

5 names
Federal Judge Seymour Always
eked. Jurisdiction over
Civil and Criminal
case matters - which also!
Involved! He said
Third Parties - pursuant
w/ Prosecution's Rec'd
21 USC 852(c)(2)
and (D)E

HENRY MCMASTER
SECURITIES COMMISSIONER



December 7, 2010

The Hon. George C. James, Jr.
Judge, Third Judicial Circuit
P.O. Box 1716
Sumter, South Carolina 29151

Re: McMaster v. Capital Consortium Group, LLC; et al.
C.A. No. 07-CP-40-3116

Dear Judge James:

This letter is to apprise the court of the status of the above-referenced matter and the manner in which the South Carolina Attorney General's Office intends to proceed from this point forward. We are directing this correspondence to you based upon the Richland County Clerk of Court's records reflecting you as the judge assigned to this case.

As you may know, the individual defendants in this action - Tony Pough, Timothy McQueen, and Joseph Brunson - are awaiting sentencing in a federal criminal case in which they have been found guilty on numerous counts. Our Office has been monitoring the federal case for some time, and we have determined that the primary objectives of our state action have been met by the federal case's disposition. We are therefore informing the court that Plaintiff no longer intends to pursue the state civil action under these circumstances. Our Office's decision in this regard effectively moots a pending motion to intervene by the group of investors represented by John T. Mobley, Esq.

Accordingly, enclosed is a proposed dismissal order that we have prepared for your review. If acceptable, please execute the dismissal and return it to us in the env provided.

By copy of this letter to all counsel of record and pro se defendants, we are the proposed order on them as well.

Sincerely yours,

Warren V. Ganjehsani
Assistant Attorney General

WVG/shb

Encl.

CCG-Investors Filed
Henry McMaster
got her

Exh-1-A
This S. AG's Letter 11-1-10
Conflict! New 11-1-10
AG's Requested - Repeated
Claims - 5-12-2011
This Letter and Order
of Dismissal Confirms!
The Federal Court
Judge Seymour
Always Knew she
Lacked Jurisdiction
to have filed the
Federal Restraining Order
On Aug. 1st, 2007 - when
State Court had Jurisdiction
2007 Dec. 1st 2010 - by
Judge George C. James Jr
State Court

* Shows Federal Court
Never Had Jurisdiction in
Motion for Restraining Order
Granted by Judge Seymour
on 8/1/07 pursuant to
21 USC 852(c)(2)
See Hatched
Exh. 17-C

Richland County Judges
Disqualified themselves
since year 2007...
5 Sept had
2 pages
S.C. Stat
Court D
on C
C.C.

* And August 15, 2007-Order B-14
Always Showed
Federal Court Lack
Jurisdiction to Hear 3-HB/CCG claims

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

IN RE: Due to Prosecution's Non-
Compliance with
A MATTER UNDER INVESTIGATION
BY GRAND JURY NUMBER 1
(#2007R00845)

NO. 3:07-mc-135

* Received Ashmore and
Alleged! Defense Atty John
Mobley who
Admits the was
substituted in
the year 2009
as the state court's
Attorney involving
The 3-HB CCG-
Constituents that
Atty John Mobley
and Receiver.

But SCAS New Atty General...
Admits...
Order and...
month...
May...
and...
the...
power...
Nov 20, 2007...
when...
he...
court...
re...
lacked...
jurisdiction...
civil...
the...
proper...
and...
CCG...
Columbia, South Carolina

This matter comes before the Court on a motion by the Government to allow disclosure of
a sealed Pre-Indictment Restraining Order entered August 15, 2007. The Government argues that

the contents of the Order, specifically the appointment of a receiver, should be disclosed so that a
matter pending before the Richland County Court of Common Pleas may be more judiciously
resolved.

IT IS THEREFORE ORDERED that the sealed Pre-Indictment Restraining Order entered
August 15, 2007, may be disclosed to the South Carolina Attorney General's Office and the Richland
County Court of Common Pleas, and that the contents shall otherwise remain sealed. The parties

are instructed that the information contained within the sealed Pre-Indictment Restraining Order is
allowed to be disclosed for the limited, express purpose of facilitating the resolution of issues
regarding the receiver and should not be disseminated otherwise to any other parties.

