

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

U.S. COMMODITY FUTURES TRADING, )  
COMMISSION and OKLAHOMA )  
DEPARTMENT OF SECURITIES *ex rel* )  
Irving L. Faught, )

Plaintiffs, )

v. )

Case No. 5:09-cv-01284-R

PRESTIGE VENTURES CORP., a )  
Panamanian corporation, FEDERATED )  
MANAGEMENT GROUP, INC., a Texas )  
corporation, KENNETH WAYNE LEE, an )  
individual, and SIMON YANG (a/k/a XIAO )  
YANG a/k/a SIMON CHEN), an individual, )

Defendants, )

and )

SHEILA M. LEE, an individual, DAVID A. )  
LEE, an individual, and DARREN A. LEE, )  
an individual, )

Relief Defendants. )

**REPORT OF RECEIVER REGARDING ATTEMPT OF DEFEDANT,  
KENNETH WAYNE LEE TO PURGE CIVIL CONTEMPT OF COURT**

Stephen J. Moriarty, as Receiver (“Receiver”) for Prestige Ventures Corp. (“Prestige”), Federated Management Group, Inc., Kenneth Wayne Lee, and Simon Yang (collectively the “Prestige Defendants”) hereby submits this report to the Court regarding the efforts of Defendant, Kenneth Wayne Lee to purge the civil contempt of Court, pursuant to this Court’s order of May, 10, 2010 (*Docket # 83*) (the “Contempt Order”).

Receiver states as follows:

1. On November 20, 2009, U.S. Commodities Futures Trading Commission and Oklahoma Department of Securities *ex rel* Irving L. Faught (collectively “Plaintiffs”) commenced this action alleging that the Prestige Defendants, acting directly or through their agents, employees or officers, fraudulently solicited and accepted at least \$8.7 million from at least 140 members of the general public to participate in commodity pools for trading commodity futures contracts and other financial instruments, including stocks, stock options, and foreign currency. (*Docket # 4*).

2. On November 20, 2009, this Court entered a Statutory Restraining Order and Order appointing Receiver for the Prestige Defendants (*Docket # 9*) (the “Order”).

3. Pursuant to the Order, Receiver was directed to (a) take possession of all assets of the Prestige Defendants, (b) secure the residential and business assets of the Prestige Defendants, and (c) initiate any action to preserve or increase the assets of the Prestige Defendants. *Order at par. 27 (b), (c) and (h)*.

4. Pursuant to the Order, Defendant, Kenneth Wayne Lee was required to (a) provide a full accounting of the assets owned by him and/or Prestige Ventures Corp. during the time period January 1, 2003 through November 20, 2009, *Order at par. 16*, and (b) turnover all business records to the Receiver, *Order at pars. 24, 25 and 28*.

5. On March 3, 2010, Plaintiffs filed a Motion for Contempt (*Docket # 35*) seeking to hold Defendant, Kenneth Wayne Lee due to his failure to (a) provide a complete accounting and (b) deliver books and records to the Receiver.

6. On May 10, 2010, this Court entered the Contempt Order finding that Defendant, Kenneth Wayne Lee was in civil contempt of Court due to his failure to (a)

provide a complete accounting and (b) deliver books and records to the Receiver. Defendant, Kenneth Wayne Lee was given seven (7) days from the entry of the Contempt Order to purge the civil contempt by providing the accounting and delivering the books and records to the Receiver.

7. Attached as Exhibit "A" hereto are a series of e-mails sent by Defendant, Kenneth Wayne Lee to Receiver during the period May, 14, 2010 through May 17, 2010.<sup>1</sup>

8. Based on the responses set forth in Exhibit "A", Receiver believes defendant, Kenneth Wayne Lee has now substantially complied with his obligation to (a) provide a complete accounting and (b) deliver books and records to the Receiver.

Respectfully submitted this 24<sup>th</sup> day of May, 2010.

/s/ Stephen J. Moriarty  
Stephen J. Moriarty, OBA # 6440  
FELLERS, SNIDER, BLANKENSHIP,  
BAILEY & TIPPENS, P.C.  
100 North Broadway, Suite 1700  
Oklahoma City, OK 73102  
Telephone: (405) 232-0621  
Facsimile: (405) 232-9659  
E-mail: [smoriarty@fellerssnider.com](mailto:smoriarty@fellerssnider.com)

**RECEIVER**

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<sup>1</sup> The attached Exhibit "A" **only** includes the e-mails themselves. Receiver received, but has not attached, hundreds of pages of materials not previously provided by Defendant, Kenneth Wayne Lee.

**CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2010, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants: Patricia A. Labarthe, Katherine S. Driscoll and Terra S. Bonnell.

I hereby certify that on May 24, 2010, a true and correct copy of the above and foregoing document was mailed by regular first class mail, postage prepaid, to:

SimonYang  
1912NW176thTerrace  
Edmond, OK 73012

Darren Lee  
2676 Palmetto Blvd.  
Mount Pleasant, SC 29466

Kenneth Lee  
1660 Jorrington Street  
Mount Pleasant, SC 29466

David Lee  
2676 Palmetto Blvd.  
Mount Pleasant, SC 29466

Sheila Lee  
1660 Jorrington Street  
Mount Pleasant, SC 29466

/s/ Stephen J. Moriarty  
\_\_\_\_\_  
Stephen J. Moriarty

528315

**From:** Ken Lee <klee88@prestigeventures.com>  
**To:** "STEPHEN MORIARTY" <SMoriarty@fellerssnider.com>  
**Date:** Mon, May 17, 2010 10:44 AM  
**Subject:** Re: Re:

As I said, I am still looking for records that may not even be available to me now. I am searching everything and everywhere I know to search. I had all records on computer and they are now gone. Perhaps there could be a hard copy of something.

----- Original Message -----

From: "STEPHEN MORIARTY" <SMoriarty@fellerssnider.com>  
To: "Ken Lee" <klee88@prestigeventures.com>  
Sent: Monday, May 17, 2010 10:59 AM  
Subject: Re:

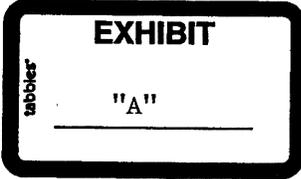
>I have reviewed the bank records for PVC and Federated and have not been  
> able to identify any deposits (other than those identified in my  
> analysis) from any Lee family member. The records do not support your  
> allegations.

>  
> I have requested on numerous occasions that you provide me with the  
> records that support your allegations. To date, I have not been provided  
> with any supporting documentation.

>  
>  
> Stephen J. Moriarty, Esq.  
> Fellers, Snider, Blankenship,  
> Bailey & Tippens, P.C.  
> 100 N. Broadway Ave., Suite 1700  
> Oklahoma City, OK 73102  
> Main: 405/232-0621  
> Direct : 405/239-7251  
> Fax: 405/232-9659

>  
> e-mail: smoriarty@fellerssnider.com

>  
>  
> NOTICE: CONFIDENTIAL AND PRIVILEGED COMMUNICATION: The information in  
> this electronic mail, including any attachments, is sent by or on  
> behalf  
> of an attorney and is intended to be confidential and for the use of  
> the  
> intended recipient only. The information contained in this  
> transmission  
> and any attached documents or previous emails may be protected by the  
> attorney-client privilege, work product doctrine, or otherwise legally  
> privileged. If the reader of this message is not the intended  
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> you are notified that retention, use, dissemination, distribution, or  
> copying of this message or any attachments hereto is strictly  
> prohibited. Interception of electronic mail is a crime pursuant to the  
> Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521  
> and



> 2107-2709. If you received this electronic mail in error, please  
> notify  
> us immediately by reply and destroy the original transmission and its  
> attachments without reading them or saving them to disk. Thank you.  
>  
> TAX NOTICE: Any tax advice included in this message or attachments is  
> not intended, and cannot be used, for the purpose of avoiding tax  
> related penalties or promoting, marketing or recommending any tax  
> related matter to another person.  
>  
>  
>>>> Ken Lee <klee88@prestigeventures.com> 5/17/2010 9:55 AM >>>  
> I do not have records that I can find now, but will continue looking.  
> I  
> have looked everywhere I know. Some were lost or left at an office I  
> had a  
> couple years ago.  
>  
> I do not allege the investments were made, they were made.  
> ----- Original Message -----  
> From: "STEPHEN MORIARTY" <SMoriarty@fellerssnider.com>  
> To: "Ken" <klee88@prestigeventures.com>  
> Sent: Monday, May 17, 2010 9:05 AM  
>  
>  
>> Can you please specifically tell me when the amounts you allege were  
>> invested by you and your family were actually invested and in which  
>> bank  
>> account they were deposited?  
>>  
>> Stephen J. Moriarty, Esq.  
>> Fellers, Snider, Blankenship,  
>> Bailey & Tippens, P.C.  
>> 100 N. Broadway Ave., Suite 1700  
>> Oklahoma City, OK 73102  
>> Main: 405/232-0621  
>> Direct : 405/239-7251  
>> Fax: 405/232-9659  
>>  
>> e-mail: smoriarty@fellerssnider.com  
>>  
>>  
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**Sent:** Monday, May 17, 2010 9:05 AM

