

The Story in narrative form is as follows, with some repetitions.

### **Laws Broken:**

The Securities and Exchange Commission of the State of Texas has charged these individuals and corporations with violations of them. They have broken the Securities Act 15 U.S.C. 77U,A and section 27 of the Exchange Act, 15 U.S.C. 78 AA, and section 22A, offered for sale 'units of participation which are not registered, are forged and are counterfeited federal reserve notes. They violated New York and Texas law by offering unregistered securities for sale in Texas, were engaging in fraud in connection with the offer for sale of securities, violations of section 17A, 17A2, 17A3 of the Securities Act, violations of 10B, and rule 10B/5 of the Exchange Act, violations of JVA's, scam, as well as untrue statements and fraud, and violations of 10B and C of the Exchange Act, engaged in acts practices and courses of business which operate as a fraud and deceit upon purchasers or prospective purchasers and other persons there under 17CFR, 240.10B/5. These acts were made possible by the corrupt banking and insurance practices by JP Morgan Chase Bank and Lexon Insurance companies.

Defendants, directly or indirectly, singly or in concert with others, have been offering to sell, selling and delivering after sale, certain securities, and have been, directly or indirectly: (a) making use of the means and instruments of transportation and communication in interstate commerce and of the mails to offer such securities. (b) defendants have violated, and unless enjoined, will continue to violate section 5a and 5c of the Securities Act 15 U.S.C. 77e; a; and 77e; c, as well as the Patriot Act and banking violations, and the Insurance Act in prior acts as submitted to the court.

### **My Story starts in early 2005**

A friend of mine, Marc Reisner in New Paltz , NY, told me about the Rogers fund as a possible good investment. He gave me the name of **Michael Yorba** as a broker to use, so I called him, and soon set up a \$5,000. commodity trading account and also put \$40,000. into the Rogers Fund which was cleared by Man Financial. Man Financial was operated by Jim Rogers, Allen Goodman, and Tom Price. My money was sent to a **J.P. Morgan Chase** bank account. [JPM operates/owns FEDEX and UPS]

About one week later, after opening the trading account, I was told by **Yorba** that the account was frozen due to REFCO going into bankruptcy. I was told by **Yorba** and Price that Jim Rodgers insisted upon changing the clearing house to REFCO because they would advertise better. This was done without notifying any of the investors. Price told me that he directed all funds go into a segregated account but instead the money went into another account in REFCO right before they declared bankruptcy.

**On Dec. 5, 2005**, Yorba called me saying he had left Atrium Securities and Man Financial (which handled the Rodgers Fund) due to 'problems'. He did ask if it was OK to contact me in the future, and I agreed because I got the \$5,000. back from the commodity fund and was supposed to be getting the \$40,000. in money back from the Rogers Fund.

Although the \$5,000. was returned to me immediately (Jan. 30, 2006), I was then told that there was a bankruptcy and that, according to judge Drain, I would have to accept only 70% of my investment. It took many months for me to get even that much back. Payments were received as follows:

- 1) 14,000. 27 Feb, 2006
- 2) 2,376. March 1, 2006
- 3) approx. 11,000. on Jan. of 2007

**On Dec.12, 2005**, I received a call in the morning from Mr. Yorba who said he had a hot deal which was ACI - Always consulting, Inc. - in Richardson, Texas...and that they had a 3 well project called The Russell Ranch in which there were to be wells drilled for oil and gas. He said that he would call me back later that afternoon.

**On Dec.12,2005**, in the afternoon, Mr. Yorba contacted me and said that he had a great deal investing in oil wells and that he could help me out, and that he had just opened and acquired accounts with JP Morgan Chase, and had an IPO tip.

I first invested \$17,142.50. and then another equal amount to total \$34,000. This represented one full unit in ACI's "A" project in Menard county, Texas.

I quote: " Re: Purchase of working interest in oil and gas lease, Russell Ranch Lease, Prospect "A", abstract 874, Section 73, EL & RRR Co. Survey, and abstract 1667, section 72 of the Mrs. Geo. Brown (sp?) Survey, Menard County, Texas.

**On Dec. 14, 2005**, Yorba called me back and said he had the opportunity to secure my future with ACI. Oil and gas were at an all time high due to the misfortune of New Orleans. If I got in with ACI he could guarantee a no loss situation for me because he had just acquired an account with JP Morgan Chase. But I should act immediately before it closeout...and that JP Morgan Chase would be offering it as an IPO very soon. I was told that this was not against the law and that everybody was in total compliance.

**On Dec. 31, 2005**, which was New Years Eve, I received a call from a Bruce Griffith. He presented himself as president of Always Consulting and congratulated me on my recent purchase(s). But because Yorba had kept his word, I had no reason to believe anything was wrong - at that point in time.