IT IS SO ORDERED.
DATED this 20th day of August, 2007

/s/ Margaret B. Seymour
UNITED STATES DISTRICT JUDGE

* Resulted in State Court...
Receiver - Terminated...
And Ashmore working with State Court Judge...
But! SA and

Judge Seymour's shown under sealed - Her knowledge that she lacked
Jurisdiction - to have heard! Reg.
U.S. Attorney...
Filed...
and Appointment...
Receiver...
Transferred - the state case to the Federal
State! and Federal
Court - Did illegally
Duplicate! the said
Since the state
Court
Transferred - the state case to the Federal
Court

* Show Henry D. McMaster
Also Illegal Took
S.C. public
citizens'
Money &
Property
2007-+2010
and unethical parties

Exh. G Below - McMaster - Shows as
and Federal Court Admitting
Double Jeopardy

3:07-mc-00135-MBS Date Filed 08/17/07 Entry Number 28 Page 1 of 1

Ordered Disclosure Regarding Financial Assets Restrained
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

IN RE: NO. 3:07-mc-135
A MATTER UNDER INVESTIGATION
BY GRAND JURY NUMBER 1
(#2007R00845)
FILED UNDER SEAL

MOTION FOR DISCLOSURE

NOW COMES THE GOVERNMENT, through its undersigned attorney, and moves this Court to allow disclosure to the South Carolina Attorney General's Office, and the Richland County Court of Common Pleas of the contents of a sealed Pre-Indictment Restraining Order entered in this case August 15, 2007. The Government believes that a motion to appoint a receiver is currently pending in the Richland County Court of Common Pleas, and that the disclosure of the Pre-Indictment Restraining Order in this matter, which has already appointed a receiver on behalf of this Court, would promote judicial economy by reducing the possibility of a duplicative and conflicting appointment.

Respectfully submitted,
REGINALD I. LLOYD
UNITED STATES ATTORNEY
By: s/ WINSTON D. HOLLIDAY, JR. (#7597)
Assistant United States Attorney
WINSTON HOLLIDAY
Assistant United States Attorney
1441 Main Street, Suite 500
Columbia, South Carolina 29201
Telephone: (803) 929-3079
FAX: (803) 254-2943

ATTORNEY FOR THE UNITED STATES

* Asst. U.S. Atty. Always made known
to Subject Judge Seymour
that the Federal Closed
#07-mc-00135-mbs
was doing "Duplication"
and Confessions
Appointment... and
Judge M. B. Seymour's
Attached Order - Dated
8-20-2007 - Shows
Judge Seymour - Ordered
Federal Judge Seymour - Ordered
to participate with
August 17, 2007 State Court...

The Same properties which
is against 3-agents
Killed that
by Seymour or
Federal U.S. Asst. Atty.
Holliday Jr -
Shows
Always
Participation
w/ the State
Court - SCAG
Office of Henry
McMaster

which
Shows!
Both!
The STATE
Court and
Federal Court
was claiming
The Same!
properties
and
Money
+ valuing
3-HBS-CCG
Business -
- 14 thousands - Depositors
since in

The Year 2007...
with the STATE
Court - yet!
Claiming the
Same! properties
Being claimed
by the Federal
Court -

Therefore - The
Federal Court's
Filed Pre-Indictment
Restraining Order -
Filed Aug. 1st 2007
Federal Court - was a
Double Jeopardy Fraud
and must be Dismissed
as Federal Court lacked Jurisdiction

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

Exh. B-12 JUDGMENT IN A CIVIL CASE

CASE NO. 2007-CP-40-3116

Henry D. McMaster, in his official capacity as
Securities Commissioner for the State of SC
PLAINTIFF(S)

Capital Consortium Group, 3 Hebrew Boys, et al.
DEFENDANT(S)

CHECK ONE:

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED** (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j) SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other

IT IS ORDERED AND ADJUDGED: ☐ See attached order; ☒ Statement of Judgment by the Court:

