

THE NATURE OF BLOGS, THE SOCIAL MEDIA AND THE LIVES THEY CONTINUE TO DESTROY

The document that you are about to read was developed by accident and out of a necessity to respond to an email and telephone call that I received from Andres (Andy) Esquivel [*See Attachment 'Illegal taping of conversations'*]. It was initially meant to be a paragraph response. However, as I began to sort through hundreds of email messages sent and received over the past 18 months, I found the paragraphs turning into pages and the pages turning into what will eventually become a book. This document should have gone out almost a month ago and the title has changed numerous times. The document basically shows how the world of blogs and the social media have destroyed the lives of so many individuals and prevented what could have been a major technological impact in the world of the social media. This began with a company called Xtagged whose main purpose was to protect its users; instead it flooded the Internet and its users with useless, unwanted, and inflammatory email messages.

When I first began writing this document, I was pointing all of my blame at Andres Esquivel. By the time I had finished writing the piece, I came to realize that more than Andy shared in the blame and I also had to take a closer look at myself. It has been extremely painful and yet enlightening revisiting all of the email messages. I can also honestly tell you that in reviewing many of the documents, I wish that I had never pressed the 'Send' button. This document contains many attachments consisting of email messages and many of which I regret sending. However, it is my understanding from Andy that he is preparing a documentary; I would rather have the reader see emails in their original form than ones that have been manipulated and edited by Andy. Andy also admits to recording numerous conversations of others that he is also planning on using as part of his documentary. If there are recordings, they were taped without any of the user's prior permission. I would like to caution Andy that this is entirely forbidden by the FCC. It is illegal to record any individual without their prior consent and the violator is subject to a penalty of two years of jail term. I am attaching a copy of FCC's rules and regulations regarding recording individuals without their permission and I will be filing my own complaint shortly [*See Attachment 'Illegal taping of conversations'*].

The problem with publishing a blog is that it invites more blogs and you had better not place yourself out there unless you are willing to get a response. I found that with each response, new and innocent victims are introduced that have absolutely nothing to do with the original bloggers whom in this case I believe to have been Rjion, Andy and Daryl. The new victims then have to defend themselves which then introduces more innocent victims. Eventually, you end up with a maddening soap opera without any type of gratuities and a pile of continuous emails with bad grammar and foul languages. The minute you think that the emails have died down or gone into an Al-Qaeda Sleeper cell, they suddenly reappear worse than ever. It is like an addictive sickness where the bloggers don't seem to be able to control themselves.

I actually experienced this last week as I was about to put the final touches on this document. When I looked into my email account and saw that I had a slew of email messages, I immediately knew that someone had again awakened the mad bloggers. “Do I dare go into my account,” I wondered. “Will there be strange emails and accusations that will upset me and cause me to go into panic attacks or cause me to lose sleep?” I am sad to report that I did open some of the emails, I did lose sleep, and I did begin having a mild case of panic attacks. I then questioned whether or not I should send this document and whether or not I should continue to write a book. I know that once I press the send key, I will get numerous responses and my telephone will probably ring off the hook. I wondered if there were perhaps some magical spells or some subliminal message that I could embed in this document that would put the mad bloggers to sleep forever! I have made a vow to myself, that I shall not read or respond to any more blogs, answer any emails, or respond to any telephone calls. These blogs have gone on for nearly two years and they may continue for 100 years more; however, they will have to continue without me as this individual has finally freed herself from this nasty spell.

Into the Mind and Soul of a Scam Artist

For nearly one year and a half, I have been faced with the question of whether or not Andres (Andy) Esquivel is a scam artist. I posed that question to Steve Klemark when the small team asked me to consider becoming their CEO which lasted for two months. At the time, I expressed my concern to Steve as to whether or not Andy was a scam artist and if he had seen any sign of drug use. [*See attachment ‘Pain Medication.’*] Steve’s response was, “Beckie, I have seen no signs of this person being a scam. His personality has changed over the past several months and he is not the Andy that I knew before. I think the change occurred after the blogs began. This man is an absolute genius and he doesn’t trust anyone including me.” I resigned from the company May 3, 2010 [*See attachment ‘My first and second departure from Xtagged’*] and Steve Klemark convinced me to stay on stating that Andy had given him full responsibility. I again expressed my concern over Andy being a scam artist as well as an abuser of drugs and again Steve repeated that he had not seen any signs of drug use or abuse.

Using Andy’s own emails, the reader should be able to determine for themselves whether or not Andres Esquivel is a scam Artist, a drug addict, a person suffering from mental illness or all of the above. Please keep in mind that I have only seen Andy once in which I spent a period of about three hours or less. Over the past eighteen months, I have only communicated to Andy through email, text mail, and telephone. I often reminded Andy during this period that ‘Since I cannot see you, I have to listen with my ears.’

In this document, I shall point out events and provide supporting documents using Andy’s own email. You should be able to see how Andy illegally records conversations of others without their prior permission; how he fraudulently uses and sends out emails without the user’s prior consent or permission; how he publishes false claims about various products; how he advertises false contests with no intentions of following through; his habit of declaring secrecy to a product or idea, then giving the ideas away to his enemies, then blaming others; his constant use of information from other companies

without their prior permission; his trait of using the Internet to destroy others when he doesn't get his way; his constant harassment of others using blogs, utube and the Internet; his constant misuse and abuse of vendors and everyone that he meets; false accusations regarding the sale of the company; his unscrupulous sickness of preying on innocent people; and his constant desire to manipulate others.

What Lead to this Event?

I initially relinquished ties with Andy last July; you will see through his emails how he tried to get back into my life. In March 2011, I received telephone calls from Andy's mom and his spouse. I expressed to both of them that whereas I loved hearing from Andy's lovely girls, I desperately needed my space and they all agreed to leave me alone. Although, I had maintained information on Andy at his request, I wasn't certain how, when, or if and I were ever going to use it. His telephone conversation in June 2011 answered that question for me and helped me to make up my mind that I had to go public. I want to assure you that this was not an easy task. Over the past year, I had developed a special attachment and bond for Andy and his family and to me he was like a second son. That within itself makes this task extremely difficult.

This is a lengthy document; however, I know of no other way to fully expose this individual. The other reason for its length is that after a long hiatus from communicating with Andy, he informed me that he had recruited a company to develop a documentary for him. I wanted to ensure that he had his facts straight. I have taken time to go into detail of that conversation in this document that you will be able to review later. However, prior to doing so, I would like to publish a definition of what I feel a scam artist actually is. This definition was compiled from many sources including Webster's and the Internet.

Noun 1.



con artist - a swindler who exploits the confidence of his victim
[con man](#), [confidence man](#)
[chiseler](#), [chiseller](#), [defrauder](#), [grifter](#), [scammer](#), [swindler](#), [gouger](#) - a person who swindles you by means of deception or fraud.

A **confidence trick**, **confidence game**, or **con** for short, (also known as a **scam**) is an attempt to intentionally [mislead](#) a person or persons usually with the goal of financial or other gain.

This document with the attachments were to have gone out four weeks ago; however, each time I was prepared to send it out, Andy provided me with more supporting information. Later in this document, I show how Andy always tries to slip back into my life. Look at the attachment [*You just cannot leave me alone*].

I received a voice mail in July 2011 which Andy hoped to trick me stating that he was in the process of completing a documentary for the Sundance Film Festival whom he claimed was being financed in part by Robert Redford. He stated that the producers of the documentary were going to use some damaging data on Daryl, Daryl's father and I and he wanted me to contact Daryl and his dad so that we could be part of what he called 'mediation' with the producers. In Andy's own words, "I felt the need to protect you which was out of my control and I am tired of protecting you guys (meaning me and Steve)."

I in turn said that I didn't need his protection because I knew who and what I was. I did remind Andy that I had complete documentation of all emails and text mails that I have maintained since he came back into my life. It was Andy that kept telling me that I needed to maintain a detailed journal of him as he wanted me to write a book about his life. During this conversation, I informed him that I knew that Zebster the investigator, Gary Thebus the busman, and the homeless woman were not real. Andy became agitated and extremely upset (as I knew he would); he began ranting and shot off one of his nasty email messages. I think that Andy has been spending too much of his time watching Homer Simpson and that is how he is able to come up with names such as Gary Thebus (The Bus Man) and Zebster the investigator. [*See attachment 'Email informing me of recording' 'Gary the Busman' 'Andy Pretending to be Investigator'*]

I believe that it was in February or March 2011 that Andy wanted me to call Donna Martinez and offer him a reference. This is the same person that Andy begged me to provide a reference to in the summer of 2010. This is the same person that he made a commitment to along with Steve. Andy refused to honor this commitment and began calling the person a scam and threatened to take her to court. He then asked me to call Steve whom he was threatening to get rid of to see how I could help. I then called Steve to get the entire story and to see if Andy had indeed signed a contract. Steve reported that Andy did make a commitment; however, from what I gathered, no paperwork had been signed. Steve's response was, "I think I am going to get fired." "What a joke," I thought to myself. "Fired from what?" I did make up excuses for Andy telling Steve about the very tough life that Andy had. I then called Donna and told her that there would be no contract.

Andy previously informed me this year that Donna had called him and that she had gone out several times with his mom to have beer. So quite naturally, the first thing that came out of my mouth when I spoke to Donna was, "So I hear that you've met Andy's mom." "No," she replied. "I've been unable to get in touch with her." Hmmm, I thought. "Oh, I guess that's my mistake, I thought you guys had shared some beer together," I replied. Her response was, "I don't even drink." Donna asked me how much I was being paid by Wiser Technology and she was amazed at the work that I had completed for nothing. I did not tell Donna that I had stepped down from the organization and that my only involvement was that of a mentor. I did tell her that it was my plan to part ways with the organization and I thought that she would bring added value to Wiser Technology if she chose to get involved.

Because of what happened in the summer of 2010, I informed Donna that I had only met Andy once. I asked if she could call me back and inform me of what she thought. She did call me back, she told me about the discussion, she described Andy's overall appearance, and she stated that she was impressed. Apparently, Andy told her about the blogs and as a savvy business woman, Donna decided to check Andy out. After checking him out, she called me and provided me with a quick overview. She then said that she had chosen to opt out; however, she did say that she would provide Andy and Shar with the name of a business entity that she felt could help them. Donna recommended that I change my telephone number and to block emails from Andy. She also said that she strongly advised Andy to stop with the blogging.

