

TRULINCS 54001048 - BRENNERMAN, RAHEEM J - Unit: BRO-I-B

FROM: 54001048
TO:
SUBJECT: Re: LEGAL CORRESPONDENCE -06.20.18
DATE: 06/20/2018 02:25:49 PM

x

Raheem J. Brennerman (54001-048)
Metropolitan Detention Center
P O Box 329002
Brooklyn, New York 11232

Honorable Judge Richard J. Sullivan
United States District Judge
United States District Court
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

June 20, 2018

Re: United States v. Raheem J. Brennerman
Case No: 1:17-cr-337 (RJS)

Dear Judge Sullivan

Defendant Pro Se, Raheem Brennerman ("Brennerman") submits additional evidence to bolster his arguments, which are succinctly highlighted in correspondences dated June 10, 2018 (see 17-cr-337 (RJS), dkt. no. 164), the June 11, 2018 and June 17, 2018 correspondences.

Brennerman submits, Government Exhibit 1-57, e-mail correspondence between Mr. Scott Stout and Brennerman, which highlights the e-mail signature of Scott Stout and the Beverly Hills, California address of Morgan Stanley Smith Barney LLC (not Morgan Stanley Private Bank); Government Exhibit 1-57A, the account opening form, which highlights "Morgan Stanley Smith Barney (not Morgan Stanley Private Bank)" at the top right corner of the form; Government Exhibit 1-73, e-mail between Scott Stout and Brennerman, which highlights Brennerman's alleged fraud - the perks which he became entitled to, however more important, page two of the e-mail correspondence highlights within the "Important Notice to Recipient" in relevant parts that "The sender of this e-mail is an employee of Morgan Stanley Smith Barney LLC ("Morgan Stanley"); Government Exhibit 529, the Morgan Stanley account statement, which highlights Morgan Stanley Smith Barney LLC (not Morgan Stanley Private Bank) at the bottom left corner of the bank statement cover page. Additionally Brennerman submits the profile of Mr. Scott Stout which highlights that Mr. Scott Stout worked at Morgan Stanley Wealth Management between May 2011 and November 2014, as well the announcement on September 25, 2012 by Morgan Stanley Smith Barney LLC stating in relevant parts that "Morgan Stanley Smith Barney is now Morgan Stanley Wealth Management.

These evidence are important to highlight that Brennerman interacted with Morgan Stanley Smith Barney LLC which is indisputably not FDIC insured and thus the essential element necessary to convict for bank fraud in violation of 18 United States Code Section 1344(1) and its related conspiracy - conspiracy to commit bank fraud in violation of 18 United States Code Section 1349 cannot be satisfied and Brennerman's relief for judgment of acquittal, pursuant to Rule 29 of the Federal Rules of Criminal Procedure should be granted, and that Government failed to conduct the necessary diligence or investigation prior to indicting and prosecuting Brennerman.

Brennerman highlights the following as to the wire fraud charge and its related conspiracy. Brennerman was charged in two criminal cases - criminal contempt of court in case no. 17-cr-155 (LAK), before Hon. Judge Lewis A. Kaplan and the related fraud case in case no. 17-cr-337 (RJS), before Hon. Richard J. Sullivan, both stemming from the underlying civil case, case no. 15 cv 70 (LAK) captioned - ICBC (London) PLC v. The Blacksands Pacific Group, Inc before Hon. Judge Lewis A. Kaplan. Because the trial in the case before Judge Kaplan was scheduled ahead of that before this court, Brennerman sought to obtain the relevant ICBC London lending and underwriting file which is probative as to materiality an essential element of the charged crime of wire fraud and its related conspiracy. Because Brennerman's request to both the government and directly to ICBC (London) PLC had been denied, Brennerman sought to compel for the relevant files through U.S District Court (S.D.N.Y), since the criminal cases stemming from the ICBC (London) PLC transaction were being prosecuted at the U.S District Court (S.D.N.Y), however Brennerman's request to U.S District Court (S.D.N.Y) was denied (see 17-cr-155 (LAK), dkt. no. 76). Deprived of the relevant files necessary to cross-examine any government witness as to substance or credibility, Brennerman moved in his motion-in-limine and reply to Government's motion-in-limine, prior to trial of the related fraud charge, for U.S District Court (S.D.N.Y) to exclude the testimony of any witness from ICBC (London), because such testimony will be highly

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prejudicial and unfair to Brennerman as government will simply be allowed to present any witness, who will be able to say anything without corroboration and without Brennerman having the opportunity to cross-examine him as to substance or credibility, as Brennerman would not have been able to review the relevant lending and underwriting files. Moreover, he will be unable to assert his good faith defense, thus violating Brennerman's constitutional rights to a fair trial.