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>

> Stephen J. Moriarty, Esq.

> Fellers, Snider, Blankenship,

> Bailey & Tippens, P.C.

> 100 N. Broadway Ave., Suite 1700

> Oklahoma City, OK 73102

> Main: 405/232-0621

> Direct : 405/239-7251

> Fax: 405/232-9659

>

> e-mail: smoriarty@fellerssnider.com

>

>

>

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- > related penalties or promoting, marketing or recommending any tax
- > related matter to another person.
- >
- >

**From:** Ken Lee <klee88@prestigeventures.com>  
**To:** "Stephen Moriarty" <smoriarty@fellerssnider.com>  
**Date:** Fri, May 14, 2010 3:35 PM  
**Subject:** Customer list

There are only 60 customers that I am aware of, any others are under the control of someone else. The individual pool operators and I do not know who they are.

These are the only customers who registered to have an account. As I suspect this is not all the customers who have invested. There were more that I did not know about as each pool kept the information from me even after I demanded to know if they were operating a pool.

Many of them formed their own pool of investors and would not tell Prestige Ventures they were doing this. Some demanded a fee for their expenses and Prestige Ventures would credit their account for these expenses.

Prestige Ventures, Federated Management nor Kenneth Lee ever solicited any customers to invest. All solicitation came from within their own groups which were formed without the knowledge of anyone with Prestige or Federated.

In July of 2009 my hard drive crashed on a computer that the data was stored on and could not be recovered. I had to ask for additional information from customers to recreate the statements and other documents. Lost documents in this crash included the finance accounting program that lost all data from the beginning of Prestige Ventures to the date it failed. The data was corrupted prior to failure and the back up system only recorded corrupt information. The program was totally unusable and provided no data.

Most of the amounts deposited and withdrawn was recreated from customers and is not my information. I relied totally on them for the amounts and should be correct. Some had to be added as the customer did not reply with any information and I had to create it with the best information I had in old statements and the statements I have included in the email to the Receiver. I funded some of the customers from our beginning account with Federated Management in Panama and I do not have those records nor did I ever have those records as they belonged to Federated Management of Panama.

I have no email other than the ones I have forwarded to the Receiver. Any other email was lost on the computer that failed last year and that was minimal. I did not do a lot of communication by email so there is not much that would have been available.

I have not spoken with Simon Yang in a very long time, perhaps two years or more, and really did not exchange email with him very often. He did email me when he was served in this case, but we did not communicate by phone or any other email.

I have never destroyed any documents related to Prestige Ventures or Federated Management and the only lost documents were lost when a computer failed and lost all data stored on it. They were stored on that hard drive and lost when it failed. The operating system also failed at the same time and all information was lost. All documents and information was held on computers and little or no hard copies were retained. I trusted back up, but it did not work. Any other documents that I may find will be forwarded to the Receiver.

I have given all available information and accounting of customers to the best of my ability with the information available to me. My bank records have been made available to the Receiver and I am unable to access the bank records online as I can not log onto the account. This is why some of the amounts received or paid to customers may not be totally accurate. I feel that there is

some duplication in the accounting as so many different names were used and customers would have monies sent to family members, relatives, friends, ministers and other groups they may be associated with.

All of the above has been explained to the Receiver and Commission.

Kenneth W. Lee

There may be additional information to add or delete.