After hearing from Donna, I too decided that I wanted to cut ties completely with the organization. I then called Leonard and left him a voice mail message informing him that I would not be part of any lawsuit against the bloggers. This should not have been news to Leonard as I left him a voicemail in the fall of last year explaining why I had stepped down from Wiser Technology and it had absolutely nothing to do with my health of Daryl's blogs.

A before the proposed teleconference, I received a voice mail from a female with a California telephone number calling on Andy's behalf stating that Andy was in California. I didn't believe that he was in California. In the first conversation that I had with Andy, he was taking a business trip to Las Vegas to meet with potential investors; the trip then suddenly turned to California. Another reason that I did not believe Andy was I have returned his calls on many occasions where he was supposed to be meeting with a client, and his spouse would innocently report that he was asleep. Last year I received a telephone call from Andy's cell phone at 2:00 a.m., and it was his daughter on the other end asking for 'Grandma.' I was completely confused because Andy had called me earlier to tell me that he was in Las Vegas and when confronted, he became extremely angry.

The day of the proposed telephone conference in March 2011 with Leonard and Andy's mom, Andy sent me several emails that he wanted me to review before the meeting. Andy knows that I don't review or track blogs; it is Andy that cuts and pastes blogs from Daryl's website and he purposely submits them to me when it suits his purpose. He generally cuts and pastes from Daryl's blogs what he wants me to see. This time Andy showed me the entire string of blogs. And yes, there were many lies and exaggerations in Daryl's Blogs; but, Daryl had outlined and confirmed many of my suspicions which I shall explain in detail later.

On the day of the actual teleconference, no one called me to participate in the meeting and instead Leonard chose to play back my recorded voice mail to Andy's mom. The next several days, I received email and phone calls from Andy, his mom, and his spouse. I did answer his mom's call and informed her that I was ok. I told her that I was upset; disappointed in Andy and that I **needed some space**. I did return his spouse's call; I think that she is a great person and I felt I owed her an explanation. I told her also that I

needed some space; that I felt manipulated and violated; that I realized after Andy broke into my email earlier in 2011 that Zeb was not real; and I also realized early on that the busman was not real. I told her that I was concerned that Andy was abusing drugs and that Andy needed to get in touch with me to discuss what I had uncovered. I told her that I loved her and the children; but, for now, I needed my space. Her reply was, “**No, Andy no longer abuses drugs. It is Steve that abuses them.**” I hope you heard that Steve!

I simply wanted to and **needed to be left alone**; but, Andy could not do that. Instead, he emailed me stating that he loved me and missed me and he even called me ‘Mom.’ He emailed me photographs for Mother’s Day and I must admit that I was happy to hear from him and the girls. Then he began calling me directly; he never apologized; he never said that he was sorry. *In July 2011, I began receiving telephone calls from Andy and he said that he was trying out a new telephone with a different telephone number. His spouse also called me the same evening and said that Andy wanted to tell me that Leonard’s father was gravely ill. Andy then called and said that he was trying to get in touch with me because he thought that I should place Leonard and his father on my prayer list at church. He also suggested that I send Leonard an email letting him know that he was in my prayers. I did send an email to Leonard and having discovered that Andy made a similar request earlier this year for me to send a draft; I can’t help but be concerned over the following. I feel that Andy redirects email using wiserecigarette.com. So, if anyone should see any correspondence written on my behalf, it is not from me! I have only sent Leonard one email message offering my prayers concerning his father based on Andy’s recommendation.*

A few days later, I received a call from Andy stating that he was in a friend’s car and on the road to either North or South Dakota to meet with a casino. He wanted to bring me up-to-date on what was happening in his life. He particularly wanted to tell me that he had quit using marijuana. He admitted during the telephone conversation to abusing drugs and that he had been smoking marijuana three times a day. I asked why the certain change and he said that he had an epiphany and had reconnected with his teenage daughter that had been out of his life for many years. He was extremely excited and went into all of the details of how the reconnection came about. He sent me an email containing the daughter’s photograph and said that he sent it to me prior to sending it to his lawyer and it made his lawyer jealous. He briefed me on what was happening with the business and told me how much he missed me and loved me. We talked on the phone until we lost connection.

A few days later, I received a strange telephone call from the same number asking if I would accept the call which I did not. I later received an email showing where he had mistakenly dialed my number. Strangely enough, I began getting a message every day from a collection agency asking for a person with a different name. That number is linked to Wiser Technology.

Two days prior to Andy’s nasty email message, I received a telephone call and let it go into voice mail. It was a message from Andy and his daughter stating that they were in Vegas. He stated in the message that Mia wanted to say hello (which she did); that he

had just purchased her \$40 shoes for her birthday; and that he would contact me the following day. I had also purchased clothing for the girls and called Andy back to get a mailing address; this is when we encountered the telephone conversation regarding the documentary. During this conversation, Andy informed me that he was in a meeting. He placed me on hold for a few minutes and came back to the phone.

After Andy hung up, I received a nasty email message stating that Donna and Leonard had put me under the bus and that he had recorded the conversation. There was nothing said in the conversation that I would be ashamed of and it is far more damaging to Andy than to me. I found it funny when Andy wrote in the email, "You can send the clothes; but, I don't want to communicate with you anymore." [*See attached 'He just cannot leave me alone.'*] Then why am I still receiving these emails? I think that Andy's lawyers need to inform him that it is illegal to record a conversation without the other person's prior consent. I never provided approval or gave Andy or John Steer permission to record my conversation. Andy may not realize it; but, he openly admitted to taping me. I also have emails where he openly admits to taping a person by the name of Andrew. I read in one of his most recent emails that he has been recording all conversations; I would suggest that Andy get another lawyer. By the way, I did download the form from the FCC and I will be filing a complaint and using these emails as supporting evidence. [*See Attachment 'Admission to Recording Others', 'Would not leave me alone when being asked,' 'Illegal taping of conversations.' 'You just can't leave me alone.'*"]

Why I Stepped Down from Wiser Technology

The first time that I stepped down from Xtagged (Wiser Technology had not given birth) was in April 2010. [*See attachment 'My first and second departure from Xtagged.'*] This was over an incidence with the electronic cigarette and a vendor by the name of Sam. [By the way, I am the one that came up with the idea of pulling all of the technology under one roof and calling it Wiser Technology LLC thinking that all of the technology had been fully tested and ready for the marketplace.] Rather than take up space in this document, I have attached a file that explains what happened with the Vendor named Sam in great detail [*See attachments 'Sam of Vegas,' 'Ecig – Lies about bank breakin'*]. Basically, when we first entered into the Ecig business, I began looking for vendors to satisfy the requirements. I came across a person in Las Vegas who could meet our demands. I thought that since Andy took many trips to Vegas, it would provide him with the opportunity to meet with and evaluate the vendor in person. The only vendor that Andy had referred me to was located out of New York.

This vendor invited me to come to Vegas and offered to put me up in an exclusive hotel. I knew that I could not afford the trip; however, I felt that this was a good opportunity for Andy to meet the vendor in person. Andy's mom wanted to meet me and agreed to pay my airfare to Vegas. Andy called me one day and said that he had been invited to fly to Vegas with a potential investor (I believe it was Ameristar) and asked if I could make arrangements for him to meet with Sam while there. I sat up several meetings with Sam of which Andy never showed. When he finally did meet with Sam, he called and told me

how impressed he was with Sam and his e-cig product. Andy and his mom arranged flight reservations for me to fly out to meet everyone. I got up early one morning (around 4:00 a.m.), drove an hour to the airport, parked my car, went to the ticket counter and there were no tickets. Andy told me over the phone that he had received a confirmation number. I became extremely busy trying to get ready for the flight which was the very next morning. I forgot to obtain the confirmation number from Andy; however, when asked the following day, he said that the airline had emailed him the number. “Good, I stated. Then they should reimbursement you for the ticket.” The fact is, Andy never purchased the ticket. This ended up being my fault and Andy told me never to call Sam again and that he was thinking of taking Sam to court.

During this period, Sam wanted me to look up one of his suppliers on the Internet by the name of Green Smoke. I provided this information to Andy and he then decided that he was going to take the Green Smoke business from Sam. So after ruining relationships with Sam, Andy found himself in a bind for the July 4th launch. He then used his uncle and mom to order e-cigs from Sam. They then accused Sam of abusing his mom’s credit card; this is a very long story. In the interim, please see attachments ‘*E-cig – lies about the bank break in*’ and ‘*Sam of Vegas.*’

Prior to this, Andy had entered into a relationship with a vendor in China and I was handling all of the logistics, specifications, GANTT charts, etc. I knew that we were running an incredibly tight schedule and on the critical path for the launch. We were down to the wire and I felt that I could cut several days off of the schedule if I were given the confirmation number for the wire transfer. I was told that the funds had been wired to the vendor so how complicated could a wire transfer be. Long story short, the vendor and I wasted a lot of time Skyping only to discover that a wire transfer never took place. I will show you how Andy abused this vendor later in this document. This was the first time that I stepped down from the company. [See Attachment ‘*William - Ecig*’ and ‘*Lies about bank breakin*’]

My Resignations

First Resignation (see attachment ‘*Decision to Step Down from Wiser Technology*’)

When Andy returned from Las Vegas, I wrote an email documenting what had happened and told him that I would be stepping down from the company. The following day, Andy called me and said that I needed to call Steve and that he had been wrong in his opinion of Steve. Andy had earlier reported to me and a friend of Steve that was going to be a part of the company, that Steve was lazy and did not have any energy or motivation. I called Steve who informed me that Andy had agreed to let him take over the company. Steve wanted me to run the company while he stayed in the background. I told Steve that I had resigned from the company and that I had sent him a copy of my resignation. Steve said that he told Andy that he would not agree to me resigning.