On the Plaintiff's motion for temporary injunction and motion for appointment of receiver: the Defendants are enjoined from access to any and all funds maintained in any of the Bank of America accounts. The Defendants are enjoined from transferring any real estate held in any of the corporations' names, including but not limited to property in the Bahamas. The Attorney General's office is to prepare a list of all real estate held by the Defendants. The Defendants are enjoined from transferring or access to the airplane and to the luxury motor coach. The Plaintiff must apply to this court on an ongoing basis for an injunction regarding other assets. A receiver is to be appointed within the next five (5) days to assist in the investments and control of the assets. All parties are to agree on the receiver or the court will appoint one. The Attorney General's office is provide the clerk's office with copies of the affidavits of service on all Defendants, at which time a hearing can be set for the injunction regarding Daniel Development Group, LLC. This order is binding on all agents, officers, employees or any persons working with or in association with the Defendants, including those who have or have not received notice. The Attorney General's office is to prepare a formal order to this effect by July 6, 2007. Defendants' motion is stay is under advisement.

Dated at Columbia, South Carolina, this 28th day of June, 2007

Al Shree Lee
PRESIDING JUDGE

This judgment was entered on the _____ day of _____, 20____, and a copy mailed first class this 2____ day of July 2007 to attorneys of record or to parties (when appearing pro se) as follows:

Warren V. Ganjehsani
ATTORNEY(S) FOR THE PLAINTIFF(S)

Hemphill P. Pride II
ATTORNEY(S) FOR THE DE

freeze other assets injunction

3:07-mc-00135-MBS

Date Filed 10/19/07 Entry Number 55-1

Page 1 of 1

PRICE, ASHMORE & BEASLEY, P.A.

ATTORNEYS AT LAW
644 E. WASHINGTON STREET
GREENVILLE, SOUTH CAROLINA 29601
TELEPHONE (864) 467-1001
FACSIMILE (864) 242-6560

JAMES H. PRICE, III
BEATTIE B. ASHMORE
RYAN L. BEASLEY

*Licensed to practice law in South Carolina and New York

September 27, 2007

VIA FACSIMILE: 803-771-7011

Hemphill P. Pride, II
1401 Green Street
P.O. Box 4529
Columbia, SC 29204

RE: 3HB

Dear Hemphill:

I realize that you have been speaking with Aaron Hawkins concerning my role as the Receiver in this case and your clients' duty to comply with Judge Seymour's Order. I have been informed by Special Agent Hawkins that your clients now refuse to turn over the 22 vehicles. Obviously, the Order speaks for itself and your clients are expected to comply with any and all of the terms. If your clients do not voluntarily surrender the vehicles immediately, the FBI will begin to seize the vehicles wherever located. I will bring this to the attention of Judge Seymour and ask her to rule accordingly.

In addition to the vehicles, I need the stock for the 431,000 shares in the SCCB Financial Corporation immediately.

Obviously, I must comply with the terms of Judge Seymour's Order and it is my intention to move quickly to seize any and all assets of the 3 Hebrew Boys and related entities as outlined in Judge Seymour's Order. In addition, any other assets that are traced into other entities will also be seized. Please inform your clients that their tickets to the Panthers and Falcon games have been cancelled and I am working to liquidate the tickets and skyboxes.

Agent Hawkins tells me that you have explained Judge Seymour's Order to your clients and I hope that they will cooperate accordingly.

Sincerely,

Beattie B. Ashmore

BBA/dlm

cc: Walt Tellison
✓ Aaron Hawkins
✓ AUSA Winston Holliday

* Judge Seymour has been - Exh. C.C. 4!

Illegally Removes

Third Party Property and money

Now! 12-10-10

Judge Seymour's Final Adjudication

JOSEPH J. WATSON
- OF COUNSEL -

Number 2070
w/ky, now!
Judge issued
a New Case
No. 2070
in 2006

Judge Seymour
conspired!

w/ Ashmore
in the
year!
2007!

NO! Civil
Decision

But
yet!

Illegally

Unethically

Removed

Personal

Property

involving

public

Business

Innocent
or
Third Parties

* Never! had a
search warrant
Nor! No!
to document

Exh. A-2c

Entry No. 1662

04/11/14

TEXT ORDER denying 1657 Motion for Leave to File Claim by Janet Lockett. Signed by Honorable Margaret B Seymour on 4/11/2014.

Entry No. 1663

04/11/14

DOCUMENT MAILED 1662 Order on Motion for Leave to File placed in U.S. Mail to Janet Lockett.