Even after trial, Brennerman has presented evidence to highlight that Mr. Robert Clarke (not Mr. Julian Madgett) was responsible for the relevant transaction at ICBC (London) PLC as evidenced through his affidavit in the underlying civil case at 15 cv 70 (LAK). (See copy of Robert Clarke affidavit at, (17-cr-337 (RJS), dkt. no. 164, exhibit 2). Additionally Brennerman submitted evidence - Government Exhibit 1-19 and 1-22 which highlights that Blacksands had already incurred and disbursed \$6.45 million in satisfying the finance conditions of ICBC (London) PLC and that the bridge finance was agreed to replace part of those funds which Blacksands already disbursed, further that Brennerman informed both Mr. Bo Jiang and Mr. Julian Madgett at ICBC (London) PLC and ICBC (London) PLC agreed to the use of the bridge finance. (See 17-cr-337 (RJS), dkt. no. 164, exhibit 2). Among others, Brennerman submitted newly discovered evidence (see 17-cr-337 (RJS), dkt. no. 164, exhibit 3) - the 2017 ICBC (London) PLC financial and company disclosure which was made publicly available on June 6, 2018, after trial. The disclosure highlights that there was no fraud. Because ICBC (London) PLC, the alleged victim of the wire fraud and related conspiracy has made no disclosure, representation or announcement that the transaction involving Blacksands Pacific was fraudulent or that it became a victim of fraud due to the transaction with Blacksands. Notwithstanding, that ICBC (London) PLC, a financial institution and publicly traded company in United Kingdom (England and Wales) is mandated by regulations to disclose publicly, if it became a victim of fraud or became involved with fraudulent transaction. This is particularly significant, where Government never reviewed, adduced or presented the relevant ICBC London lending and underwriting files, and because Brennerman was deprived from engaging in any meaningful cross-examination of the sole witness presented by Government from ICBC (London) PLC as to credibility and substance. In addition to the fact that, the sole witness - Mr. Julian Madgett, is not a member of the credit committee responsible for approving the transaction at ICBC (London) PLC.

Thus, Brennerman submits, arguing that since Government ostensibly argued (although erroneously) that Scott Stout worked at Morgan Stanley Private Bank (instead of Morgan Stanley Smith Barney) in their opposition to his Rule 29 and 33 motion. (See 17-cr-337 (RJS), dkt. no. 149), now highlighted as an erroneous proffer by Government given the overwhelming evidence which were all available to Government. Government's credibility is questionable; further that, because Brennerman was deprived of the relevant ICBC London lending and underwriting file prior to trial and even Government concedes that it had not reviewed the files; additionally, because Robert Clarke and not Julian Madgett is/was responsible for the relevant transaction at ICBC (London) PLC as highlighted through his affidavit; additionally, because Brennerman suffered for ineffective assistance of counsel due to the conflict of interest issue, with his trial counsel; additionally, because Brennerman submitted and highlighted newly discovered evidence - the 2017 financial and company disclosure, by ICBC (London) PLC, which was filed and made public on June 6, 2018. Brennerman respectfully requests and pleads for the Court to resolve the factual dispute as to the relevant ICBC London transaction with Blacksands Pacific, as it pertains to this case, by reviewing the relevant ICBC (London) PLC, the alleged victim has not disclosed or represented that the transaction with Blacksands was fraudulent or that it became a victim of fraud through the transaction with Blacksands, which it would have had to disclose by regulation if any fraud occurred.

The above presents significant issues, because Brennerman suffered prejudicial spillover on other counts of the charged crime, due to Government's erroneous argument and presentment to the court and jury at trial. In addition, Brennerman suffered prejudice due to the conflict of interest issue with his trial counsel. Evidence submitted to date, supports, Brennerman's pleading for a new trial, pursuant to Rule 33 of the Federal Rules of Criminal Procedure.

Brennerman submits the above and the appended evidence in addition to his submissions at (dkt. no. 164), his June 11, 2018 and June 17, 2018 correspondences, and awaits the Court's decision

Dated: June 20, 2018
New York City, New York

RESPECTFULLY SUBMITTED

/s/ Raheem J. Brennerman
Defendant Pro Se

From: BRENNERMAN, R. J @The Executive Office
To: Stout, Scott
Cc: BRENNERMAN R. J@Executive Office
Subject: Re: Morgan Stanley (Wealth Management)
Date: Tuesday, January 8, 2013 9:09:49 AM
Attachments: Morgan Stanley (Client Profile).pdf
Importance: High

Dear Scott,

As discussed, attached is the completed forms, as advised the account will be in the corporate name however you wanted me to also complete a form with personal information. As discussed, I will require Debit Card and AMEX card with the account.