I again asked Yorba if this was legal. He assured me that this is totally legal and that the risk was very minimal and that I should be receiving a check 30-45 days after the well is logged and goes into production.

I, myself, not knowing this was a scam, was thrilled beyond belief since I knew nothing about oil wells or the people who were supposed to be working on them. I was under the impression that people's word still meant something. I had no idea that the scheme was of this magnitude.

As far as I was concerned, this was all legal and new to me, so I was glad to know that my future and my family's future was to be secure.

I, Alfred O. Forsberg, had no inclination that any laws were being broken because I was told by Yorba this was all legal and he reassured me on that point. Griffith said the same thing. I did not know this was a scam or scheme to defraud. They even invited me on March 21, 2006 to come to Texas so they could show me around..

I then dealt with Bruce Griffith, president and CEO of Always Consulting who presented an even better deal with his Rattlesnakes Spring 20 well drilling project on Oklahoma.

**On Feb. 9, 2006**, I received a call from Yorba stating that I would receive a check for \$14,000. from the Rogers Fund. I told him that I was very happy and that, if true, he was a man of his word. I was told later that day that I could buy another unit for \$17,145, and further instructed to transfer money to account # 113000609 c/o JP Morgan Chase.

I was also told that I owned a full unit of these 3 wells in the "A" project, (and later told that I owned ½ unit in all of the 20 wells for the Rattle snakes program.) This was in writing.

**On Feb. 27, 2006**, I did receive a check from the Rodgers Fund for \$14,000. I called Yorba and said he was a man of his word. At that point in time he told me everything looked great as far as ACI was concerned. He had just become a vice president of ACI. He asked me if I wanted to get in on that 20 well project which would guarantee me a return of astronomical proportions. (12,000./month... called the Rattlesnakes Spring project in Oklahoma.. It was to start and be completed by June 2006.

I was told by Yorba that checks in the amount of (at least) \$3500. per month would start to be issued to me in April of 2006.

At that moment in time, I was getting my LLC, Mid Island Homes off the ground and was strapped for cash, so I declined the offer to go to Texas. Perhaps I should have accepted their offer so I could see for myself.

**On April 11, 2006**, I called to find out what was going on. I could not reach Yorba so I called Griffith and asked him when I would be receiving the checks. He explained to me that there were certain delays, and that they were waiting for a logger to come by. He also told me that a company, Ringo Drilling did not do things properly and they might have to hire other people. Apparently the Ringo drillers were not diligent in their duties which caused the well to be drilled off axis.

I again was told that it would only be 30-45 days once the well(s) go online and production starts to receive money on a monthly basis.

They blamed the State for the mix-up because he said that permits taking a long time to be issued. which, living in the city of Yonkers, makes it sound very believable. Again, I had no reason to believe at that point in time that it was just a scam.

### **On June 16, 2006**

I made my final payments to ACI on June 16, 2006 and I was not told at that time of any foul play or wrongdoing by Griffith.

On or about the 25 day of October 2006, I was making my bi-weekly calls to the secretary in ACI in Richardson, Texas located at 900 Waterfall Way suite 302, 307

I made my final payments to ACI on June 16, 2006 and I was not told at that time of any foul play or wrongdoing by Griffith.

I eventually placed a total of \$50,000. into this venture. \$48,000. from my Mid Island Homes LLC, and the rest from my personal account (006). All of the monies went into a JP Morgan account in Dallas, Texas. Griffith assured me that I would start receiving \$12,000. per month for about 12 years, starting in October of 2006. He further confirmed that the "A" project would bring between \$3,500 and \$4,000. per month at less than the current oil prices. Estimates were based upon \$60. per barrel oil and \$7.00 natural gas prices.

I was told later that day that I could buy another unit for \$17,145, and further instructed to transfer money to account # 113000609 c/o JP Morgan Chase.

**On October 25, 2006**, I was making my bi-weekly calls to the secretary in ACI in Richardson, Texas located at 900 Waterfall Way suite 302, 307

**At the end of October 2006**, I tried to contact Yorba and Griffith, and the secretary said to me that the State had taken all their computers and files.

( About this time I went to my lawyer, Bill Robb, who works at 50 Broadway in Hawthorne, New York--gave him what records I had and asked what he could do.)

I went online to research the company and found that the Texas Securities Commission had placed a cease and desist order against Always Consulting and then found out (by reading that order) all the

criminal records of Griffith and others were numerous and never disclosed to me. It was never put in the offering documents when they solicited funds.