I had talked to Steve on the phone while Andy was in Vegas and I was surprised to hear Steve say during our conversation, “Beckie, I was not in Las Vegas. I sent Andy to

Vegas. He had become so paranoid that he was making himself sick.” (If this is true, then the entire Ameristar story was false.) I did agree to stay on; however, I only heard from Steve about three times after that. He provided me with two telephone numbers; however, they were either filled up with messages or he did not return my call. I think I heard from Steve two times after this. One call that I received was to tell me that MADD had sent Xtagged a letter and he wanted me to review it and draft a response. I sent updates and status reports to everyone; however, no one answered my emails. I did hear from Andy almost daily and usually I asked about Steve. Andy’s response was that he seldom saw Steve. When Andy became extremely ill in the latter part of May and early June, I heard from Andy several times during the day. Many times, we talked for hours. *[See Attachments ‘Correspondence with Steve Klemart,’ ‘Correspondence after accepting to become CEO,’ ‘My first and second departure from Xtagged,’ ‘Tasks Performed’ ‘Status Reports.’]*

When Andy and Steve asked me to consider being the CEO of Xtagged, I told Steve that I did have some major concerns. There was a period where Andy had done a disappearing act and I knew that he had used pain medication after a car accident. *[See Attachment ‘Pain Medication’]*. One issue that I had was the fact that Andy had admitted to using methamphetamine at one point in his life. I felt the pain killer might have a negative affect and trigger his craving for drugs. Steve said that he saw no signs of drug abuse. I again asked Steve if he thought that Andy was a scam. He told me that he had not seen any signs of any scam. He felt that Andy was a genius that had lost his trust in people after the blogging started. He also told me how he, himself, had been harassed by the investors in Utah that were constantly calling him and hanging up. I told Steve that I did not mind taking on the role of CEO. I did tell him that my major concern was being in a different state.

It was Dustin’s (Steve’s Friend) and my intention to relocate to Denver; however, I still had months left on my lease. Andy had indicated that he was willing to buy out my lease; however, I was in no hurry to relocate. Dustin was going to relocate immediately and Dustin agreed that he would help me relocate later. I told Steve that if I were to be the CEO of the company, I wanted him to be my eyes and ears in Denver. Both Dustin and I felt that Andy was out of control. I was used to working with engineers that lacked control; and I wasn’t too concerned over Andy; however, I was anxious to put some operating procedures in place. My first order of business was to convince Andy to stop blogging and to obtain a corporate lawyer. My objective was to get the company to the point where they could hire a more seasoned CEO.

Dustin did not stay with the company long. He got fed up after Andy had arranged an urgent teleconference that was to take place at 10:00 p.m. EST. Dustin and I stayed on the phone for over an hour waiting for Andy who failed to call us or apologize afterwards. Dustin was self-employed and had delayed a personal contract to fly out to Denver and Andy did not follow through on his ticket. Andy had sent Dustin a cell phone and Dustin felt as pay back; he would hang onto the telephone for collateral damages. Andy’s mom ended up pressing charges and threatened to have Dustin arrested. Andy spent the next several months accusing Dustin of working with Daryl to

destroy him and the company and breaking into the Xtagged system. Of all of the people that I spoke with that were affiliated with Xtagged, Dustin was the most technical and the most seasoned. He had taken advantage of online courses at MIT, he had been in business for himself, he had worked in his parent's business, he was business oriented, he responded to emails and telephone calls, and he was extremely intelligent. I would highly recommend him to any organization [*See Attachment 'Dustin R'*].

Andy on the other hand had misrepresented himself. He first told me that he majored in chemistry and had dropped out of college in his freshman year to help his family support themselves. He later told me that he was a high school dropout.

Final Resignation

I stepped down again from the company in August 2010 over the non-payment of my telephone, DSL, and LAN lines which Andy had agreed to pay. Steve reported in an email that I was having severe financial problems. Things were tight as I did not have much income coming in; however, Andy had insured me that I had been placed on the Wiser account and that his mom had paid the bill. You will see in an email later where Andy is apologizing for my telephone being cut off and that it was Albert that asked him not to pay my bill. I think that it took me about two weeks to get everything turned back on; it wasn't due to finance, it was a scheduling problem with the telephone providers. [*See attachment 'Request for Reimbursement'*].

This occurred during a period where Andy was extremely ill, suffering from an ulcer, not eating, not able to keep food down, expressing wanting to commit suicide and extremely paranoid (to the point of thinking that his spouse was interested in Steve). From what I gathered by listening over the telephone, the entire household appeared tense and Andy had everyone on edge during this period. It was diagnosed early on that Andy had an ulcer and he constantly sought my advice on what he should or should not eat and he would ask for directions on how to prepare certain foods. He indicated that his spouse was young and inexperienced and that his mom was not used to eating healthy. He often accused his mom of preparing him unhealthy food on purpose and would offer him things that she knew would cause him to get sick. At one point, he instructed his spouse not to prepare anything unless she sought my advice first. I had never witnessed this type of behavior.

According to Andy, he was spending a lot of time in the emergency room and trying to reconcile his past that seemed to be haunting him. He told me that the physicians would often state, "I can cure what is happening with your body; however, I cannot cure what is happening in your head." I believe that the medical doctor referred him to a psychiatrist. Based on conversations that Andy and I had, I also felt that a person that he constantly referred to as Albert was taking advantage of him. Some of the things that he said Albert was telling him did not make sound business sense. For example, I advised Andy to purchase business software and begin tracking expenditures for the company. I even sent him an email regarding tracking his mileage. Andy said that both Albert and Leonard informed him that this was not necessary. Andy often complained that he felt Albert was

using him for his own gain. He even stated that Albert encouraged him to blog [*See Attachment 'Constantly giving away ideas'*].

I thought that Andy was out of my life completely until Labor Day weekend when I received a call informing me that he had sold the company. I was informed that a lawyer would be calling me to discuss my percentage and the payout. I was also informed of what to say to the lawyer. I was told to tell the lawyer to fax paperwork for me to sign to the INFO email address at Wiser Technology. I received an email from Andy's mom who said that the lawyer had just finished with her paperwork and that he would be calling me next [*See bottom of Attachment 'The Sell of Xtagged – Part II'*]. The phone call never occurred. If you take a close look at this document, you will discover that the document was actually written by Andy while using his mom's cell phone. Note the use of the exclamation point and the sentence structure. I never heard about this purchase again. See an example of how Andy tries to manipulate himself back into my life. I received this email last September (*see attachment 'No Phone Zone,' 'Andy pretending to be at news station,' and 'Andy panicking when I am not returning his calls' 'You just cannot leave me alone' 'Would not leave me alone after being asked'*). These emails always occur after Andy tells me that he has been informed by his lawyer and family not to contact me again prior to court. There is also a lengthy attachment that you will see later of how Andy schemed to get back into my life. I believe that this is part of the William e-cig document on page 47. Look at the bottom of the attachment 'No Phone Zone' highlighted and bolded in red where Andy is desperately trying to use Daryl to convince me to come back into his life. Also, please review the attachment '*Setting out the Bait and the one percent rule.*'

Final Decision to Discontinue Any Association with the Company

Although I had stepped down from the company, I still decided to maintain ties with Andy. I continued to be grateful and credited him for saving my life during my rapid departure from Utah. For your information, the \$350 that Andy provided me was in partial payment for work that I had performed for him with a promise that the balance of \$300 would follow. It is the timing of that payment that allowed me to head back east. It was also his offer to provide me with a contact in Las Vegas for accommodations until I determined where I wanted to go that compelled me to continue to support him. I credited him for saving my life and I am not one to overlook or forget favors. I am sorry to say that I cannot say the same for Andy. [*See attachment 'Decision to Step Down from Wiser Technology' 'False Lies about my Health'*]

Andy had sent me an email in late September or early August with a follow-up telephone call stating that Wiser Technology had indeed been sold and that the new owners had allowed him to purchase additional electronic cigarettes. Since I was the one that had been working with the vendor in the past and had all of the specifications, he asked if I minded following up on his order. I did decide to help him and this ordeal turned out to be a nightmare [*See attachment 'William – Ecig'*].

I believe that it was in late October or early November that I received a voice mail from Andy asking me to call him. He said that his mom's new finance' had taken the family to a ski resort and he was just returning home alone. When I returned his call a few minutes later; he had completely forgotten why he had actually called and was talking extremely fast. He then began accusing me of messing up the order for the e-cigs. I had to remind him that it was he that initiated the order, it was he that made all of the arrangements, and he had asked me to step in and follow up. He then screamed, "Look Woman" and I hung up the telephone. I then forwarded him an email showing that he had made the agreement with the vendor and an email clearly stating to the vendor with a copy to me which read, "I am back." This was the first time that I had heard from Andy since I stepped down from the company. All of this is documented in *the attachment William – Ecig.*

Allen Brady had recently visited Andy, Steve and Leonard on a trip to Denver to check on the status of the company since his mom owned 10 percent of Xtagged. I contacted Allen and relayed what happened; I expressed my concern over drug use and abuse. I was shocked when Allen informed me that during his recent visit to Denver, both Steve and Andy were engaged in the heavy use and abuse of marijuana. I sent out two emails. The first was a more formal email advising Steve and Andy that I was stepping down from Wiser Technology and requesting that I be removed from the website and any future emails. I sent a separate email to Andy explaining my real reason for stepping down. I then left a voicemail with Leonard explaining that I was stepping down because I had learned that both Andy and Steve were abusing marijuana and that drugs and business did not mix. I believe that Steve sent out a professional email stating that my reason for stepping down was due to health issues. Andy followed up in two separate emails to me; one exclaiming that he was running a contest of Mr. DDD (whatever) and that Daryl and I were in the finals. He also sent another email behind Steve's email stating that Steve had been too kind to me. *[See attachment 'False lies about my health' 'Airport Application and Concern about Beckie' and 'Decision to step down from Wiser Technology'.]*

The Electronic Cigarettes and the Vendor from China

At this point, I had really caught on to Andy's game and I knew that he would try to re-enter into my life with a different type of manipulation. I admit that Andy had been successful in using Daryl's blogs to upset and manipulate me and unfortunately, both Daryl and I usually fell right into his hands. Any mention of my ex-husband sends me straight through the roof as I blame him for many of the shortcomings in Daryl's life.