Please let know what are the next steps.

Best Regards

From: Stout, Scott
Sent: Monday, December 10, 2012 1:10 PM
To: mailto:rbrennerman@blacksandspacific.com
Subject: RE: 2013 Preparation

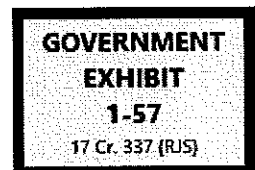
Hi RJ,

Just a reminder to get those forms to me so I can get everything in order prior to our lunch on Friday.

Thanks,
Scott

Scott Stout
F.A. - Wealth Management
MorganStanley
Direct: 310 205 4912
9665 Wilshire Blvd., 6th Floor
Beverly Hills, CA 90212

<http://www.morganstanley.com/fa/scott.stout>
scott.stout@morganstanley.com



9665 Wilshire Boulevard
Suite 600 Beverly Hills, CA 90212

MorganStanley
SmithBarney

Kindly provide all personal information.
For additional owners, please complete a 2nd profile.

Full Name RACHEL JEFFERSON BRENNERMAN
Address 245 PARK AVENUE, 37FL
City NEW YORK State NEW YORK Zip Code 10167
Home Phone _____ Business _____
Cell 917 677 6430 Fax 310 861 1057
SS# or Tax ID _____ US Citizen Y N
Marital Status SINGLE #of Dependents N/A Date of Birth 04/21/78
E-mail Address rbrennerman@blackstonecpa.com

Telephone access Prompts _____ Mother's Maiden Name _____
City of Birth _____ or 1st School Attended DWIGHT
Employer BLACKSTONE PACIFIC ENERGY CORPORATION
Nature of Business OIL & GAS Occupation OIL & GAS EXECUTIVE
Est. Annual Compensation \$ 720,000 (BASE SALARY) Employed Since 2010

Primary Source of Income-Check all that apply

Annual Salary Investments Retirement Assets _____ Amount \$ _____
Est. Total Annual Income (all sources) _____
Est. Liquid Net Worth \$ 45m Est. Total Net Worth \$ _____
Tax Bracket (percentile) _____

Investment Objectives: (Please rank 1 through 4, in order of priority)

Growth 1X Current Income 3 Tax Deferral 4 Liquidity * 2
Investing Since (year) _____ Stocks 99 Bonds 99 Commodities 01 Options 02
Risk Tolerance (check one) Aggressive _____ Moderate X Conservative _____
Speculation Yes _____ No _____

Primary Financial Need: (circle one)

Wealth Accumulation Major Purchase Healthcare Education
 Estate Planning Retirement Charity Income

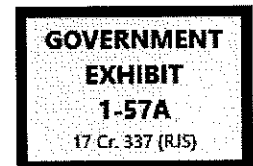
Outside Investments: _____ Firms Used: _____
Equities \$ _____ Fixed Income \$ _____ Cash \$ _____ Alt Investments _____
Time Horizon _____ Liquidity Needs _____

Are you or anyone in your household a major share holder in a publicly traded company? Y N
Are you an executive of a publicly traded company? Y N
Do you or anyone in your immediate family work for a brokerage house? Y N
Is anyone in your immediate family employed by CitiGroup? Y N

[Signature] 1/5/13
Please sign and date above

In order to open your account we are required to obtain this information. Thank you for assisting us.

THIS INFORMATION WILL REMAIN CONFIDENTIAL 02/2012



9665 Wilshire Boulevard
Suite 600 Beverly Hills, CA 90212

MorganStanley
SmithBarney

Kindly provide all personal information.
For additional owners, please complete a 2nd profile.