I then called Stephanie Tourk of the Texas State Securities to ask if she could help, but was told that no information could be released to me (they had confiscated all computers and records from ACI) because it was an ongoing investigation.

Also, I was going to go into negotiations with my partner, Rickey Odrisco, for the purchase of a building on Carroll Avenue in Yonkers, New York. It was a burned out building for \$56,000.

On or about the same day that I was told Texas Securities had a cease and desist order...I tried to figure out what to do. So, I called my attorney, Bill Robb, to see if he could help me. He then called a friend of his in Texas, but that person could not help either. I did, though, give Bill Robb a copy of papers that I had from Always Consulting and he faxed those to The Texas Securities Commission. (I had told the commission that he would do so). Unfortunately, it was not a complete file.

I then researched a lawyer in Texas whose name is Steve Urban, and he told me it would cost between \$20,000. and \$30,000. to get through a Texas state court with a case. And I was asked if it was worthwhile to spend that much money to only recover investments.

When I asked him if he could freeze any account on ACI's assets, his answer to me was: "We don't do it that way in Texas."

On or about the same time period, I sat down and discussed this with my partner, Rickey Odrisco, to see if there was anything we could do, or if there was a solution to the problem. Mr. Odrisco made inquiries on every level of government and to this day, 10/2008, we have yet to see any sun through the clouds. Our last alternative has been to ask the court for some kind of closure in this.

During our conversations, Rickey asked me how bad the situation was, and I explained to him with the best detail I could. Rickey then called the Texas State Securities Commission on my behalf and had a conversation with Stephanie Tourk at the commission.

My partner could see that the situation was out of my control and offered assistance and I turned over all authority in this case to Mr. Odrisco.

Being the person that Rickey is, is the reason we became partners...and this is and always will be why I trust him in this matter.

We have spent numerous hours investigating the background of these people and the company, money, sleep, and worry trying to find some resolve in this case has exhausted our resources. As Americans we are asking the federal court in white Plains, New York court to intervene.

I filed pro se, after exhausting what little resources we have left. Nenu should be in New York because all matters pertaining to this case took place and still takes place in the Southern District of New York, County of Westchester.

I asked the court for guidance in this matter and show the long arm of this court to bring these criminals to justice and make sure that the banks and companies (so-called) can never do this or pray upon the older generation, senior citizens and its citizens can never be prayed upon again because of the kindness of the courts, we hope never to hear or see something like this again. ..But we have heard of something very, very similar to this case.

I bring to this courts attention the Securities and Exchange Commission vs. Deep Rock Oil Company.. case# 5..06/cv/00719. Docket # 1-1 File # 07 07 2006.

At some later date, I called the Texas State Securities Commission and spoke to Mrs. Stephanie Tourk in person, [stourk@ssb.state.tx.us](mailto:stourk@ssb.state.tx.us) and was then told about Bruce Griffith's past, and Always Consulting's action in the state of Texas.

I then learned that Always Consulting is a Nevada corporation (so-called) and that Griffith was a bank robber, a stick-up man, forger of securities, and that he robbed old ladies at gun point. In the course of investigation, I found that Griffith was issued a pilot's license in the past, that he is presently on probation, and still is in a drug program.

### **Facts**

- 1) I was contacted by phone by Michael Yorba who represented himself as an employee of JP Morgan Chase
- 2) My money went from a Chase account to a JP Morgan Chase account.
- 3) Always Consulting was a fraud. this means all paperwork, brochures, any and all documentation is null and void due to the fact that it is a scam.
- 4) Bruce Griffith is now, and will always be, a lying , cheating, scoundrel who prays upon older people and their futures.
- 5) The Securities and Exchange Commission has not and will not ever receive any documentation for Always Consulting for securities of selling or distributing of said items.
- 6) Michael Yorba has surrendered his license to trade securities as a broker.
- 7) The Texas Securities and Exchange Commission for the state of Texas has both Bruce Griffith and Always Consulting in court.
- 8) It is illegal, unlawful, and basically fraudulent to sell, or ask to buy securities that have not been registered.
- 9) Bruce Griffith and Always Consulting are a threat to society in more ways than one, and in my opinion, they are a threat to national security and our way of life as Americans.

10) Mr. Damon Mark Lewis (ACI), in a conversation with me on a date shortly after their offices were raided by the Texas State Securities Commission, said: "I begged Bruce to register these wells and get in compliance. All I want to do is drill oil wells. The reason I did not accept a position of office in the company was due to my past criminal history." (which cheated little old ladies out of their life savings). He told me Bruce just wouldn't do it that way.