Andy had originally told me that he had placed an order for \$10,000 worth of e-cigs. In the initial email, he attached a receipt showing that he had paid William \$4,000. Apparently, Andy's financial situation worsened and he wanted William to reduce his order to the \$4,000 amount. I did get William to agree to send Andy e-cigs totaling \$4,000; however, he had already received the materials for the \$10,000 order. Andy could not come up with the balance.

Since Andy no longer communicated with me, he sent William an email and told him that I had stepped down from the company due to health reasons brought on by my son. He then instructed William not to communicate with me. He began sending William threatening emails. Andy then contacted me to inform me that William was a fraud. He said that his lawyer Albert had determined that William had used the \$4,000 to purchase goods for himself in order to gather enough funds to provide Andy with the remaining cigarettes. He told me that Albert had contacted William's company and that William was being fired. You can see all of this in the attached emails labeled '*William-Ecig*'. Also, check out the email and see how badly William and Sam were treated last summer. Note the Credit Card incident (*see attachment 'Sam-Ecig Correspondence 'Ecig – lies about bank break-in'*).

Rebecca Dunn's Contribution

When I first met Andy in Utah, I provided him with a wealth of information. I even put my brother on the telephone that had been successful with many businesses of own; had developed patents; had just sold a company that entailed stock options; had experience with clinical trials; had spent numerous months in China; Japan and other parts of the world. My brother asked Andy is it was his dream to be a Google or a family business.

The contributions that I made to Xtagged and especially Wiser Technology are too numerous to mention. After my first meeting with Andy, I recommended and prepared a non-disclosure agreement and developed a straw man for his organization based on his input. I prepared the following: expense and capital budget; job qualifications and descriptions; salary requirements; mission statement; goals and objectives; and various business forms.

When Andy and Steve asked me to become the CEO and after we decided to venture into the electronic cigarette market, I immediately developed a mission statement as well as goals and objectives. I developed team requirements along with job descriptions and salary levels. I looked at the immediate team to determine where they best fit and salary recommendations.

I prepared a startup budget, expense budget by quarters, capital budgets, sales projections and forecasts, assumptions, risk analysis, headcount projections, and revenue projections. I put together a sales strategy consisting of commissions, bonuses, and training. I developed sales presentations based on various markets. I also identified a professional and seasoned sales team with proven track records on both the East and West Coasts.

Steve had promised Andy a business plan; however, the document that Steve provided me only consisted of a brief description of the company and some of its products. I did begin to develop a business plan; however, when I mentioned this to Andy he questioned my authority and said that it wasn't needed. I stopped working on the plan. One needs to understand that I am in a different state and my perception of the team is completely different than what it is now. I initially thought that I was dealing with high level engineers that had graduated from Ivy League colleges and universities.

During this period I was lucky to identify a seasoned and professional development team that had once worked for Digital Communications and were in semi-retirement. The team consisted of web developers, senior and junior programmers, and a senior systems engineer that were all willing to devote their time and energy to the project. When I began to witness Andy's personality and the unprofessional blogging, I placed the various teams on hold. The team members eventually went on to work on other projects. I do have email that I sent to the sales team that I never copied Andy in on; however, I only communicated with the engineering team offline.

I identified a certified public accountant (CPA) to set up and monitor the organization using QuickBooks. I also identified a payroll organization to handle payroll, taxes, workman compensation, and benefits. (I do have email documentation concerning the firm that I was working with.) I suggested that Andy's spouse be trained by the CPA on how to maintain the company's books as of matter of checks and balances and to also serve as a backup to me until a more permanent person could be brought on board. In addition to the above, I recommended business classes for Andy's mom since she was interested in the business. (I had made it clear to Steve early on (for reasons that I cannot disclose), that I could not be affiliated with a business that Andy's mom was part of. I had only intended to be with the business for a period of five years. In addition, I communicated to Andy how he could obtain his GED as well as obtain a Bachelors degree in three years (I do have email documentation of this).

Because of the commitments that Andy said he had obtained from the various companies, I began researching warehousing. I prepared a feasibility study based on the benefits of using a warehousing company versus hiring employees to ship, receive, store and transports the products ourselves.

I had the opportunity to work with Japan on a contract with a prior company and I knew the importance of understanding their culture. For that reason, I researched the Internet and provided Andy and Steve with a document on how to effectively communicate with the business community in Asia. I doubt if Andy or Steve ever reviewed any of the documentation that I sent them. I do know that the short time that Dustin was with the organization, he did review and respond to all of my emails and recommendations. For additional contributions that I made towards the organization, please review the attachments titled '*Status Report*' and '*Tasks Performed.*'

ANDY'S ABILITY TO MANIPULATE OTHERS

I consider myself a strong and intelligent individual; however, I am sad to admit that I have absolutely no street smarts. My first observation and perception of an individual are usually correct; but, I have the tendency not to rely on my first instinct. I am excellent in investigating and analyzing; however, my final summation and regrets normally come

after the facts. I shall provide you with at least three examples that I shall live to regret for an extremely long time and probably for the rest of my life.

Major Regret Number 1.

After Andy came back into my life, I felt that we had become extremely close. He kept me in the loop on what was happening with his family. He said that he wanted me to meet and get to know his family, especially his mom. I received updated photographs of his two younger daughters. He asked for my advice on both personal and business matters. We talked about our views concerning religion. He began to tell me details about his past and we talked about my relationship with my son before his wife entered into his life. Andy began sharing his innermost secrets about his childhood and once said, "Gee, I can't believe I told you that. You are the first person that I have ever shared this with."

It was during this period that we found out that Daryl was part of the blogs. It was also during this period and shortly after Andy was coming home from trying to reserve a rental car that he received an alarming call from Steve. Apparently, Steve had just received a call from Daryl questioning his purchase of Xtagged and allowing Andy to keep fifty percent. I was told by Andy that Daryl had informed Steve that both Andy and I were scam artists and drug addicts.

In spite of all the negative treatment that I have received from Andy, I shall not divulge this information in a public forum regarding his family. It would be extremely hurtful; and I feel that I would be sinking to his level. I cannot think of any purpose that it would serve other than to hurt his spouse and his precious daughters of whom I have grown to love and respect. I know that this email will bring a lot of backlash consisting of negative blogs against me and I shall probably have to again change my telephone number and create new email addresses. I am only trying to speak the truth as I see them, to put an end to the blogs, and to protect others. I don't engage in the world of blogs; I leave that to Andy and my son.

Although I provided this information to Andy in deepest confidence, he took it upon himself to exploit it to the world. He managed to convince me that the information that I had shared with him was uncovered by an investigator hired by Steve and his team whose name was Zeb. I ask each of you to thoroughly look at the attachment '*Andy Pretending to be an investigator.*' To show how naïve I actually am, it was not until Andy broke into my email this year that I came to realize that Zeb did not actually exist. The email that he sent to Daryl under my account was returned along with a few others. These emails are all listed in the attachment [*Use of B. Dunn email without permission*]. Regardless of what has happened, I always conveyed to Andy that I loved my son as much as I loved him and that I prayed for Daryl (including his wife) and Andy each and every day.

Regret Number 2

I believe that it was in early October or late September of last year when Andy called and pretended that he was having problems with a Western Union Wire transfer to China. He asked if I could go to a Western Union in my area to troubleshoot the problem. This had been an extremely busy and exhausting day for me; however, I drove to the nearest town and they verified that the transfer had gone through. I returned home and was ready to relax when I received an alarming telephone call from Andy stating the following: "Beckie, I just received a telephone call from Albert and boy is he mad! He was just about to finalize a \$250,000 deal and the investor saw all of this stuff on Scam.com. I am meeting with Steve and Ted Haggard's lawyers tomorrow to finalize the deal for the sale of Wiser Technology. Albert told me to fire you and he cannot understand why you don't have control over your son."

I yelled back at Andy stating that I was tired; that I did not work for he or Albert; that I was sick of Wiser Technology and the bloggers; that I had told him several times that this simply wasn't worth it to me; and that he, Steve, and Albert could take their money and the company and shove it. I told Andy that this was affecting my health; that I could feel my mouth getting numb; and that I simply wished to be left alone. His response was, "Calm down, I'll call Albert. Let's look at the Scam.com website and determine what needs to be done." As stressed as I was, I found it so interesting that someone that had just found out about the scam.com site and the blogs, Andy was able to go into the site and figure out in less than two minutes that he could manipulate the site by creating a username of Scam.com1. I know that Steve felt that Andy was a genius; however, I had spent most of my adult life working with geniuses and I had not seen any signs of a genius in Andy.

At this point, I was still extremely stressed out and concerned over having a stroke when Andy called (or pretended to call) Albert on the phone. According to Andy, Albert felt that he could save the \$250,000 deal if I made a statement which Andy agreed to prepare. God knows, I certainly was not in any shape to prepare one. The next thing I knew Andy was reading something to me and I was saying "That's Correct." Andy said that he was sending the document to Albert only and the next thing I knew, it was in an Utube video. Andy wanted me to prepare a statement, and I sat calmly in a chair and began typing. I knew at that moment that in spite of what role Andy played in my leaving Utah, I had to get him permanently out of my life. I knew that if I questioned Andy, he would blow up and begin blogging against me. I think that Andy suspected that I had finally caught on to him and that I would stop supporting Wiser Technology. He sent me an email showing a blog from Daryl stating that 'He would not hire his mom to wash his dishes.' The blog also stated 'his dad had been paying me \$1,000 a month.' This was a complete lie and I did prepare a response. *[See Attachment 'Daryl's Email Regarding his Dad.']*

I am not 100 percent convinced that the bloggers were involved in Scam.com. If they were, I don't think that they were alone in placing negative blogs about Wiser Technology. I have yet to go back to review the entire blogs; however, if you would look at the attachment '*Andy Scammed Himself*,' this blog was definitely written by Andy. The other thing that surprised me was, when I tried to find a number to complain about the negative blogs, I called a number that appeared on the right hand side of the screen.