Full Name JEFFERSON III HOLDINGS LLC
 Address 3960 HOWARD HUGHES PARKWAY, SUITE 500
 City LAS VEGAS State NEVADA Zip Code 89169
 Home Phone _____ Business _____
 Cell 917699 6430 Fax _____
 SS# or Tax ID [REDACTED] US Citizen Y N
 Marital Status NA #of Dependents _____ Date of Birth _____
 E-mail Address _____

Telephone access Prompts _____ Mother's Maiden Name _____
 City of Birth _____ or 1st School Attended DWIGHT

Employer _____
 Nature of Business INVESTMENTS Occupation _____
 Est. Annual Compensation \$ _____ Employed Since _____

Primary Source of Income-Check all that apply

Annual Salary _____ Investments _____ Retirement Assets _____ Amount \$ _____
 Est. Total Annual Income (all sources) _____
 Est. Liquid Net Worth \$ _____ Est. Total Net Worth \$ _____
 Tax Bracket (percentile) _____

Investment Objectives: (Please rank 1 through 4, in order of priority)

Growth 1 Current Income 2 Tax Deferral 3 Liquidity 4
 Investing Since (year) _____ Stocks 99 Bonds 99 Commodities 01 Options 02
 Risk Tolerance (check one) Aggressive _____ Moderate X Conservative _____
 Speculation Yes _____ No _____

Primary Financial Need: (circle one)

Wealth Accumulation _____ Major Purchase _____ Healthcare _____ Education _____
 Estate Planning _____ Retirement _____ Charity _____ Income _____

Outside Investments: _____ Firms Used: _____
 Equities \$ _____ Fixed Income \$ _____ Cash \$ _____ Alt Investments _____
 Time Horizon _____ Liquidity Needs _____

Are you or anyone in your household a major share holder in a publicly traded company? Y N
 Are you an executive of a publicly traded company? Y N
 Do you or anyone in your immediate family work for a brokerage house? Y N
 Is anyone in your immediate family employed by CitiGroup? Y N

[Signature] 1/5/13
 Please sign and date above

In order to open your account we are required to obtain this information. Thank you for assisting us.

THIS INFORMATION WILL REMAIN CONFIDENTIAL 02/2012

From: BRENNERMAN, R. J @The Executive Office
To: [Stout, Scott](#)
Cc: [Gevarter, Mona](#)
Subject: Re: Platinum AMEX
Date: Wednesday, January 9, 2013 7:24:39 PM
Importance: High

Dear Mona,

Are you able to call me on my cellphone 917 699 6430 regarding the email below

Best Regards

From: [Stout, Scott](#)
Sent: Wednesday, January 09, 2013 4:45 PM
To: <mailto:rbrennerman@blacksandspace.com>
Cc: [Gevarter, Mona](#)
Subject: Platinum AMEX

RJ,

Please give Mona a call to set up your Platinum AMEX card. 310 205 4751.

As a Morgan Stanley perk, if you spend \$100k annually we deposit \$500 into your account to cover your annual fee (\$450).

Other MS/Platinum Perks Include:

- First Class Lounge Access
- \$200 annually in airline fee credits (checking bags, etc)
- No foreign transaction fees
- Premium upgrades for car rentals
- Concierge
- 20% Travel Bonus

Scott Stout

F.A. - Wealth Management

MorganStanley

Direct: 310 205 4912

9665 Wilshire Blvd., 6th Floor
Beverly Hills, CA 90212

<http://www.morganstanley.com/fa/scott.stout>
scott.stout@morganstanley.com

Important Notice to Recipients:

**GOVERNMENT
EXHIBIT
1-73
17 Cr. 337 (RJS)**

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SDNY 008384

CLIENT STATEMENT For the Period January '31, 2013

Morgan Stanley

#8WNLGWM

RAHEEM JEFFERSON BRENNERMAN
245 PARK AVENUE
39 FLOOR
NEW YORK NY 10167-4000

Your Branch
9665 WILSHIRE BLVD STE 600
BEVERLY HILLS, CA 90212
Telephone: 310-285-2600
Alt. Phone: 800-458-9838
Fax: 310-285-2696

Client Interaction Center
800-869-3326
24 Hours a Day, 7 Days a Week

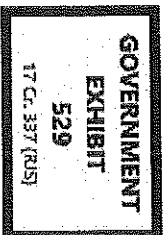
Access your accounts online
www.morganstanley.com/online

Morgan Stanley Smith Barney LLC, Member SIPC.

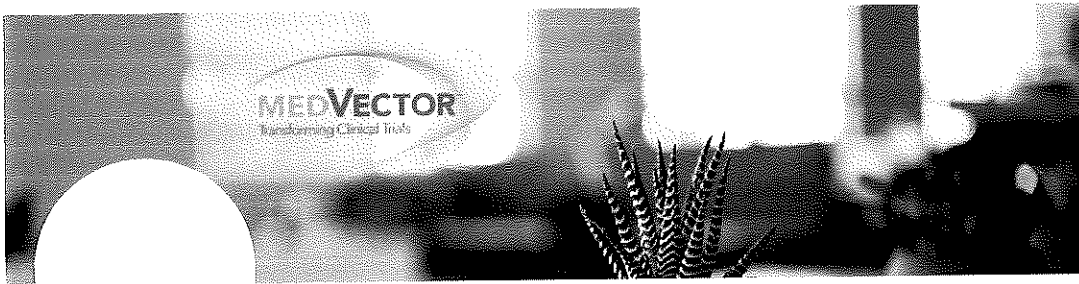
TOTAL VALUE LAST PERIOD (as of 1/23/12)	□
NET CREDITS/DEBITS	200,000.00
CHANGE IN VALUE	0.88
TOTAL VALUE OF YOUR ACCOUNT (as of 1/31/13)	\$200,000.88