Name	Invested	Check Return	Wire Return	Panama
Aiping Qiu	1,000.00	1,251.04		
Akira Yukawa	0.00	6,900.00		
Alex Wei	100,000.00	36,000.00	0.00	
Amy Chou	0.00	7,667.86	0.00	
Amy Jong	0.00	96,167.00	0.00	
Bihu Huang	265,000.00	119,636.38		
Bingguang Li	62,451.96	26,000.01		
Brian Pan	5,000.00	8,617.16	1,000.00	
Chanjiang Shu	1,000.00	0.00		
Charles Tanis	0.00	0.00	5,500.00	
Cherry To	156,000.00	0.00		
Ching Loh	142,000.00	0.00		
Chung Liu Song			61,220.39	****
Chungfeng Liu	285,000.00	10,000.00		
Deqing Tao	0.00	8,500.00		
Dorothy Cheng	540,000.00	268,000.00		
Eric Kuo	0.00	665.29		
Feng Wang	10,000.00	17,231.29		
Fengfa Huang	176,000.00	56,696.60	5,000.00	
Fenglai Jiang	0.00	4,836.00		
Fu-Long Liu	0.00	21,000.00		
Gin Lin Brebion	0.00	0.00	212,799.00	
Haifeng Ji	0.00	13,037.00	36,000.00	
Haifeng Zhou	36,000.00	17,215.00		
His_Ling Ming	10,000.00	0.00	11,164.52	
Holly Han	423,000.00	32,000.00		
Hsi-Ling Huang	53,670.28	6,678.70		
Hua Chen	3,000.00	650.46		
Ing Yang	0.00	33,081.18		
Ing Yang and Jian Yue Pool	1,095,400.60	452,129.84		
Jerry Wang	29,500.00	19,670.00		
Jian Yue	0.00	30,000.00	0.00	
Jiang Kaiyu	0.00	0.00	10,000.00	
Jiaosheng Jiang	108,000.00	16,141.25		
Jing Huang	0.00	8,184.98	10,000.00	
Jing Wang	29,500.00	5,000.00		
Jungdong Lan	135,339.00	41,360.00		
Kaiqing Ji	11,000.00	11,000.00		
Kaiyu Jiang	0.00	973.10		
Ken Peterson	60,000.00		40,000.00	
Kevin Yuan	0.00	12,500.00		
Kui Teng	72,500.00	84,000.00		
Kung Sing Ting	15,000.00	12,850.00	8,060.00	
Li You Quan	0.00	0.00	20,000.00	
Li Zhang	20,000.00	25,700.00		
Lijuan Zhang	90,000.00	15,000.00		
Lin Chung Tao	0.00	0.00	70,120.00	
Ling Zhang	163,176.88	27,795.00	22,795.00	
Lisa Cheng	219,700.00	129,627.50		

Liusen Li	167,000.00	29,500.00	
Lori Hou	0.00	0.00	0.00
Lori Yang	100,000.00	12,000.00	
Lu Hong Wen	350,000.00	0.00	182,000.00
Lulan Hu	36,281.20	3,954.98	
Mark Li	823,525.87	9,275.98	5,000.00
May Lu	500,000.00	10,000.00	
Mei Wu		5,000.00	
Ming Yu	0.00	30,000.00	10,000.00
Mingxuan Chen	43,313.33	0.00	
Minnie Cao	10,000.00	5,500.00	
Ning Hu		14,000.00	
Pan Zhi	0.00	1,975.00	
Pao F Chou	0.00	0.00	15,000.00
Peng Feng	99,925.00	0.00	
Qi Liu	0.00	0.00	24,000.00
Qing Yang	238,000.00	0.00	
Robert Lee	8,000.00	5,500.00	
Rong Ma		6,094.80	
Ruyan Bryan	2,415.96	2,000.00	
Shu-Fang Cheng	0.00	24,000.00	
Si Zhang	0.00	0.00	6,000.00
Simon Yang	385,000.00	96,000.00	0.00
Susan Young	0.00	2,548.48	0.00
Susie Southwell	15,000.00	10,701.19	
Szu-Hsien Wu	0.00	5,000.00	
Te Chao	0.00	0.00	30,000.00
Te-Chao Wu	0.00	0.00	140,000.00
Thomas He	29,947.50	0.00	
Tom Sun	11,000.00	0.00	
Van Thuan Hguyen	36,700.71	0.00	
Wei Ping Li	0.00	0.00	33,484.93
Wei Xiong	3,000.00	6,000.00	
Weiwen Pan		4,000.00	
Wen Kai Zhong			44,750.00 ****
Wenjun Liu	94,000.00	53,000.00	
Wenzhi Lu	60,000.00	0.00	
Xiao Yang	0.00	0.00	8,000.00
Xiaomer Guo	10,000.00	0.00	
Xihai Zhang	70,000.00	71,525.49	1,300.00
Xuezhen Ma	109,200.00	54,037.00	
Yan Su	232,344.00	3,000.00	
Yeen-Kuen Wu	20,000.00	0.00	
Ying Fang Zhaing			48,498.53 ****
Yong Lang	51,000.00	0.00	
Yong Miao	16,000.00	12,916.59	
Yu Han	20,000.00	26,700.00	
Yuan Tai Liu	0.00	5,908.05	0.00
Yuan-Jung Huang	0.00	10,000.00	
Yufeng Xu	0.00	5,908.05	
Yunjun Liu	20,000.00	-	
Ze Tu	5,000.00	-	

