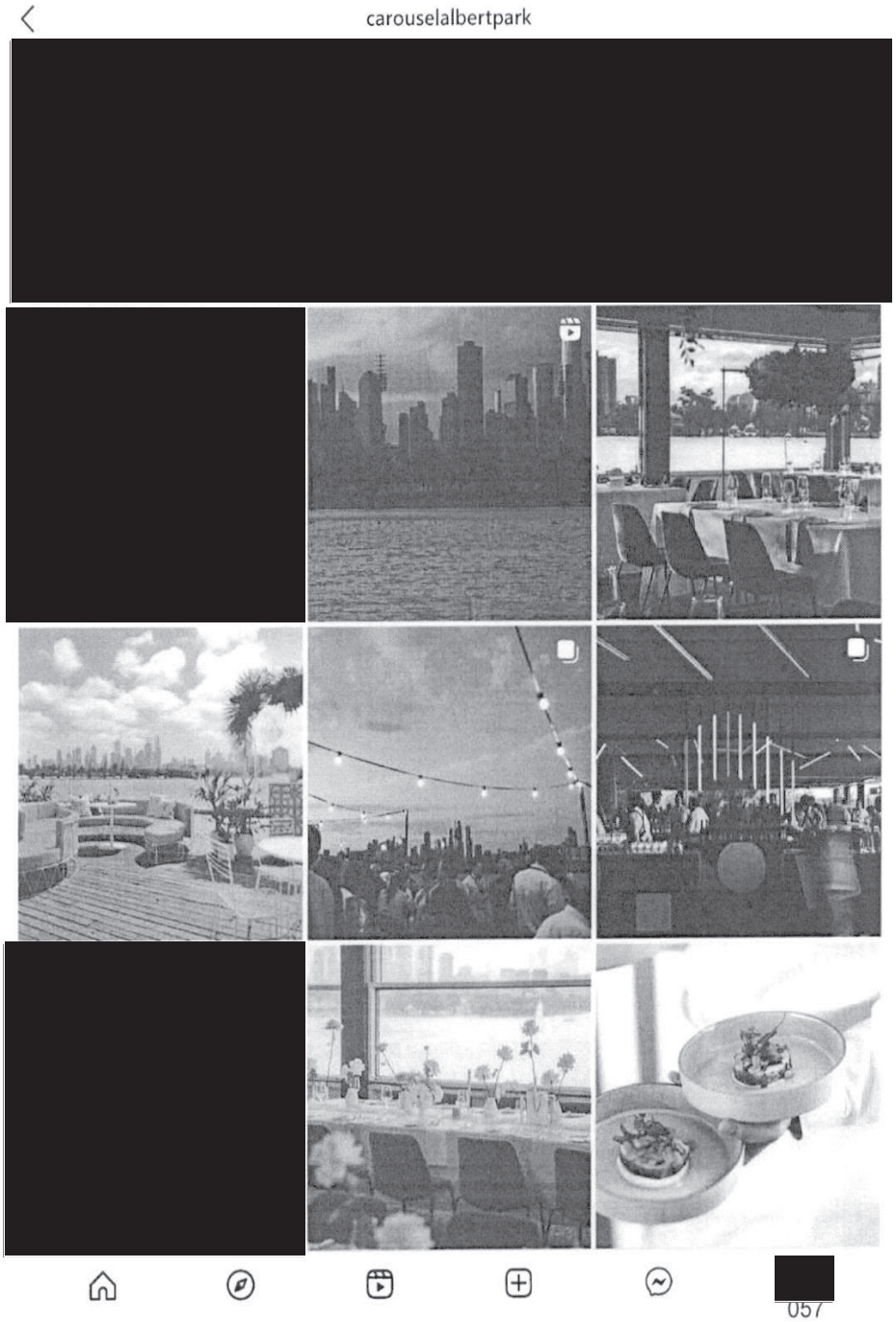
Batch ID [redacted]
Seq Num 56



Batch ID [redacted]
Seq Num 57



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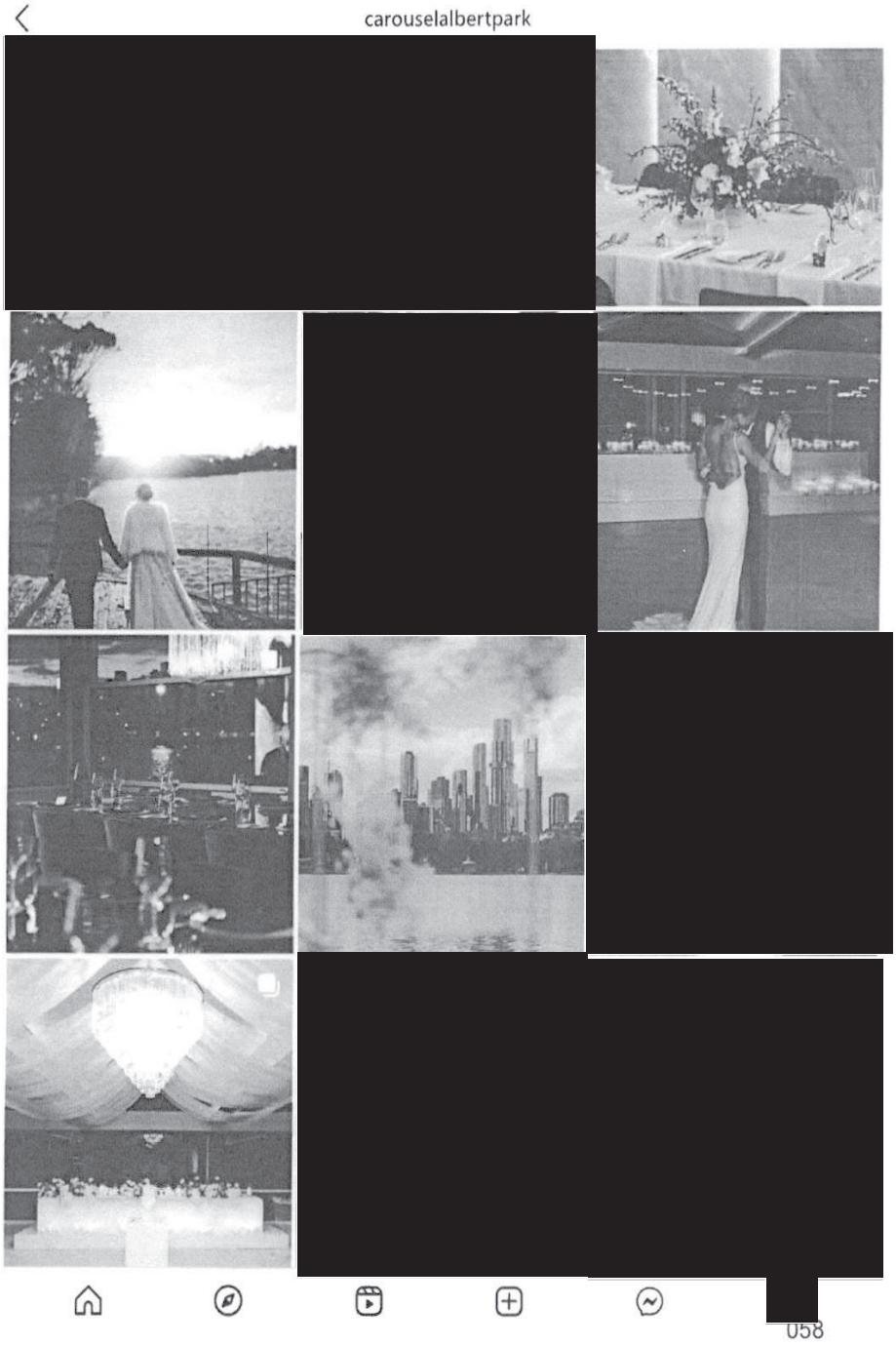
Seq Num 58



Batch ID [redacted]
Seq Num 59



STATEMENT

Name: Jeremy LEUNG

STATES:

1. My name is Jeremy Kenneth LEUNG. I am 34 years old and I am currently employed as an operations manager at an e-Commerce company based in the United States of America.

2. I have been friends with [redacted] for over 10 years. I was a DJ for kids parties and he hired me to DJ for a kids party and we just became friends. I found him fun to be around, a bit annoying, but fun to be around so we just continued being friends. I still speak to his parents and brothers as well, so I consider myself to be a friend of the family.

3. I would say that I was his best friend; I've known that a lot of people have come and gone from [redacted]s life within that ten years. He would have a string of close friendships that would fall apart quickly, but our friendship never did. Probably because I moved around a bit during those years, spending time overseas and interstate.

4. Our friendship was such tha[redacted] would share everything with me. He would talk a lot of verbal diarrhoea so sometimes I can't remember what he spoke about. He would tell me absolutely everything, to the point that I sometimes wished he would share less. He would call me once a day, or at least once every two days and I'd try to make the calls as short as possible.

5. I can't remember the exact date, but sometime in 2018 or 2019, [redacted] went to Thailand. He told me that he stayed with a female friend there and her partner and daughter. [redacted] told me that the partner's name was [redacted] didn't know [redacted] before he went over to Thailand and I'm not sure whether he was Australian or another nationality, but I believe he had links to organised crime based on what [redacted] told me. I can't remember exactly what [redacted]

said but apparently [redacted] had connections with the Thai Police and he implied that the guy was a bikie or had bikie connections.