Entry No. 1665

04/17/14

Pro Se MOTION for Leave to File Claim by Andrew Speas.

Entry No. 1666

04/17/14

UNREDACTED DOCUMENT re 1665 MOTION for Leave to File.

Entry No. 1667

04/22/14

Pro Se MOTION for Reconsideration re 1662 Order on Motion for Leave to File Claim by Janet Lockett.

Entry No. 1668

04/22/14

TEXT ORDER denying 1665 Motion for Leave to File Claim by Andrew Speas. Signed by Honorable Margaret B Seymour on 4/22/2014.

Entry No. 1669

04/22/14

DOCUMENT MAILED 1668 Order on Motion for Leave to File placed in U.S. Mail to Andrew Speas.

Entry No. 1671

05/07/14

ARREST of Edna Pough re 827 Warrant Issued for Arrest , 826 Order for Warrant for Arrest; notified by USM.

Entry No. 1672

05/07/14

NOTICE of Hearing: Contempt Hearing for Edna Pough set for 5/9/2014 10:00 AM in Columbia #3, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Margaret B Seymour.

Entry No. 1673

05/09/14

Minute Entry. Proceedings held before Honorable Margaret B Seymour: Contempt Hearing re Edna Pough held on 5/9/2014. Edna Pough remains in the custody of USM until property is turned over to the Receiver. Court Reporter Jenny Williams.

Entry No. 1674

05/09/14

ORDER re 1673 Contempt Hearing. Signed by Honorable Margaret B Seymour on 5/9/2014.

Entry No. 1675

05/12/14

AFFIDAVIT of Service for Order 1674 served on Edna Pough on 5/9/2014.

Entry No. 1676

05/12/14

MOTION for Leave to File Claim by Charlene Speas McLaurin.

Entry No. 1677

05/12/14

UNREDACTED DOCUMENT re 1676 MOTION for Leave to File.

3HB Receiver

You are here: Home

Search: Enter Search...

Submit

Home

Beattie B. Ashmore, Esquire

Message From Receiver

Assets For Sale

Related Articles and Websites

Case Pleadings

Contact Us

Home

On September 5, 2007, the Honorable Margaret B. Seymour, United States District Court Judge for the District of South Carolina, appointed Mr. Beattie B. Ashmore, Esquire to serve as the Receiver for the seizure, protection and management of all assets owned or controlled by three individuals (Messrs. Tony Pough, Timothy McQueen, and Joseph Brunson) and a number of related companies and individuals, collectively the "Three Hebrew Boys". As stated in the Order, Mr. Ashmore was granted ".....full and exclusive power, duty and authority to administer and manage the business affairs, funds, assets, choses in action and any other property of Three Hebrew Boys, marshal and safeguard all of the assets of Three Hebrew Boys, and take whatever actions are necessary for the protection of the United States and investors." Mr. Ashmore has hired a team of qualified individuals to investigate, control and manage the information and assets that have been accumulated since September, 2007. As of May 28, 2008, the Receiver's office has seized \$18.33 million in cash, fourteen (14) parcels of real property, seventeen (17) automobiles, a Gulfstream airplane, and a Prevost motorcoach. The Receiver has not yet discovered any legitimate investments made by the Three Hebrew Boys. All assets and money seized have been conservatively invested and guarded in order to achieve maximum returns.

Beattie B. Ashmore, Receiver 3HB
P.O. Box 9199
Greenville, SC 29604
phone: (864) 240-9299
fax: (864) 451-7591
email: 3hbinvestor@gmail.com
www.3hbreceiver.com

News

Jun 27th, 2013
LIVE On-Site AUCTION Tuesday, July 2,
2013 - Click below for link to Auction
Company
[read more »](#)

May 8th, 2013
Fayetteville Couple Sentenced for
Obstructing the Tax Laws

[view document »](#)

May 16th, 2012
Victims of '3 Hebrew Boys' Ponzi
scheme get back nearly half their money
[read more »](#)

[View All News Articles](#)

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*Only Case Number Judge Seymour
Appointed Ashmore in year
2007 - is Case No: 3:2007-mc-*

*00135-
mbs*

*which
Receiver*

Ashmore

Appointed

by

M.B. Seymour

allowed

in the State of Florida

Federal Court regarding

same! Orders of

Alleged Appointment of

Receiver - Dated

Sept. 5, 2007 &

Sept. 18, 2007 &

amended 10-10-2008

and All!