Zhao Duan	400,000.00	
Zheng Zhou	14,000.00	-
Zhou Haifeng	32,000.00	-

There are probably other deposits and withdrawals from customers that I do not have records on and some of the above may be duplicated. I could not access Bank of America to get information and my record keeping software was destroyed when a hard drive crashed in July 2009. The amounts shown are indicated from the customers themselves. Some did not reply and the amounts shown were taken from old statements and best indicated information. Many of the fund distributions were sent to family members, relatives, friends, ministers, church groups or other associates and they do not have account numbers to list and I do not know who they may belong to. Many accounts had different names associated with it as well or without my knowing, had formed their own pools of customers and I suspect receiving a fee for their services. There are only 60 customers handled by PVC and PVC had not control over others who formed pools with out informing PVC. All customers were solicited by family members, relatives, friends and associates without the knowledge of PVC, FMG or Kenneth Lee.

Description	Invested	Check Return	Wire Return	Total Return
Total Invested	8,330,892.29	2,209,808.25	1,061,692.37	3,271,500.62
Returned	3,271,500.62			
Difference	5,059,391.67			
Inferred Losses	4,300,000.00	Indicated by Plaintiff		
Balance	759,391.67			
Rents for Office	60,600.00	1053 Rifle Range Road and 1090 Johnnie Dodds		
Office Internet	6,300.00	Comcast		
Office Utilities	5,215.00	SCE&G - AT&T - Mt Pleasant Water		
Salary Earned 20%	871,050.60	Prestige was to be paid a commisson of 20% and was known to all investors. Prestige did not receive all the amount indicated as Salary Earned as funds were not available. Based on earnings of \$4,355,253.00.		

Difference (183,773.93)

**From:** Ken Lee <klee88@prestigeventures.com>  
**To:** "Stephen Moriarty" <smoriarty@fellerssnider.com>  
**Date:** Fri, May 14, 2010 3:17 PM  
**Subject:** Emailing: 88-040109, 88-040210, 88-040306, 88-040320, 88-040430, 88-040524, 88-040812, 88-040822, 88-040901, 88-041121, 88-050307, 88-050507, 88-050813, 88-050901, 88-050924, 88-051007, 88-060218, 88-060330, 88-060508, 88-060510, 88-070129, 030429, 030505

The message is ready to be sent with the following file or link attachments:

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FENIX-071218  
FENIX-080227  
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FV-030505  
FV-040306  
FV-040320  
FV-040322  
FV-040423  
FV-041013



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FV-040306  
FV-040320  
FV-040322  
FV-040423  
FV-041013



**From:** Ken Lee <klee88@prestigeventures.com>  
**To:** "Stephen Moriarty" <smoriarty@fellerssnider.com>  
**Date:** Fri, May 14, 2010 3:14 PM  
**Subject:** Account Apps

Account Apps, you might take time to notice who did most of the soliciting.

**From:** Ken Lee <klee88@prestigeventures.com>  
**To:** "Stephen Moriarty" <smoriarty@fellerssnider.com>  
**Date:** Fri, May 14, 2010 3:05 PM  
**Subject:** All email

This is all the email I have.