The person answering the call said that they were not Scam.com and that they ran a service to remove blogs from Scam.com for a fee. What a rip-off, I thought and reported this information to Andy. The following morning, Andy called to inform me that Scam.com had contacted him to apologize and that they were willing to remove the blogs for a fee. When he told me that they had several options to remove the blogs averaging from \$50 to \$5,000 a month, I thought that this would be an excellent story for 60 Minutes. I prepared a document detailing what had happened; however, Andy did not take advantage of this opportunity. He later told me that Leonard was busy handling the Scam.com lawsuit where we expected to get millions and that he was allowing Leonard to keep a large percentage. I still find it strange that for someone that is always so willing to file lawsuits, Andy quietly stepped away from this one.

The following Saturday, Andy said that he did meet with Steve and the lawyers representing Ted Haggard's organization and that he decided to turn down the offer because they wanted \$1M for all of Wiser Technology. He did say that one of the lawyers said that we had a major lawsuit against Scam.com and that they would be willing to represent Wiser Technology; however, Steve had decided to go with his own legal team. During this period, Andy also said that Steve was upset that Andy was not including him in any of the meetings with the potential investors. He said that Steve was also upset when told that he would only get one percent of the company.

Regret Number 3

Last year I was convinced that the blogs were having negative impacts on Wiser Technology as well as Andy's health. I had witnessed Andy's suffering over the telephone and I created a form for him and Steve to use showing businesses that had agreed to use our e-cig products and cancelled after reading the blogs. Andy convinced me that Albert wanted me to contact Daryl's lawyer to see if he could convince his client to cease blogging. He said that Steve had already made the telephone call and that the new owners had agreed to represent me. Subconsciously, I knew better prior to making the call. I think that I was more concerned about Daryl being hurt or Daryl losing control in court as I had seen him lose control while I was in Utah. Prior to making the call, Andy had informed me that he had relatives that were ex-gang members in Utah. According to Andy, they were beginning to come out of the wood work after hearing how Daryl had prevented them the opportunity to make a lot of money. He said he also had an uncle or cousin that was still behind bars. In addition, Andy told me that Daryl had showed up at Allen's house who reported that Daryl was on the verge of snapping or having a nervous breakdown.

I did everything that I could to try and convince Daryl's lawyer to persuade Daryl from blogging and that I was concerned about Daryl appearing on the witness stand. I even sent a letter to Daryl threatening to expose him. Andy pleaded for a copy of the letter which I never provided unless he obtained a copy when he broke into my AOL account. I felt that I needed to provide Andy with proof that I had contacted Daryl's lawyer and I forwarded him a response that I had received from Daryl's. Much to my regret, Andy

used this opportunity to exploit my name and Daryl's lawyer's name and has continued to this day to send Daryl's lawyer harassing emails.

The ways that Andy tried to manipulate me are too enormous for this document. I can tell you that I received a call earlier this year stating that Albert wanted me call Daryl or Daryl's lawyer for something and my comment was, "You know Andy, I don't even know Albert's last name. Why don't you have him call or email me?" The following week, Albert@wiserlegalteam.com was created. I think that it was in March when Andy called me and said that someone needed to convince Daryl to get help and that Daryl was on the verge of a nervous breakdown.

The Creation of Emails and Sending Them Out without my Prior Knowledge or Permission

Andy has the habit of creating emails and other usernames and sending them out without the user's prior knowledge or their permission. I realized this when I first got involved with Xtagged and I saw emails pretending to be sent by Steve. I had not met or spoken to Steve; however, I assumed that Steve did not use language such as 'I seen.' Andy does not have a command of the English language and has the tendency to misuse and overuse the exclamation point.

I realized a few weeks ago when I was cleaning out and transferring emails from my Wiser email account, that several messages had been sent out from a user pretending to be me. Anyone that knows me can tell you that I am not a sloppy writer. I have established and implemented several documentation departments and would never send out an email in this cut and paste format to the public. Look at the attachments titled [*'Emails without R.Dunn permission'*]. I know absolutely nothing about this email and it was sent during a time where I was not reading my email or communicating with Andy. Look at attachment titled [*'I did not write this'*]. This is a cut and paste letter to Mitch Thrower. In the same attachment, you will find my initial response to Andy regarding Mitch Thrower and Bump. Take a look into [*'Emails without B. Dunn permission'*] that shows where Andy gained access to my AOL account. Look at [*'Dean&Infotag.com,' 'April Emails'*] also see [*'Maria Carey Video'*] of Andy pretending to be Steve. These are emails pretended to be written by Xtagged legal team headed by a Dean and emails pretending to be sent by Steve. There is also an email that I sent to the Wiserman; sorry Shar, I did compose or send this email. I don't know if I included this; however, there is an email response to me from a Cory regarding the Wiser E-cig. Andy needs to understand that this is considered forgery which is a crime.

Bump and Mitch Thrower

Andy did want me to contact Mitch Thrower and he put my name in an email to Mitch Thrower without my prior permission. Someone did call me at home; however, I had not reviewed the websites that Andy referred me to at that time and did not feel comfortable in commenting on it. I did send Andy an email commenting on the subject and asking key questions about the patent (see attachment titled *'I did write this'*). I suppose Andy

became impatient at my lack of response and decided to create his own email pretending to be me (*see folder Mitch Thrower and Bump*).

One weekend, I did take time to review the website in question and based on what I saw and what I knew of Xtagged, the site did contain a lot of Xtagged original ideas. I told Andy that I saw in a video interview where Mitch Thrower was asked how and when he came up with the idea to use car tags and his response was in 2009. I didn't feel that this justified a lawsuit; however, it might be more of an embarrassment or a misrepresentation of the fact.

Andy's Tendency to Abuse Trademarks

Andy has the tendency to abuse trademarks and to try to destroy those that choose not to do business with him. Shortly after coming aboard, I sent Andy an email advising him of my concern of using Buzz and Wiser (*Look at attachment 'First contact concerning ownership' 'People that recognized Andy's Scam'*). I also sent him another email April 2010 asking if he had permission to use certain trademarks. This was also during the time when Andy had angered Dustin who had discovered that Xtagged LLC was not registered and commented that he might register it himself. Dustin was angry and had every right to be; I found during the brief period that I knew Dustin, his bark was much bigger than his bite. (*See the file Karmacurrency Scam*). In this document, I had just reviewed Karma Currency that was on the xtagged website and saw that it was out of Australia. I thought previously that this had been one of Xtagged's creations that Steve had brought to the company.

Andy also has a tendency to destroy others particularly when they decide not to do business with him. This happened last fall when Andy decided to go into the water bottling business. He was able to find a church that was based on helping ex-inmates that also served as board members. Andy wanted me to call the pastor and provide a recommendation for him. After he did his presentation to the church, the ex-inmates told the pastor that they did not trust Andy and recognized his behavior as being the trait of a scam artist. However, the pastor conveyed to me that he still wanted to help Andy; he believed in the cause; and felt that he needed more time to demonstrate to the other members that Andy was indeed real. I had conveyed to the minister that I had only seen Andy once in person; however, he frequently spoke of religion. The pastor then asked me if I felt that Andy was a practicing Christian. I simply told him that I could not answer that question and that it was up to Andy to prove himself; after all action speaks louder than words. Once the pastor informed Andy of his decision, please see how Andy responded in the attachment [*'People that recognized Andy's Scam'*]. Andy then tried to convince me to call another pastor that he met within the church; however, I did not make the telephone call.

Andy's History of Destroying Others through Email

Andy appears to have a long history of destroying others through email [*See attachment 'Andy's history of destroying others'*]. Although I have placed an 'X' through the

person's email address, note what Andy posted on a previous girl friend. He also posted a similar document on his twin's mother; however, out of respect for the children, I will not provide this email.

Andy's Treatment of his Family and Members of his Team

Mistreatment of family

I have criticized Andy on numerous occasions of his treatment of his mother. He is constantly making negative accusations against his mom when she works her heart and soul for him to keep him afloat. Last January, Andy accused his mom of giving him pain medication without his consent. He sent me a text message that read, 'Beckie, I don't trust her.' Andy took a trip to Utah in the winter of 2010 to meet with the head of Omniture. He called me screaming, using profanity and accusing his mom of stealing \$800 that had been left on a table. He said that the funds were intended for me and that his mom only took the trip to Utah to obtain \$10,000 to provide her lover.

Last summer, Andy called and said that he had thrown his mom out because he saw her going in and out of storage. In March 2011, Andy informed me of some of the nice things that his Mom had done for his family. I then asked, "Andy, do you ever do anything nice for your mom?" He didn't understand the question and I provided him with examples. I told him that I knew funds were tight and suggested simple things that he could do to show his mom that he was appreciative. I asked him to promise that he would do something kind and special for her.

Andy constantly complains about every member of the team and his family including the uncle that was kind enough to try and take equity out of his house to get the company a loan. Last December, I suggested that Andy sit down and make peace with his father after he claimed he had a major anxiety and panic attack.

Mistreatment of Team

I honestly don't know why Steve has hung around and tolerated Andy for so long. I posed that question to Dustin shortly after I began speaking to him on the phone. Dustin's answer was that Steve was there to constantly clean up Andy's mess. I then asked what Steve expected his reward to be and Dustin's reply was "Steve wants Xtagged." Steve did admit to me that he wanted to take Xtagged, make it successful, and give it back to Andy to show that not everyone is out to destroy him. Andy has tainted the Xtagged brand. He failed to complete the patent. The technology is now in public domain. Why in God would anyone want to hang around when they could create a new company and not have to suffer this aggravation? Could it be that team members know that if they were to leave, they will be exploited and harassed all across the Internet and Utube?

Andy constantly complained that Steve was lazy, that he spent too much time at his house, and that he has had to go to bed and leave Steve sleeping on the sofa. He

constantly reminded me that the only reason that he kept Steve around was because he needed a white boy to be the front man. Then there are times when Andy states, "You guys are wrong about Steve" of which I generally respond "Why Andy, I've never met Steve and I have only spoken to him about six times. So any opinion that I have of Steve is simply based on what you have told me."