(Total Values include accrued interest)

Your Financial Advisor
Scott Stout



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Scott Stout • 3rd

CEO, Co-Founder at MedVector Clinical Trials
El Segundo, California

InMail



MedVector Clinical Trials

University of Arizona

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Earn Your MSW Online from USC. No GRE Required.



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CEO & Co-Founder

MedVector Clinical Trials

Jun 2017 – Present • 1 yr 1 mo
El Segundo, CA

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Once suitable candidates have been identified, MedVector connects our research clients to trial participants utilizing a state of the art, HIPAA compliant, telemedicine network, allowing them to virtually move patients to clinical trial site-locations from anywhere in the world.

Our process allows clinical trial sites (locations) to capture marketshare, creates economies-of-scale by removing redundancies in the current marketplace, creates revenue for hospitals not conducting clinical trials, gives remote populations access to cutting edge medicine, and significantly expedites the process of bringing life saving, advanced medicine to market.

To learn more visit: www.MedVectorTrials.com



Financial Advisor

Wells Fargo Private Bank

Oct 2014 – Apr 2018 • 3 yrs 7 mos
Los Angeles, California

Built a Wealth Management team within the Private Bank, incorporating Wealth Managers, Portfolio Managers, Private Bankers and Financial Advisors.



Financial Advisor

Morgan Stanley Wealth Management

May 2011 – Nov 2014 • 3 yrs 7 mos
Beverly Hills



D & S Investments

Jan 2008 – May 2011 • 3 yrs 5 mos

Advised a Family Office regarding options strategy.

Education



University of Arizona

Bachelor of Science (BS), Marketing

1997 – 2002

Activities and Societies: Delta Chi

Interests



University of Arizona

214,411 followers



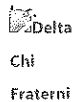
Barrington Legal, Inc.

40 followers



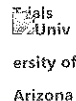
MedVector Clinical Trials

4 followers



Delta Chi Fraternity

5,471 members



University of Arizona Alumni

34,140 members



Fortis Partners

1,045 followers

See all

Morgan Stanley Smith Barney is Now Morgan Stanley Wealth Management

Sep 25, 2012

Morgan Stanley's U.S. Wealth Management Business Has a
New Name Following Largest-Ever Integration in the Wealth
Management Industry

New York —

Morgan Stanley (NYSE: MS) today announced that its U.S. wealth management business, Morgan Stanley Smith Barney, has been renamed Morgan Stanley Wealth Management (MSWM).

Morgan Stanley Wealth Management is an industry leader, managing \$1.7 trillion in client assets through a network of 17,000 representatives in 740 locations. Morgan Stanley on September 11 announced an agreement with Citigroup to increase its majority ownership of MSWM such that Morgan Stanley will assume full control by June of 2015, subject to regulatory approval. The business was formed in 2009 as a joint venture between Morgan Stanley and Citi's Smith Barney.

"Today, as we move under one name, we are culminating a three-year effort to integrate two outstanding franchises," said James Gorman, Chairman and Chief Executive Officer of Morgan Stanley. "The Smith Barney name stood for investment excellence for three-quarters of a century, and Morgan Stanley Wealth Management will provide the first-class service that has distinguished Morgan Stanley as a firm for more than 75 years. Going forward, we remain focused on being the world's premier wealth management group."

Said Greg Fleming, President of Morgan Stanley Wealth Management, "Today, we are one integrated business, with one overarching mission: to earn the trust of our clients every day

through superior advice and execution. Our name has changed to reflect our integration, but our mission remains the same: We are committed to helping our clients reach their financial goals.”

The broker-dealer designation for Morgan Stanley Wealth Management will remain “Morgan Stanley Smith Barney LLC.”

Morgan Stanley Wealth Management, a global leader in wealth management, provides access to a wide range of products and services to individuals, businesses and institutions, including brokerage and investment advisory services, financial and wealth planning, credit and lending, cash management, annuities and insurance, retirement and trust services.

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