

**FILED**

NOV 8 9 2018

9TH CIRCUIT COURT  
COUNTY OF KALAMAZOO  
KALAMAZOO, MICHIGAN

**In the Kalamazoo County Circuit Court  
For the State of Michigan**

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**SCOTTSDALE CAPITAL  
ADVISORS CORPORATION,**

**Plaintiff,**

**v.**

**MORNINGLIGHTMOUNTAIN, LLC,  
MICHAEL GOODE, and  
DOES 1-10,**

**Defendants.**

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**Civil No. 18-0153-CZ**

**HON. ALEXANDER C. LIPSEY**

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**DEFENDANTS' PRELIMINARY WITNESS LIST**

Defendants MorningLightMountain, LLC (“MLM”), and Michael Goode, submit this preliminary witness list of witnesses whom they may call to testify at trial:

1. Michael Goode, who can be contacted through defense counsel;
2. The persons most qualified at Scottsdale Capital Advisors Corporation (“SCA”);
3. John Hurry, who can be contacted through SCA;
4. Justine Hurry, who can be contacted through SCA;
5. D. Michael Cruz, who can be contacted through SCA;
6. Timothy DiBlasi, who can be contacted through SCA;
7. Timothy Scarpino, who can be contacted through SCA;
8. Francisco Abellan Villena, who is last known to have resided in Barcelona, Spain;
9. Guillermo Ciupiak, an Argentine national last known to have resided in Barcelona, Spain;
10. James B. Panther, Jr.; a dual citizen of the United States and Ecuador last known to be resident of Carlsbad, California;
11. Faiyaz Dean, whose last known contact information is Dean Law Corp, 1066 W. Hastings Street, Suite 2000, Vancouver, BC V6E 3X2, (604) 628-4838, info@deanlawcorp.com;
12. All persons with knowledge of the facts underlying the April Article or the June Article, SCA’s pleadings, and the allegations in SCA’s pleadings;
13. Any person affiliated with SCA involved in the deposit of shares in penny stocks;
14. All persons with knowledge of SCA’s business reputation;
15. All persons with knowledge about SCA’s claimed damages;
16. All persons involved with any FINRA investigation, proceedings, actions, or appeals against or by SCA or any of its directors, officers, employees, or agents, including

but not limited to *FINRA v. Scottsdale Capital Advisors Corp.*, FINRA No. 2014041724601;

17. All persons involved with any investigation, proceedings, or actions by or appeals to the U.S. Securities and Exchange Commission against or by SCA or any of its directors, officers, employees, or agents;

18. All persons involved with any criminal action against SCA or any of its directors, officers, employees, or agents;

19. All persons involved with any investigation or action by any regulatory authority or private party regarding the Biozoom pump-and-dump scheme;

20. All persons involving in responding or providing information to FINRA or the U.S. Securities and Exchange Commission of or concerning SCA or any of its directors, officers, employees, or agents;

21. All persons involved in *U.S. Secs & Exch. Comm'n v. Tavella*, Civ. No. 13-4609 (SDNY), *U.S. Secs. & Exch. Comm'n v. Villena*, Civ. No. 18-4309 (SDNY), and *In the Matter of Timothy C. Scarpino*, SEC No. 3-18483;

22. All persons with whom SCA or any of its directors, officers, employees, or agents communicated regarding the April Article or the June Article;

23. Any accountant, certified public accountant, or financial advisor for SCA;

24. All businesses and natural persons whom SCA has sued for defamation;

25. All businesses and natural persons who have sued SCA;

26. All businesses and natural persons who have filed with regulatory authorities any complaints, requests for investigation, or other similar kinds of grievances against SCA or any of its directors, officers, employees, or agents;

27. All lay and expert witnesses listed by any other party, regardless of whether those witnesses are called by another party at trial;

28. All necessary expert witnesses, unidentified as of this date but to be determined in the future;

29. All rebuttal expert witnesses necessitated by the opinions (yet to be given) of any other party's expert witnesses;

30. All witnesses named in pleadings, depositions, written discovery responses, records produced, or correspondence exchanged during discovery;

31. All records custodians necessary for the admission of evidence;

32. All witnesses necessary for rebuttal and sur-rebuttal;


33. All witnesses necessary for impeachment purposes; and

34. All witnesses discovered during trial.

Discovery is not yet closed. Defendants reserve the right to amend this witness list if they identify any additional potential witnesses before the close of discovery.

Respectfully submitted,

BUTZEL LONG, P.C.



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*Counsel for MLM and Michael Goode*

Dated: November 28, 2018