Received a final Order

that - Denied the

said Receiver

Ashmore's same!

Claims filed in

the State of S.C.

which Nemer

provided any!

Final Ruling

in the Civil and

or Criminal - Grand

Jury under investigation

*in Case No: 3:2007-mc-00135-
mbs - which*

Joint for Transferred

*2010 - to be Case No: 3:2010-
CV-03141-mbs*

Exh. 1**Civil Cases vs. Criminal Cases - Key Differences**

143

165K

Download article as a PDF (http://files.findlaw.com/pdf/litigation/litigation.findlaw.com_filing-a-lawsuit_civil-cases-vs-criminal-cases-key-differences.pdf)

Civil cases usually involve private disputes between persons or organizations. Criminal cases involve an action that is considered to be harmful to society as a whole. Below is a comparison of the key differences between civil and criminal cases.

Civil Cases

A civil case begins when a person or entity (such as a corporation or the government), called the plaintiff, claims that another person or entity (the defendant) has failed to carry out a legal duty owed to the plaintiff. Both the plaintiff and the defendant are also referred to as "parties" or "litigants." The plaintiff may ask the court to tell the defendant to fulfill the duty, or make compensation for the harm done (or both). Legal duties include respecting rights established under the Constitution or under federal or state law.

Civil suits are brought in both state and federal courts. An example of a civil case in a state court would be if a citizen (including a corporation) sued another citizen for not living up to a contract.

For example, if a lumberyard enters a contract to sell a specific amount of wood to a carpenter for an agreed-upon price and then fails to deliver the wood, forcing the carpenter to buy it elsewhere at a higher price, the carpenter might sue the lumberyard to pay the extra costs incurred because of the lumberyard's failure to deliver; these costs are called damages. If these parties were from different states, however, then that suit could be brought in federal court under diversity jurisdiction if the amount in question exceeded the minimum required by statute (\$75,000).

Individuals, corporations, and the federal government can also bring civil suits in federal court claiming violations of federal statutes or constitutional rights. For example, the federal government can sue a hospital for overbilling Medicare and Medicaid, a violation of a federal statute. An individual could sue a local police department for violation of his or her constitutional rights—for example, the right to assemble peacefully.

Criminal Cases

A person accused of a crime is generally charged in a formal accusation called an indictment (for felonies or serious crimes) or information (for misdemeanors). The government, on behalf of the people of the United States, prosecutes the case through the United States Attorney's Office if the person is charged with a federal crime. A state's attorney's office prosecutes state crimes.

It is not the victim's responsibility to bring a criminal case. In a kidnapping case, for instance, the government would prosecute the kidnapper; the victim would not be a party to the action.

In some criminal cases, there may not be a specific victim. For example, state governments arrest and prosecute people accused of violating laws against driving while intoxicated because society regards that as a serious offense that can result in harm to others.

When a court determines that an individual committed a crime, that person will receive a sentence. The sentence may be an order to pay a monetary penalty (a fine and/or restitution to the victim), imprisonment, or supervision in the community (by a court employee called a U.S. probation officer if a federal crime), or some combination of these three things.

143

165K

34

Criminal Cases

Criminal Lawyer
Enlist Our Experienced
Criminal Lawyers in Gadsden
AL Today!

28 U.S. Code § 2255 - Federal custody; remedies on motion attacking sentence

(a)

A prisoner in custody under sentence of a court established by Act of Congress claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence.

(b)

Unless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief, the court shall cause notice thereof to be served upon the United States attorney, grant a prompt hearing thereon, determine the issues and make findings of fact and conclusions of law with respect thereto. If the court finds that the judgment was rendered without jurisdiction, or that the sentence imposed was not authorized by law or otherwise open to collateral attack, or that there has been such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, the court shall vacate and set the judgment aside and shall discharge the prisoner or resentence him or grant a new trial or correct the sentence as may appear appropriate.

court without Jurisdiction

(f) A 1-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of—

(4)

the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.