Last summer, Andy told me that since marijuana was legal in Denver that he was interested in vaporizing it. I listened to his concept and told him that whereas I can understand the debate over marijuana; I still was not convinced that it should be legalized. I told him that I had seen how the substance had lead to stronger drugs. Last summer, Andy called to inform me that Steve was coming over and that he was going to get Steve to try the vapor form of the marijuana drug to help him relax. I was completely against the idea and told Andy that I did not wish to hear anymore about the topic. Andy laughed and took this as a joke and expressed that I was too conservative. The following day Andy called to inform me that he had introduced the drug to Steve and laughed that on the first try, Steve had inhaled too much. He then said that the next night Steve came back to his house to try the drug again. When he found out how much I was against the idea, he insured me that he would not try the experiment again.

Shortly after the Scam.com incident, Andy said that Steve stopped by his house with two pretty Russian Mafia guys and tried to pressure him into accepting an offer for Wiser Technology. He later said that Steve told him that he had simply been a front for Ted Haggard's organization who wanted the Xtagged technology; however, he wasn't willing to lower himself to their standard in abusing Andy. So, since I have not met these young people; I only know what Andy tells me or through the few emails that I have seen from Steve. In all of the emails that I have seen from Steve, he appears to be an intelligent and professional young man that was adored by his mom and loved and respected by his dad.

Andy constantly laughs at Allen and tries to manipulate him every chance he gets. Last fall, Andy tried to get me to persuade Allen to take Wiser Technology under his mom's bus company and give it back to him. I could not do that to Allen, nor could I do this to the rest of the investors when I found out that the bus company was having financial problems.

My MAJOR concern right now is I feel that Andy might take advantage of John Steer's younger brother and his brother's friend that are only eighteen. These kids are at an impressionable age; they are innocent and extremely talented with high potentials. I stated my concern to Allen a few weeks ago and I also expressed my concern to Steve in an email.

Andy's Illnesses

Many people would question why I hung in there so long with Andy. I think I explained how I attributed Andy to saving my life. What I have not mentioned is after the Vegas ordeal, I did resign and Steve asked me to stay on. For some reason, Steve stopped communicating with me. Late last spring, I called Andy's house and asked if he had a

cold. He responded that his heart was racing and that he wore a wrist monitor. I asked where the family was and Andy stated that they were still asleep and that he was unable to wake them up. I began talking to Andy about anything that I felt was pleasant, and he then informed me that his heart rate had gone down.

This began happening more rapidly and each time it occurred Andy called me. He admitted that he had suffered from severe panic attacks as a child and that he had not had one for a very long time. Each time he called me, we began to explore his past. The negative blogs continued and Andy and I realized that they were deeply affecting him. He was in a lot of pain both physically, mentally and emotionally. We spent several weeks and many times over eight hours a day just talking on the phone. It was during this period that Andy said that he wished that he could talk to Daryl's father. He commented that he felt that John was not a bad guy. I stated that I never said that John wasn't good at his profession; I just didn't think that he was a good person.

With Andy's permission and insistence, I eventually decided to talk to John about Andy's issues. At this time, Andy was without any health insurance and John amazed me by offering to pay Andy's way out to the East Coast to spend a weekend with him. John was going to have one of his professional colleagues run some tests on Andy and perform some evaluations. John had also agreed to conduct some professional therapy sessions. I was amazed and a bit annoyed that John was willing to do this for a stranger when he didn't appear to be interested in helping his own son. After all, he had flown his own son out to visit him and did not make any attempt to try to get his son to reconcile or get in touch with his own mother.

Andy decided that he did not wish to fly out for his fear of flying and chose to drive out instead. I felt that this would limit the amount of time that we would spend together; however, I was anxious and excited to see him. John had planned for Andy to spend time at his house; and I was looking forward to having Andy spend time with me relaxing at the lake. I was also looking forward to showing him the east coast and had planned a trip to the ocean, the District of Columbia, Atlantic City to visit the casinos, and New York City. Andy appeared extremely excited about the trip as well. However, when I asked if he could be more specific about the dates so that John could adjust his calendar accordingly, Andy freaked out. He then called me and said that he had spoken to Albert and Leonard who stated that this was a conflict of interest since Daryl was John's son and that he was going to take John to court.

During this period, Andy's mom had disabled all of the computers in the house so that Andy could not access his email. This meant that since Andy controlled everything and I did not have access to Xtagged, there was no way to conduct business. I was also spending all of my time being a therapist and nutritionist to Andy by telephone. We were due to launch the Wiser E-cig on Independence Day which was fast approaching. I asked where Steve was and he informed me that he seldom saw Steve. Shortly after the incident where Andy spouted about taking John to court, he appeared to have recovered. The next sign that I saw of his sickness was after the dispute of reimbursement for my expenditures. He had his spouse call me and I could hear Andy screaming in the

background “Xxxx, Xxxx, tell her not to call me; I’m taking her to court!” I kept repeating, “I love you Andy.” He had his spouse call me back and he was yelling in the background and then he fell down and broke his glasses. During the entire ordeal, his spouse seemed extremely nervous and frightened to the point that I did call her back a few minutes later to ensure that she was alright. From my end, I felt that Andy was having a nervous breakdown. His spouse did slip and call me once when Andy asked her to edit something for him and she asked for my help.

I began receiving calls from Andy again throughout the year stating that the attacks had continued to occur and that he was in and out of the emergency room. There was a period where he purchased a juicer and he reported that he was feeling much better. Then I would receive an agonizing phone call that his mom had purchased a sandwich from Subway and asked that peppers be included; or, his mom took him to lunch and insisted that he have a hamburger or steak all of which made him extremely ill. During each ordeal, he would refer to his mom as being ignorant which I found horrible and I would scold him.

The choir that I sing in was required to sing for the midnight candlelight service on Christmas Eve and I woke up early Christmas morning and drove to see my family. In the afternoon on Christmas Eve, I decided to check my voice mail and there was a voicemail message from Andy’s spouse. The message stated that Andy had another attack and had to be rushed to the emergency room. Andy had his spouse inform me that he wanted to wish me a Merry Christmas and he did not want me to become alarmed if I were unable to reach him. I think that I received two additional telephone calls from Andy in 2011 regarding his attacks. He would usually call to tell me that he felt an attack coming on and that his mom was leaving work to take him to the emergency room. Once when calling, he informed me that he was sick of going to the emergency room and that the trips were extremely expensive. On one occasion, I wondered if Andy was telling me the truth because he appeared to have recovered rather suddenly. After Christmas, I received an email what was supposed to have been sent from Andy’s Spouse. After reviewing the email more carefully, I can tell that it was definitely written by Andy [*See Attachment ‘Christmas Hospital Stay’*].

Xtagged Technology

I had never liked the Xtagged Website and last spring, Dustin and I both agreed that it was unprofessional in appearance. We discussed how the site should be designed and displayed to the public. Unfortunately, because of Andy’s treatment of Dustin, he left the company. [*See Attachment ‘Dustin R.’*] Last summer, Andy said that he had hired a team of young developers that were creating two new websites. One site was for Wiser Technology and the other site was for Smoke Wiser Live Longer (SWLL). The SWLL website had numerous typos and it took days to communicate errors to the developers which turned out to be Andy. Last summer, Andy had convinced Donna to work with us and her first remark was how unprofessional the website looked.

Steve had taken over ownership of the website and in my opinion; the appearance seems to have gone from bad to worse. I then decided that I would purchase the book 'Designing Websites for Dummies' and learn HTML. In the process of ordering the book online, I came across WIX.com and began exploring it. Within one week, I had mastered the software and began compiling information on the technology that I saw on the Xtagged portal. I wrote a description of each technology as well as information that Steve had provided me earlier when I became the CEO. I then created a website that I felt was good enough to pass along to a developer to give them some idea of the type of site that I was looking for. I was so excited with my work that I decided to share it with Andy who then sent out an email stating, "Look what Beckie did!" I told Donna that I had completed a website that in my opinion looked better than the Xtagged site. I told her that she could probably use it in the interim. We ended up not working with Donna.

I asked Andy how the professional website that the developers were working on was coming along and a few weeks later, he sent me the front page of the new Wiser Technology Website. I found the music annoying; however, I was excited to finally have a website that represented Wiser Technology. At this point, there was only the front page to the site and Andy said that the developers were still working on completing the site. Andy simply found another website template such as WIX, used another template, added some new headings, and transferred my information from WIX into the new site. The transfer was sloppily done because it was copied from WIX, the site contained numerous errors and spacing, and Andy still insisted that the work was done by the developers.

Initially, I began receiving email from Andy asking me to review the website and to send any recommended changes to INFO@wiser. I think that Andy became tired of not being able to keep up with my changes that he decided to provide me with the password to go in and make the changes myself. The site operated the same as WIX; there were certain elements of WIX that I liked better. I still needed photographs especially of the car cover that I had been asking about for months. I had received a request from a neighbor that was an adjustor for GEICO that wanted a brochure to put in front of a key executive at the company. The adjustor loved the concept and saw how the technology could work. Nonetheless, that is how the Wiser Technology website got created. I did not like the things that Andy added and one weekend, I went in and cleaned up the site as much as I could under the circumstances. I never asked Andy for the password nor did I ever abuse the password as he suggested in his email. There have been many occasions where Andy has offered me his password to Netflix to watch free movies. One night during the summer, Andy was extremely appreciative of my being there for him during his illness. He had his spouse call me and offered me the password. I purposely did not write the number down as I did not wish for it to come back and haunt me later. If Andy wanted me to watch a particular documentary for him, I accepted the password for that documentary only.

The Xtagged Site

I think everyone knows about the Xtagged site and therefore, I will not comment on it. My concern was whether or not the people were real on the front page of the site. I did

not like the way items were displayed on the site; it was extremely cumbersome trying to type in information as it did not allow for paragraphs; I felt there should have been a way to rotate users that appeared on the front page; and I also felt that the front page should have been reserved as a demonstration page to show potential customers how their portals could be used. I thought that all of Andy's little miniature briefings were unprofessional and that there was a better way to present new technology. The old site had a page called Xtagged Owners and I was shocked at the representation of it. I already mentioned that Dustin was prepared to clean up the site and make it more professional [*See Attachment 'Dustin R.'*]. Nonetheless, I thought that this was a decent first attempt for an amateur on limited funds.