Again, in my investigation it has been confirmed that ACI was registered in Nevada, and that they exist in 15 states running the same scam, which again makes the jurisdiction of this case in the Southern District in the great state of New York. Using a D/B/A (doing business as) does not give any other court power or jurisdiction. As I understand it, the The Securities Act of 1933, it states:"Where it happened, it shall stay"

Under the Securities and Exchange Act of 1933, also referred to as the truth in securities law, there are 2 basic objectives:

- 1) Require that investors receive financial and other significant information regarding securities being offered for public sale, and
- 2) prohibit deceit and fraud in these sales and other fraud in the sale of securities..

At first, I was confident that this was a legitimate investment because Lexon, 'appeared' to be a reputable insurance firm who issued performance bonds and insurance. I saw performance and surety bonds for the Always Consulting projects which had Lexon's seal, notary, and was signed by a representative of Lexon. This confirmed to me then, that this was a legitimate investment. Therefore, at that time, I was confident in sending payments for deposit to Always Consulting's account at Chase, because I had thought that Chase was a reputable bank.

#### **What Chase did wrong:**

Chase did not open segregated business accounts for Always Consulting to collect money from investors, which is required by Texas and New York law and banking rules, and refused to provide records disclosing how much money flowed through the account. We know it was at least 13 million dollars and that Chase was aware that Always Consulting was using the account to funnel money. Soon after I filed a claim, Chase replaced its entire branch staff in that part of Texas which suggests that it knew that its staff mishandled.

### **What Lexon did wrong:**

Lexon Insurance issued insurance surety bonds and performance bonds with insurance policies to an investment scam, of which it was aware. It did not do its due diligence - like having photos or on site inspections. Nothing was filed with the Railroad Commission of Texas or other agencies.

(repeat) ???

### **Diary of Events:**

I then called Stephanie Tourk of the Texas State Securities to ask if she could help, but was told that no information could be released to me (they had confiscated all computers and records from ACI) because it was an ongoing investigation.

On the same day that I was told Texas Securities had a cease and desist order...I tried to figure out what to do. So, I called my attorney, Bill Robb, to see if he could help me. He then called a friend of his in Texas, but that person could not help either. I did, though, give Bill Robb a copy of papers that I had from Always Consulting and he faxed those to The Texas Securities Commission. (I had told the commission that he would do so). Unfortunately, it was not a complete file.

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I later found out that Always Consulting is a Nevada corporation (so-called) and found out that Griffith was a bank robber, a stick-up man, forger of securities, and also found out that he robbed old ladies at gun point. In the course of our investigation, we found out that Griffith was issued a pilot's license in the past and that he is presently on probation, and was in or still is in a drug program.

JP Morgan Chase bank has engaged in, and unless enjoined, WILL CONTINUE TO ENGAGE IN, directly or indirectly, transactions, acts, and practices and courses of business that constitute VIOLATIONS of rule\_\_\_\_. Conduct rule 2110 requires members to observe high standards of commercial honor and just and equitable principles of trade.

### Defendants:

#### 1) Bruce Kyle Griffith

Lie#1 He said that he was in the oil and gas industry since 1985. In fact, he was in jail.

Lie#2 He also stated that he flew and was flying oil executive to various countries and location which was also a lie. He never stated the fact that he was a convicted drug smuggler and bank robber.

Lie#3 He stated that he had an RRC (railroad commission) license #016537 registered in Texas, and an Oklahoma license CC (consulting and excavation) # 218370 which primarily focused on drilling and field production. This was all a lie.

#### 2) DW Lewis

Lie#1 Lewis stated that he was a director of field operations for 25 years including series 3 and 17. This was a lie.

Lie#2 He said that he worked 17 years in the oil and gas industry and he had personally drilled over 170 wells from 3,000 to 18,000 feet, and that he was responsible for due diligence, analysis of logs and scout tickets.

Lie#3 He also stated that he worked within 3 states, Texas, Kansas, and Oklahoma. This was also a lie. All of the statement he had made, or supposed job sites that he had worked on in the past 11 years were lies because he was in jail.

#### 3) Alexandra Stewart

Stewart stated that she was the secretary and receptionist and covered all these lies to investors, including myself, by stating that they were out in the field, drilling, or waiting for drilling permits. She was the secretary, but only to cover all the companies lies.

#### 4) Michael Yorba

Yorba was my first contact for this 'so-called investment because he was my broker and responsible for my losses in the Refco scam. It was he who "felt sorry" for me because of that lost investment and introduced me to Bruce Griffith. He said that he was a vice-president of Always Consulting and that this was a great deal.

Lie#1 He said that Always was a registered company and that my investment were very safe...They were "looking out for me."

Lie#2 He failed to disclose that Always had not registered with the Securities and Exchange Commission, putting his license in jeopardy.