6. [redacted] had recently acquired a Rolex watch; he had manipulated someone best described as a 'sugar-daddy' into buying him a watch. [redacted] took that watch over to Thailand with him and he told me that whilst staying with his friend the watch went missing. He told me that when he confronted [redacted] about the missing watch, he told [redacted] that his daughter must have taken the watch and forgotten where she had put it.

7. [redacted] told me that [redacted] then told him that he could make the money back very easily if he did some 'work' for him. [redacted] told me that it was [redacted] that introduced him to a person called [redacted] I don't think [redacted] ever told me [redacted] surname and I've never met him.

8. [redacted] was mortified about the watch being stolen. He would wear it everywhere and display it everywhere on social media. Now, with it gone, he was devastated – there's no other word to describe it. He tried to get it back, and he believed that [redacted] was going to give it back to him or replace it with a new one. I think [redacted] was naïve and believed him, so when [redacted] offered him a chance to make the money back through whatever means/job, he was excited to do that too, which was very sad.

9. At some point, I can't remember the exact dates, [redacted] came over to the US. I was already over there working and we caught up with each other. Now that we were both in the US, my contact with [redacted] increased dramatically and he called me more often. He told me a lot about the 'work' that he was doing for [redacted]

10. He told me that [redacted] was residing in his apartment in South Melbourne and was paying him significantly higher than market rent so that they could use that place to receive bottles of wine from California. I had serious doubts about what was in those bottles of wine, but [redacted] told me that it was all legal. I believe that [redacted] really did think it was legal up until a point; but I do believe at some point, although I can't put my finger on exactly when, [redacted] realised that it

was illegal but that he was too far down the rabbit hole to turn back. [redacted] would attempt to find addresses so that [redacted] or whoever [redacted] was working for could receive bottles of wine or related paraphernalia.

11. [redacted] would ask friends to use their addresses to have things delivered to where they would be picked up by an unknown party. I believe this happened many times at the [redacted] address in South Melbourne and at the [redacted] apartments in Southbank, and at Airbnb's that [redacted] was renting using his and his brother's Airbnb accounts. He told me that his neighbour [redacted] was also helping him but he didn't tell me how much [redacted] knew about what was actually happening.

12. This was during COVID when deliveries were just being left at people's doors and someone could come and collect the packages later. [redacted] told me that some of the packages were 'wine from California'.

13. [redacted] told me about one issue that arose with a package that was sent to the [redacted] apartments. He said to the concierge that he used to own an apartment there and asked to get the stuff sent here for someone to pick it up. He told me that the concierge was suspicious and threw out one of the packages. I was told that [redacted] went there and looked through the dumpster but couldn't find the package.

14. As a result of the loss of the package, [redacted] told me that [redacted] was now out of pocket a significant amount of money and that he therefore needed to do more work to pay off the debt. I understood that [redacted] was in debt now to these people.

15. From what [redacted] told me, I understood that this scheme was going on for over a year. I remember thinking at one point that [redacted] hadn't been caught yet, and wondered if the police were just building a case against him. I was convinced that what he was doing must be illegal.

16. He told me about the money he was making from organising addresses for the packages to be sent to. He told me he was receiving something like $7000 a

SENSITIVE BUT UNCLASSIFIED

month into his bank account. I think he told me that [redacted] mum was depositing cash into his bank account. I distinctly remember that and thinking how stupid it was. I remember thinking that $7000 didn't seem like a lot of money for what he was doing, and that he was probably only getting a tiny percentage of what these people were actually making.

17. I tried to tell him that what he was doing was wrong and I even told his brothers to talk to him; both [redacted] and [redacted]. I remember telling him that it's morbid, but his parents are wealthy, and he just needed to hold on for 10 years or so and he would stand to inherit 8 figures. I was trying to get him to stop. He didn't need to do what he was doing if it was just for money.

18. That money he got from [redacted], it wasn't that much money. All the money that he had to show for this was thrown into a second-hand Porsche Macan in the US which he probably only drove about 30 times. I think his brother ended up selling it eventually.

19. I honestly feel that he got manipulated through this whole thing and I'm sorry that he's in that position that he's in. I don't think he was smart enough to say no and these people had experience in getting naïve people to do what they want. It's people like [redacted] who get caught up in these things because they want a quick dollar and he doesn't have the skills, the concentration, or humility to do a job so he's got no other path to success in life.

.....

(Jeremy LEUNG)

Statement taken and signature witnessed by me
at 4:26 PM on 21/12/2022 at Melbourne

Matthew POORE
Detective Senior Constable [redacted]

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

.....
(Jeremy LEUNG)

Acknowledgment made and signature witnessed by me
at 4:27 PM on 21/12/2022 at Melbourne

Matthew POORE
Detective Senior Constable 41121