I want you to review the attachment [*Threat to terminate Trunews'*]. The attachment will show where I am trying to get reimbursement from Andy. I basically had to threaten him by demanding that he remove Trunews from the site. I think that my entire compensation for Xtagged and Wiser Technology has amounted to less than \$1,000.

The Car Cover

I became familiar with the car cover through the demonstration on the Xtagged website. Last spring, Andy sent me a photograph stating 'it is here.' It appeared to be a simple cover on a vehicle in a car lot. Last summer, Andy found a person that had invented a car cover with a remote control; he called me late one night and asked if I would make a telephone call and present him to the owner of this technology. This individual was from the Middle East; he was a professor or owner of a local university; and had developed many patents. He was very familiar with Andy's car cover and said that it was taken from an idea that came out earlier and that Andy had enhanced it. The person did meet with Andy and I did follow up with him. However, the individual felt that Andy had the personality of a hungry car salesman and wasn't interested in pursuing business with him.

Andy told me that he had a prototype of the technology and I continued to bug him for a photograph for a brochure that I had created. I think that it was last November when Andy tried to come back into my life after the smoking of weeds incidence. First he told me that he was on vacation with his mom and her new finance in Mexico. I emailed Andy a link from MSNBC news that reported on the violence in Mexico. I then called Allen Brady and predicted that within a few days, Andy would be emailing me stating that he was in the same location to help out the people in Mexico. Sure enough he did.

Within a few days or less, there was an email to me and Leonard from Andy stating that he was helping the cause in Mexico. (*See attachment 'Car cover'*) He then called me stating that they were driving back from Mexico and testing the new car cover. It appeared there were a van, the actual vehicle being tested, and the Wiser Mustang that had broken down. Andy was talking to me while crossing a dangerous street while another van was pulling the mustang. Shortly thereafter, I received a new photograph of a car with a cover. I immediately searched the Internet and the car cover was identical to the ones on the Internet. I think the first time he called; he was in a Wendy's. The Internet does not show any Wendy's in that part of Mexico. The weather channel also

did not show any reports of a hailstorm. It was quite obvious that the photograph was taken in Denver. Andy asked if I felt he should place the new car cover on the mustang for the website and my answer was a definite yes.

Chimera Phone

I have not seen this technology. I've only seen a photo. I did ask Donna if Andy and Steve demonstrated any technology to her last year when they met. She said that she did see the Chimera phone which she felt was very impressive.

Wiser E-cig

I worked on this project from beginning to end; however, I did not work on the technical portion. It was my understanding that it was still in the conceptual phase. Based on information from 'Gary Thebus', alias Mr. Busman, a prototype was created and demonstrated at the July 4 launch last year and the final product was to have been released July 2011. Since I am no longer in communication with the group, I have no idea. Since I learned that Gary Thebus is simply an illusion, I definitely would not trust his information. Andy did have John Steer send me twenty packets of the products and I am now receiving harassing telephone calls from some pretense credit bureau.

As a side note, last year we needed someone that had clinical trial experience. I knew that Daryl's father had done cancer research in the early part of his career. I asked if he had experience performing clinical trials and the answer was yes. Andy's uncle had agreed to take out a loan at the bank that would have allowed us to order the e-cigs and cover a portion of the clinical trial. The bank said that they would increase the loan if we included a proposal showing that we were going to do a clinical trial. John agreed to draft up a proposal and have it to us the following Monday. We, in turn, were going to pay him to do the clinical trial using colleagues that he knew from Loma Linda University in California.

Andy and I decided that the interest rate that the bank wanted to charge his uncle was too high and it would have placed his uncle at a great risk. We felt that if the deal went sour, Andy would live to regret it. Prior to John working on the document, I had provided him with a background and history of regular cigarettes and the electronic cigarettes to help him with his clinical trial proposal and a lot of other information that I had accumulated. I may have provided him with briefings that I prepared as well. When I told him last year that I was working on a white paper based on placing a manufacturing plant in North Carolina, he kindly asked if he could see a copy. My reply was no. During this period, I spent an enormous amount of time reviewing the FDA website and becoming familiar with clinical trials. John did not come close to having clinical trial experience. John did not receive any payment from Andy as was cited by Andy in a blog [*See attachment 'Constantly Giving Away Ideas'*]. I learned two months ago by accident that John is now trying to sell his own brand of electronic cigarettes. I would not doubt it if he is also trying to produce a clinical trial. I have always described John as a sly fox in a hen house

and more concerned about things than friendship. As they say, a leopard does not have a change of clothing.

When Andy called me three weeks ago, he informed me that he had sold the Wiser E-cig and that my funds would be held up until court. I have no idea of what is happening with the product; I did receive an email recently that the Wiser E-cig store is now open and Andy is blaming the delay on the bloggers. I saw an email earlier this year that all of the e-cigs had been sold out when Andy had yet to receive his first order. I haven't checked into the website since probably January or February. When I received the Wiser E-cig from John Steer, I noticed that it had the lettering 'TM' on it representing trademark. I wasn't aware that Andy had applied for a trademark for Wiser.

I did put together a white paper showing the advantages of placing a manufacturing plant in North Carolina or Virginia. I know that Andy has been distributing this document; I also have reasons to believe that he is distributing a copy of my resume without my permission. I turned the white paper that I developed into a formal and detailed proposal several months ago; however, I have not distributed it to anyone. I might add that Andy has offered a lot of enhancement and innovative ideas to electronic cigarette technology.

The Auction of the Wiser Mustang

Shortly after implementing the Wiser Website, Andy ran a contest for the auction of the Wiser Mustang. I think in December of last year, he mentioned auctioning off the Wiser Mustang for another cause. I reminded him that he already had a contest going. "That's ok," he replied. "They are only my cousins." He then told me later that the mustang actually belonged to John Steer and that he was going to drive it to Houston, TX and stop by to spend some time with me. I have no idea what is happening with the mustang. I believe that it is still in Andy's possession. When he called me July 2011, he told me that a friend wanted to borrow the Mustang in exchange for a bright Charger that he was driving when he called me.

Gary the Busman

Last year, I decided to go back and review the documents that Andy had asked me to edit. One consisted of a response to a blog that he sent me when he first came back into my life concerning Rjion. Another was a blog that he had emailed me after last year's July 4 launch. It was from a person named Gary Thebus that had attended the launch.

Apparently, Gary was so impressed with the Wiser E-cig that he wanted to write a blog; however, he was extremely embarrassed about his writing and would only post the blog if Andy had someone edit it for him. (Gary was also going to be part of an infomercial that I had completely forgotten about until I saw it in the email string that Andy had pulled off of Daryl's website.) In January 2010, I had received a similar request from Andy regarding a homeless person. I took time to review the three documents and determined that they were all written by the same person. In the last email that Andy sent me, he basically admitted that these people were not real. [*See Attachment 'Gary the Busman' 'Admission to Recording Others'.*]

The No Phone Zone

I took this document to be real since Steve was backing it. Steve wrote the blurb on how the device worked and it was my understanding that it was being endorsed by the Denver Police Department. I did hear Andy state that Steve was upset that Andy had not completed the application.

I do want you to see how Andy tried hard to manipulate himself back into my life in September. Please review the attachments '*No Phone Zone.*'

The Airport Application

I know absolutely nothing about this. I did not think that this was a good idea and I also felt that it was another one of Andy's trick to re-enter my life [*See Airport Application and Concern about Beckie*].

Karmacause

Andy came up with the ticker box in December I think. I noticed that he had my name listed on the website as the CIO and I had him remove it. He did ask me to edit something for him and I agreed to do so. He still insisted that Wiser Technology had been sold and that I was going to make out like a bandit for all of the work that I put into it. He said that he had taken 50 percent of his profits and placed it into the organization. I wondered how he could afford to put 50 percent of anything into an organization when he could not come up with \$4,000 to obtain the balance of the electronic cigarettes from China. I received an email on January 27 stating I had been removed from the website [*See Attachment 'Removal from site and promises of reimbursement*].

It had always been Andy's idea to have a non-profit organization dedicated towards karma. I told him that he first needed to establish a non-profit organization and that it needed to be a separate entity from Xtagged or Wiser Technology with its own board of directors and bylaws. I am not certain if he ever understood this requirement.

Xtagged Ownership

I devoted a great deal of my time to Xtagged and Wiser Technology. It was only after going back through and reviewing all of the email that I question whether or not Xtagged was ever sold. Were there ever an offer for Xtagged and if yes, who made the offer? Are there documents certifying that Andy received a firm offer from an investor? Is there proof of a sell other than what I've heard from Steve and Andy? Was Ted Haggard ever interested or serious about the purchase of Xtagged. Did he provide Andy with a retainer as a good faith offer? Were there conditions associated with the sale?

With each sale that Andy has come up with, each investor has allowed him to continue to speak on behalf of the company and each investor has tolerated his blogs. Since I've

known Andy, he has sold Wiser Technology at least six times. I always hear, “I know something that you don’t know.” Well, according to Andy’s own emails, I am a major stakeholder and owner; therefore, I feel that I deserve the right to know. I think that Xtagged investors have the right to know.

There are other reasons that I question the sale of Xtagged. Look at the attachments *‘The sale of Xtagged – Part I’ and ‘The Sale of Xtagged’ Part II*. In ‘The Sale of Xtagged – Part I,’ it is Andy that is pretending to be the legal department announcing the sale of Xtagged. Notice the appearance of the Xtagged Legal team when Allen Brady’s mom becomes upset with Andy when he did not show up at a meeting [*See Attachment ‘Allen Brady’s Mom and Attorney Dean’*]. Suddenly, the owners decide to part ways with the deal; however, it is Andy making this announcement pretending to be a person named Dean. This is very obvious to me now; however, I was oblivious to it when I first came aboard. Andy told me throughout last year that Steve did not have any funds. In fact, according to Andy, Steve had to borrow from his initial \$5,000 investment. So, if Steve had to borrow from his initial \$5,000, how could he afford to purchase Xtagged for \$500,000? Andy said that Steve’s father was putting up the funds and perhaps this is true. However, could Andy sell Xtagged to Steve without the prior permission or notification from a major stakeholder? I was told by Allen that his mom owned ten percent of the company and Allen always complained that he was not kept informed. I don’t know the answers to these questions; however, I felt that they were worth asking.