**Lie#3** He never registered his license, as a licensed broker, for Always Consulting with the Securities and Exchange Commission or with the State.

**Lie#4** He never told me that he was dismissed or left Always Consulting when he knew all along that it was a scam, partly of his own creation.

#### **11) Chris Holloway - attorney.**

**Lie#1** He notified me that he was the attorney for Always Consulting and that he had set up the buying of land and leases in Texas and Oklahoma and that he had no knowledge that it was a scam. However, when I notified him that it was a scam he informed me that we could not take action against him, so that was not his problem. I EXPLAINED TO HIM THAT HE WAS PART OF A SCAM AND HE SAID THAT HE DIDN'T GIVE A SHIT. Sometime in December 2006, he called me at my home and said - after identifying himself as Chris Holloway the attorney for Always Consulting - He was rude and impolite and told me I had no legal recourse against him and further said that he would charge me \$50,000. to look at the case if I wanted to go after Bruce and the gang.

**Lie#2** In order for us to take his name off our list he promised to send us a letter that stated he was disassociating himself with Always Consulting and Bruce Griffith. **I am still waiting for that letter.**

**Lie#3** He denied knowing that Always Consulting was a scam, when in fact, he was an integral part of setting it up.

#### **7) James Taylor**

**Lie#1** James Taylor was supposed to be the vice president of marketing relations with over 36 years of experience in that field,

**Lie#2** with a background including ownership of 2 OEM companies involving end users.

**Lie#3** Jim's responsibilities with ACI included marketing, client development, and investor relations.

**Lie#4** He said he was an accomplished in distributor networking and distributor direct networks. This was a lie because he was in jail for 12 years.

#### **8) Damon Fox**

**Lie#1** Damon had 15 year experience as a CPA .

**Lie#2** He was an expert in finance, taxes, real estate oil and gas, which all was a lie.

**Lie#3** He is proficient in project course reviews, using Hunt Petroleum as a reference for him being a senior accountant. A call placed to Hunt said they had never heard of him, nor was he in the field.

**Lie#4** He gained knowledge of land and offshore drilling projects, and was an expert in converting foreign currency.

**Lie#5** He managed federal and state tax for trusts and estates, partnerships, corporate and non profit companies.

**Lie#6** He holds a BS in accounting.

**Lie#7** Masters degree in taxation from Southern University in Louisiana.

#### **9) Toby Engleman**

**Lie#1** He is the chief petroleum engineer, with 38 year of experience in the oil and gas industry.

**Lie#2** Said that he worked for ARCO as a project geologist. In placing a call to Arco I was told that this was not true according to their database going back 30 years. He did not come up on anyone's list.

**Lie#3** Said he was field engineer for Mobil (ten years). Mobil said that they would be filing their own complaint against them.

**Lie#4** Said he worked for Texas Pacific Oil and Gas. A call made to that company released the following: "This guy is full of shit. We would never hire a scumbag like this."

**Lie#5** Said he had 6 years working for H&L Brown as a drilling foreman. H&L informed me that they never heard of him, and would look forward to denying him employment.

**Lie#6** Said he worked for V-F Petroleum - also never heard of him.

**Lie#7** Said he worked for Anschutz Corp., and Maynard Oil Company.

**Lie#8** He was in compliance with environmental and regulatory requirement and licensing.

**Lie#9** Said that he had drilled over 400 wells which were at a depth of 1900 to 13,000 feet. We could not find ONE company or well that he was part of drilling, in our 6 months of searching.

#### **10) Thomas A. Markham**

**Lie#1** Thomas A. Markham said he was a chief geologist with over 30 years of experience in the oil and gas industry.

**Lie#2** He started his career with ARCO as a project geologist. Again, a call was placed to the company and they said the only person with them was a Dwight Markham who died in 1956 with no relatives or an estate.

**Lie#3** He said that he also worked for independent oil and gas companies and did 'open hole' logging. When checked through the national geologists database for North and South America, he had never been registered or even heard of.

#### **12) Charles Roup**

**Lie#1** Stated he had 20 years experience in marketing, sales, customer-client relations including 10 years in oil and gas development for Ammonite Energy. A call was placed to them out West (Phoenix, AZ - a California Corp. with a branch in Silicon Valley) "This guy is a fucking liar. Not now or since 1929 have we ever had anybody named Charles, Charly Roup or Group or anything similar, since this company has been under the same ownership since 1929."