Tasks Performed and Ownership

Andy is always quick to point out in his emails that Daryl’s Mom never put a penny into Xtagged. I probably put in more hours, added more contributions, and more added value that can be clearly documented than anyone else in the company (Please see attachment ‘Tasks Performed’). I do have documentation of Andy’s work because he was behind the technology and we communicated daily; however, he constantly responded to Daryl’s blogs. I do not have any documentation of Steve’s contribution other than from time to time, Andy created new companies using Go Daddy and put Steve in charge of something. Had I not spoken with Steve about six times, I would have no idea that he even existed. Andy, himself, admitted to me last month that he was abusing weed three times a day. Both Andy and his spouse admitted to Steve’s heavy use of marijuana; how then were they able to function? Andy also stated several times that he seldom saw Steve. If this is true, then they were more of a liability to the company than an asset.

Last June, I put in long hours to keep the company afloat while Andy was dealing with a crisis concerning panic attacks, ulcers, post traumatic stress, and God knows what else. Not only was I working to keep the company afloat, I also supported Andy with his personal trauma normally staying on the phone with him from 8:00 a.m. until 3:00 a.m. the following morning. Last year in the late spring, Andy called and left me a voice mail stating, “Beckie, please do not delete this voice mail. I am granting you 50% of the Wiser E-cigs. I only ask that you use part of the proceeds if it is ever sold to promote Karma Causes.” Let me break this down for Andy in a language that he may be able to understand in terms of ownership.

Allen Brady's Mom and Andy's aunt in California own about twenty percent of Xtagged. Steve owns a small percentage because he took out a loan on his initial investment. Isn't this illegal? Then Andy created a new name for Xtagged without alerting any of the owners, particularly those that were major stakeholders. Andy has given away most of his ownership to Albert, William in China, Andy's mom, Beckie Dunn, and God knows who else. As for Wiser Technology; I came up with the idea of combining all of the technology and Andy paid less than \$300 to form the LLC. I have documentation that I did most of the actual work and Andy did most of the screw up which included discrediting the company and its name. I left Wiser Technology last year over concern about Andy and Steve abusing drugs. Since that time, I've had major concerns about the technology and whether or not it actually exists. Nevertheless, let's look at the overall contributions and ownership:

Xtagged majority ownership includes: Allen Brady, Andy's Aunt in California, and small investors. By the way, Andy finally admitted to me last spring that Rjion actually did give him \$5,000. He should remember that conversation of which he stated "I probably should have returned the funds back to Rjion at his request; however, he made me so mad that I decided not to write him a check." You also admitted that you regretted this mistake.

Wiser Ecigarettes ownership includes: 50% Beckie Dunn and less than 40% Andres Esquivel. I say less than 40% because according to Andy, he gave William in China a percentage of Wiser Technology; he gave Leonard a portion of Wiser Technology; and let us not forget 'Dear Old Albert.'

Mr. BuzzWiser – According to Andy's own documentation, he gave the Zebster ¼ of the company and also a portion of Xtagged. There is an email attachment [*Andy pretending to be investigator*] of Mr. Zebster stating that thanks to Andy, he will never have to work again. This email also mentions Platster and Bump. This *attachment is titled 'Andy granting ownership.'*

Based on this information, I would have to say that Andy owns a very small minority of the company and I highly recommend that the rest of the owners get together and kick him out because Andy is a high risk and has SEVERELY contaminated the company and its image. He also put the company at legal risks and subjected it to numerous lawsuits. Quite frankly, I am not certain why the investors even want Andy aboard or the name Xtagged. Since he failed to complete the patent, the technology is open to public domain. Why would anyone with common sense want to stay in a business controlled by a maniac when they could use their energy to create their own company?

Steve's friend Dustin is a talented individual and the short time that I did know him, we were able to communicate effectively on a technical level. If Andy had used Dustin effectively and not abused him, Xtagged would be where Platester is today. I know that Andy's pride would not allow it, and I doubt if Dustin would even be interested; but, Dustin and Steve could be tremendous assets to the organization. They know the

technology and more importantly, Dustin knows key developers that could turn Andy's concepts into reality and put the technology into the market place. Wiser Technology is missing a great opportunity that has been mostly plagued by Andy's and Daryl's blogs.

Don't get me wrong, Daryl and his team also played a key role in not only exposing Andy but also damaging Wiser Technology. You have to admit and you cannot overlook the fact that most of the fatality of Wiser Technology was brought on by Andy himself. It was Andy that Blogged about Wiser Technology, Wiser E-cig, and the Chimera Phone when Steve and I agreed to keep Andy and myself in the background. In an email, Andy accuses me of giving out passwords, when I have emails showing that he forwarded passwords to every Tom, Dick and Harry on the planet. He needs to recognize, and I doubt if he will, that HE WAS AND STILL IS a risk to Wiser Technology. He needs to recognize that he has an illness and he desperately needs to seek help. I invite Andy to review some of his emails exposing passwords. In reviewing the documents, I hope that he can come to realize the negative impact of drugs and how they can negatively impact the clarity of thought (*see attachment 'Constantly Giving Away Ideas'*). You will also note in several of the attachments, I am asking Andy to seek help [*See attachment 'My first and second departure from Xtagged'*].

Xtagged, Bump.com and Plate.com

My understanding of Xtagged and its relationship with Bump or Plate tag is relatively simple and can be documented by the emails that Andy sent out a few months ago. Apparently, Andy was contacted by one of the owners of Xtagged who came across an article showing that another company was using a social media idea based on license plates. Andy then responded in an email to all xtagged owners with a letter attached from his patent lawyer stating that the Xtagged patent would be cancelled unless Andy paid the additional fee that was required [*See Attachment 'Mitch Thrower and Bump'*]. Andy cites that his reasons for not paying the final fee for the patent was because after doing research he and Steve discovered that the software had flaws and did not work. Because Andy decided not to pay the fee, which I might add is customary when applying for a patent, the idea for using license plates in the form of social media became what is known as public domain. This means that the idea was unprotected and free for anyone to use. By the way, the average time to complete a patent is three years. I did check and the fee that the lawyer charged is the normal amount. Perhaps the real answer as to why Andy cancelled the patent is he simply did not have the cash.

Experienced Software developers and anyone that has worked in a development environment are familiar with the System Development Life Cycle. An experienced developer will take time to fully research a project in the early phase of development better known as the Requirements Phase. It is in this phase of development that project managers determine the positive or negative impact on the environment, etc. It is at the end of this phase that a decision is made whether or not to continue with the project. Many things take place in the Requirements Phase that I will not take time to go into. Once the Functional Specification and Coding have taken place, the product is then tested

thoroughly to look for bugs, Trojan horses, etc. Any bugs that are not caught prior to the software being released to the general public are applied in later releases.

If it was Andy's decision to cancel the patent because he no longer believed in or trusted the idea, he probably should have informed all of the members. He has no reason to gripe that another company took the idea, ran with it, and from what I can tell is making it successful. This company that I am referring to is Plate.com and it has an extremely attractive and professional website. The one thing that did disturb me about the Plate.com site is the owner appears in many technical articles and videos stating that he came up with the idea of using license plates as a form of social media in 2009. Andy has documentation on the Xtagged website as well as Fox news that dates back much earlier. Many of the ideas discussed on the Plate.com website were discussed with me prior to 2009. I would think that this would be an embarrassment for the owner crediting himself with the idea.

Andy claims that others stole the idea from him. The one meeting that I had with Andy took place in my son's breakfast area in Utah. At that time I cautioned Andy about talking about any of his ideas without having the other party sign a non-disclosure agreement. I then had my brother provide me with one and tailored it to fit Xtagged until Andy could have one drawn up professionally. It is my understanding that the person that Andy is now accusing did not sign a non-disclosure agreement. Even if he had, I am not certain that it would stand up in court because he cancelled the patent which I believe expired last year. He has his own written email documentation that he cancelled the patent because in his own words, **"IT DON'T WORK!"**

The fact that another company has taken the license plate idea and appears to be turning it into a success story (**and figured out how to make it work**) further documents the fact that the Xtagged concept was a brilliant one. If you check out the company's website, they are turning down potential investors and hiring top developers. It would not surprise me at all to see an announcement that this company has turned into a billion dollar empire. I personally feel that with or without the patent in place, and with the right team, Xtagged could have been a billion dollar corporation. Many of the ideas that Andy advocated, such as housing all social media under one roof, are now being incorporated into other major social media websites. The idea of forming a committee consisting of wealthy individuals whose sole purpose was to convince others to give back to those less fortunate was first discussed with me by Andy in 2009 and I talked about the idea in one of my few blogs. Such a committee was formed last year by major billionaires headed by Bill Gates and Warren Buffets. I can't say that Andy came up with the idea initially; I can say that he appears to have been on the right track. I can only speculate what the outcome of Xtagged would have been like without the blogs. I can say that both sides must take some credit and responsibility for Xtagged not succeeding.

Andy saw the movie "The Social Media" a few weeks prior to learning about the success story of Plate.com. He tried to convince me to contact Mitch Thrower and try to convince him to purchase Xtagged and the Chimera phone. I could not and would not do that. Quite frankly, I could not see any added value to Mitch Thrower purchasing

Xtagged and I had not seen a demonstration of Chimera phone other than what appears on the Wiser Technology website. I have not been convinced that Xtagged has any more than a few hundred users and Andy never understood how to successfully market the product. For example, Andy called me one Saturday afternoon last year and I was amazed that he was driving around with his mom looking for various car tag names that could be placed on the Xtagged site. This is definitely an archaic way of trying to promote a company or a product. Instead of trying to sue or coerce funds from the Plate.com team hoping to have the same success as the twins that sued Mark Zuckerberg, Andy should have looked at how he could turn his own company around. But, this would require the right team, a clear head and a certain level of trust. Unfortunately, none of these appear to be in existence at this time.