**Lie#2** He had done due diligence regarding lien searches, tax searches and regulatory compliances.

### 13) Brandon McCarter

**Lie#1** He was a United States Marine. A call was made to the State Dept. and to Veterans Affairs which I quote: "Both asked me if I was on drugs, because this person had never enlisted or served in any branch of the service, not even the Coast Guard"

**Lie#2** Pacific University in Los Angeles, CA. preferred not to make a statement but did say he was not registered or ever attended.

I stopped anymore searching for him at this point, because he appeared to be a total ghost. But we did find a record of his arrests - 40 times.

### 14) Kendall Tinnin

**Lie#1** He stated that he had a BS degree from Stephen F. Austin university in marketing.

**Lie#2** He was a licensed real estate broker focusing exclusively in commercial paper, and that he had a license for the resale of loans, including a series & license.

**Lie#3** He also dispensed funds for taxes and insurance to the oil and gas industry. - not true.

### 15) Gerard Plante

**Lie#1** He also said that he was:"a proud marine for 16 years." the State department informed me that if I ever called them back again for someone who was not a marine, that they would pursue criminal charges against me and my partner and would charge us for desertion if we asked for anyone else.

No person by this or any similar name had ever served in the Marine Corps with their records dating back 200 years. "You may check with the State Dept. if you like."

**Lie#2** He had over 15 years experience in trading commodities and held an up to date series 7 license. Giving him the benefit of the doubt at first, we contacted everyone from the European / Asia/ and US markets as well as people in the commodities field...who asked me to: "stop smoking crack, because it is affecting my judgment."

### 16) Travis Jordon

**Lie#1** The only records I found on this man date back to him being put in an orphanage and a sentences for rape - 8 years, various scam and schemes, known associates were Bruce Kyle Griffith and Michael Rowland Yorba, DW Lewis, and Damon Fox.

### 17) JP Morgan Chase

**Fact#1** They knew that opening a commercial account for investors, investments which involved trading or receiving money had to be done with a segregated account in place to insure proper banking procedures and behavior under the 2002 federal banking procedures and laws under the Patriot Act, and also, under the deal which they made with this court and the US government for the Investor Protection Act.

**Fact#2** They never placed a surety bond to guarantee deals, which is common practice any time a stock or an investment is trade or sold or bought. I refer to the 2002 Senate hearings on JP Morgan/Citigroup's involvement in the Enron deal.

**Fact#3** JP Morgan Chase is knowingly and willingly backing and siding with known criminals, terrorists, drug dealers, and scam artists. As a "reputable" company, you would figure that they would like to distance themselves from these types of people. This appears to be collusion in a racketeering scheme in which they already have been charged/found guilty/and been heavily fined. (I refer to Enron)

**Fact#4 - Pattern of events - courtesy of the NY Times and US Senate**

The settlement must be approved by Citigroup's board of directors and the board of Regents of the University of California, the lead plaintiff for investors in the case. A federal court in Houston also must approve the agreement.

Other financial institutions facing claims for their role in Enron's December 2001 collapse include JP Morgan Chase, Barclays, Credit Suisse First Boston, Merrill Lynch, Canadian Imperial Bank of Commerce, Toronto Dominion Bank, Royal Bank of Canada, Deutsche Bank and the Royal Bank of Scotland .

J. P. Morgan Chase executives spoke to Wall Street after Congressional investigators said that J. P. Morgan Chase and Citigroup had helped Enron, an energy trader, hide debt for years, something that ultimately led to Enron's collapse.

The two Enron deals with Citigroup are expected to be the subject of a hearing on Wednesday before the Senate Permanent Subcommittee on Investigations, whose ranking members are Senators Carl Levin, Democrat of Michigan, and Susan M. Collins, Republican of Maine. As previously reported, another deal expected to be examined, "Slapshot", was an arrangement with J. P. Morgan Chase that allowed Enron to obtain hundreds of millions of dollars in tax deductions normally not permitted.

The deals demonstrate the aggressiveness in recent years of major banking institutions in putting together structured finance deals, which combine complex investment vehicles with efforts to evade or maneuver around accounting, tax or other rules. Ultimately, the deals show how banks were able to come right up to the line — and, in the minds of Congressional investigators, possibly cross it — when structuring a deal to give a client the outcome it wanted.

**18 Lexon Insurance Company**

**Lie#1** They said that they did not know this was a scam, and that they took no part in it.

**Lie#2** They keepn insisting that they have not been properly served, which is untrue.

**Lie#3** they said that they did not receive proper notification or paperwork concerning this matter.

**Fact#1** They perjured themselves in court and in writing.

**Fact#2** They knowingly never visited or took pictures of any site for Always Consulting...impossible to do since there were no sites in existence.

**Fact#3** Not only did they insure a scam, not once, not twice, but more than 5 times, they wrote policies for these non-existent oil and gas wells.

**Fact#4** There are no oil or gas wells that Always Consulting ever drilled or even a hole that they dug on site. Lexon knew this because when I contacted the Railroad Commission in Oklahoma and in Texas, not one permit with either the name of The Russell Ranch or Rattle Snake Springs (Osage County, Oklahoma), (Tulsa County, Oklahoma) and (Menard County in Texas ) the Commission told me that Lexon was notified. "The wells in question and that Always mentioned as viable were actually either old dried up wells or ones that were capped with cement." So Lexon was informed not once, but twice before this action was brought against them.

**Fact#5** I have in my possession at least 5 of Lexon's insurance policies with their stamp and signed by David E. Cambell, president of Lexon, Donald D. Buchanan, Secretary, and notarized by Linda J. DeJong whose commission expired on 1/12/2007. This has already been submitted to this court.

THE ONLY THING THAT WE FOUND TO BE TRUE OUT OF ALL THESE INDIVIDUALS IS THAT THEY ALL HAD CRIMINAL RECORDS, AND THAT THE COMPANIES OF JP MORGAN CHASE BANK AND LEXON INSURANCE WERE FINED HEAVILY IN THE PAST FOR DOING THE SAME THING.

**(repeat??)**  
**SUMMARY**

1. Defendants fraudulently obtained \$84,284.00 from me by making misrepresentations and material omissions in connection with securities offerings. Defendants failed to disclose criminal records of officers and executives of Always Consulting, Inc. ("Always"), including that Bruce Griffith, Always' President and CEO, was convicted of bank robbery and sentenced to over 11 years in prison as a result. In addition, Defendants failed to disclose that they were offerings breaking Texas law and banking law, in connection with these offerings.

**DEFENDANTS**

4. Always Consulting Oil Company is a Nevada corporation with a last known principal place of business at 901 Waterfall Way, suite 302 & 307, Richardson, Texas 75080. An emergency cease and desist order imposed by the Texas State Securities Board (the "Texas Board") on Always, Griffith, and other employees of Always on October 25, 2006, remains in effect. Under this order, which is described in detail below, the Texas Board prohibited Respondents including Always from;

(1) offering for sale any securities in Texas that are not registered with the Texas Securities Commissioner; (2) Acting as securities dealers or agents in Texas until Respondents are registered with the Securities Commissioner or are acting under an exemption from registration under the Texas Securities Act; and (3) are prohibited from engaging in any fraud with the offerings for sale of any securities in Texas.

Always Consulting is owned and controlled by defendant Bruce Griffith.

5. Bruce Griffith is the purported President and CEO of Always Consulting, Inc., whose last known office address is 901 Waterfall Way, Suite 302 & 307, Richardson, Texas 75080. A resident of Richardson, Texas, he controlled Always Consulting's operations during all periods relevant to this complaint.

This case concerns a fraudulent unregistered offering of securities involving a natural gas and oil drilling program that raised millions of dollars from investors nationwide. Defendant Bruce Griffith orchestrated the scheme through his company, Always Consulting, Inc.

6. Michael Rowland Yorba represented to me that he was Vice President of Always. Upon information and belief, Yorba resides in Texas. Yorba was a registered representative with Amerest Securities, Inc., Dallas, Texas from October 2006 to January 2007. At the time of this filing, he is not registered with any NASD (Previously the National Association of Security Dealers, Inc.). He was registered with Atrium Securities, Inc. Chicago, Illinois from July 2005 to October 2005. A copy of Yorba's employment history as disclosed to the NASD which maintains such information upon all registered representatives in the United States on its central registry depository ("CRD") systems which is publicly available on the NASD's website, Yorba represents himself on the internet as a radio host who "has been integrally involved in the investment industry for the past 27 years." He is also known as Lumpkins Yorba, Rowland Lumpkins, and Rowland Yorba.

9. Griffith solicited investors personally and retained sales agents in many states to assist him. Griffith provided the agent Michael Yorba with copies of documents to share with potential investors, including private placement memoranda ("PPM's"), the JVA's subscription agreements, and various marketing materials describing the company and the oil and gas industry. The name J.P. Morgan to my first understanding, was an outstanding company, and I had no reason to suspect that there was fraud or a scheme or no compliance under the banking laws of The United States of America, and violating the Patriot Act. Lexon Insurance company wrote policies without any verification or checking on their part. Lexon is based in Louisville, Kentucky. This neglect allowed money to be laundered and go to convicted criminals, and others working against America. Our discovery found a strong pattern lasting many years and in many states, where JP Morgan was fined between 40 and 450 million dollars and continues to do business as usual without regard for the safety of innocent Americans.

11. Griffith told investors (Alfred O. Forsberg) that the estimated time for completing all wells would be about 6 months, and assured him that Always Consulting had secured the requisite leases to drill the contemplated wells, and that they (ACI) were in complete compliance with banking and government regulations. They directed me to send money to J.P. Morgan Chase bank in Texas, with whom they were affiliated.

Always offered 35 units of participation in Russell Ranch Well Prospect "A" ("Russell") a t \$34,285.71 per unit.

12. Always Consulting's Multi-Well Joint Ventures I and II (Project 'A' 3 well program in Texas, and the 20 well Rattlesnake program in Oklahoma collectively called the "Joint Ventures") are joint ventures formed by Always Consulting and Bruce Griffith to engage in the business of natural gas and oil drilling and production in both Texas and Oklahoma. During the periods relevant to this case, Always Consulting was the managing venture of both entities.

13. For example, I was told by Michael Yorba and Bruce Griffith that the "A" project of three wells would begin to pay me at least \$3,500 each month for between 7 and 12 years. This was supposed to start on April of 2006. It, of course, never did. Likewise, the Rattlesnakes Springs project of 20 wells was to net me between \$12,000. to \$16,000. each and every month starting in October of 2006. Again, it did no such thing. I have yet to receive a dime from any of these investments. I was told by Griffith that the "A" project hit and "was a real bear". All of this was based on \$60. oil and \$7. natural gas prices.

14. Defendants failed to disclose to investors that funds provided by investors in each of the ventures were being commingled, contrary to the terms of the JVA's and that proceeds from production in the "A" project were being used to support drilling activities in the Rattle snakes drilling project.

**(repeat??)**

### **THE FRAUDULENT SCHEME**

19. Subsequently, Griffith assured me verbally (by phone) that I would start receiving \$12,000.00 per month for about 12 years, starting in October 2006, from his investment in Rattlesnake. In addition, Griffith advised me that I would receive between \$3,000. and \$4,000. per month from his investment in Russell.

It remains My belief that Always Consulting (all members), Michael Rowland Yorba, J.P. Morgan Chase, and Lexon Insurance Company are linked in fraud against America.

21. On October 25, 2006, the Texas State Securities Board (the "Texas Board") issued an Emergency Cease and Desist Order to Respondents Always Consulting, Inc., Bruce Griffith, David Kevin Lewis, Thomas A. Markham, and Charles Roup.

22. The Texas Board stated in the order that it found that Griffith, purported President and CEO of Always, Lewis purported Director of Field Operations of Always, Markham, purported Chief Geologist of Always, and Roup, purported Vice President of Always, offered for sale in Texas "units of participation" in the "Rattlesnakes Springs 20 Well Prospect", with each unit representing working interests in 20 new wells to be drilled on a purported oil and gas lease in Osage County, Oklahoma.

23. In addition, the Texas Board found that the units were not registered for sale in Texas and that Respondents were not registered with the Texas Securities Commissioner as dealers or agents.

24. Further, the Texas Board found that in connection with the "units of participation" Respondents intentionally failed to disclose material facts, including that: (1) in 1989 Griffith pleaded guilty in two separate cases to theft of property of the value of \$750 or more but less than \$20,000. in Texas and was sentenced to seven years probation in each case; (2) in 1989 the same court revoked his probation in each case because he knowingly and intentionally possessed and concealed falsely made, forged and counterfeited Federal Reserve Notes; (3) in 1994 Griffith pleaded guilty to two counts of bank robbery in one case in Texas, one count of bank robbery in a second case, and one count of bank robbery on a third case; as a result he was sentenced to 135 months of imprisonment (over 11 years) to be followed by three years supervised release;

(4) In 2000, Lewis pleaded guilty in Texas to one count of securities fraud in one case and one count of conspiracy to commit mail fraud in another case; as a result he was sentenced to 46 months of imprisonment to be followed by three years supervised release and was ordered to pay restitution of \$2,228,171.00; (5) in 1999, Markham pleaded guilty in Texas to one count of mail fraud and was sentenced to 15 months imprisonment to be followed by three years supervised release and was ordered to pay restitution of \$395,786.26; and (6) in 2004 Roup pleaded guilty to assault causing bodily injury and was sentenced to 365 days jail, two years probation and restitution of \$93,298.76.

The Texas Board found that the respondents violated Texas law by offering unregistered securities for sale in Texas, were engaging in fraud in connection with the offer for sale of securities.

On October 25, 2006, I placed a call to Always' office in Richardson, Texas and asked to speak with Yorba or Griffith. The person who answered the phone call told me that the State of Texas had seized the firm's computers and files.

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