FILED: NEW YORK COUNTY CLERK 10/04/2018 02:23 PM INDEX NO. 159222/2018

NYSCEF DOC. NO. 12

RECEIVED NYSCEF: 10/04/2018

EXHIBIT "K"

NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

# 701 TSQ 1000 FUNDING, LLC c/o U.S. IMMIGRATION FUND, LLC 115 FRONT STREET, SUITE 300 JUPITER, FL 33477

August 23, 2018

#### Via Electronic Mail

Reviv-East Legal Service Consultants (Hong Kong) Attn: Zoe Ma

Re: 701 TSQ 1000 FUNDING, LLC - IMMEDIATE CEASE AND DESIST

Dear Ms. Ma:

We recently learned of certain false, misleading and tortious actions taken by you ("You"). Specifically, we received copies of written records prepared by You containing defamatory and libelous statements about U.S. Immigration Fund – NY LLC, 701 TSQ 1000 Funding GP, LLC and their affiliates, partners and principals (herein, referred to collectively as "USIF"), including, but not limited to those attached hereto as Exhibit A.

The unlawful tactics and scheme that You have employed to obtain EB-5 investors as clients is reprehensible and actionable on many levels. We share the mutual goal of protecting investors' interests and if you are acting in good faith on behalf of such investors' best interests you would be well advised to get authority to do so and enter into a constructive dialogue with USIF rather than acting tortiously.

Your actions would cause irreparable harm to the reputation of USIF if such fraudulent and deceptive activity is linked to the USIF. This activity will compel us to file a complaint if not ceased immediately as provided for herein. We note your actions may also expose you to legal action taken by all parties harmed by your statement, not just USIF.

On behalf of USIF, we hereby demand that You, and Your employees, agents, representatives, affiliated individuals and companies, and those aiding and abetting You immediately: (i) cease and desist from writing defamatory and libelous statements about USIF and USIF EB-5 Projects and (ii) destroy any materials, written or electronic, that include such elements including, but not limited to, any presentation or conference materials, sales, advertising or promotional materials, or Internet, WeChat or website content. We further demand that You furnish the undersigned a sworn affidavit attesting, under penalty of perjury, to Your compliance with this demand no later than 5:00 p.m. (EDT), **Friday, August 24, 2018**. To the extent these materials have already been viewed or disseminated to third parties, the affidavit should include a list of all such third parties, the date they viewed/received the copy, and the medium through which they viewed/received the copy.

USIF has every intention of holding accountable all parties responsible for making and disseminating these false and deceptive statements, and will pursue all NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

available remedies including, but not limited to, injunctive relief, compensatory, consequential, punitive and treble damages, attorneys' fees and costs against You and such parties.

Finally, notice is hereby provided that You, and any affiliated company or persons, are required by law to refrain from taking any action to destroy, discard, tamper with, or delete any documentation (electronic or paper) concerning the issues that will or may arise in any potential litigation relating to this matter. In this regard, any document retention or destruction policy and all computer backup protocols should be adjusted to ensure the preservation of all such documents. Failure to do so will expose You and any others involved to additional legal liability.

Please be guided accordingly.

Sincerely,

701 JUNDING 1/00 GP, LLC

Ashley L. Flucas, Esq General Counsel

cc: Paul Hastings, LLP

NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

Exhibit A

NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

12:37 ✓

## **Group Chat History**





笑口常开

@所有人、我非常替Lynn 高兴。50万退 款到账让几个月的焦虑终于云开雾散了。 这次701退款过程、每一天都是惊心动 魄、中介和基金公司的逼迫、投资人之间 内斗、律师之间合作出卖、好像好莱坞大 片、没有亲身介入的人、体会不到这些 701投资人的煎熬。虽然我们代理了区区 几个退款投资人、但是这几个是最坚强的 人、不惧中介和区域中心的强权、坚决没 有妥协、也没有为了个人退款的快捷方 便、去选项2同意区域中心的不平等条 约、发现美国证券法大律师和区域中心暗 中勾结后、依然中断律师服务、拒签到 底。这几个拒签退款人的顺利、证明了投 资人是可以坚持正义、即使我们力量微 弱、但是美国的法律是我们坚持正义的后 盾。这几个投资人不是相信了我个人、他 们相信了我宣传的美国的法制。在美国的 法制面前、区域中心不得不低头、退款、 计正义顺利。

NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

12:38 4

从701再投资和1501买断投资人的投票过 程、看雇佣美国律师给投资人保驾护航的 重要性。侨外的701项目被建筑开发商提 前还款、基金公司利益移民局政策的模糊 性逼迫投资人去投资702项目、让702项 目凑够无抵押的风险投资、这样摩根大通 银行才释放建筑贷款启动项目。701整个 投票过程中侨外和基金公司威逼恐吓投资 人、告诉投资人请律师拒绝投票不能保证 投资人不但得到任何好处、相反会导致基 金公司惩罚这些投资人、举报移民局、不 能拿退款。投票后两个月的结局让投降没 有请律师的投资人后悔不已。这些帮助基 金公司达到目的、批准对投资人不利的运 营协议的投资人已经沦落成为合伙企业的 二等公民。在道格拉斯律师的帮助下拒签 的投资人也拿到了退款。在叶律师的起诉 下、拒签的投资人将要得到比选一的更保 险的投资选择。因为没有律师代表、这些 投资人被排除在谈判之外、让别人决定他 们的命运。 道格拉斯律师也在代理1501 项目基金公司买断投资人权益的案子。这 是美国生活区域这些2008年的Eb5项目。 当年没有5年退款是答应投资人更高回报 率。10年后、却逼迫投资人贱卖权益、本 来80万的资产却按50万回购、回购协议 也是威逼恐吓、让投资乖乖就范。中国投 资人对法律维权意识薄弱、雇佣了移民律 师却不去直接沟通、片面相信没有真实能 力的中介和江湖大虾、觉得花的小钱、就 可以给400万的投资做了保险、当一切水 落石出之后才发现自己成了别人赚钱的炮 灰。我们代表拒签的投资人、最快时间拿

NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

12:38 ₹

师却不去直接沟通、片面相信没有真实能力的中介和江湖大虾、觉得花的小钱、就可以给400万的投资做了保险、当一切水落石出之后才发现自己成了别人赚钱的炮灰。我们代表拒签的投资人、最快时间拿到退款。结果那些高大上律师的投资人却仍然因为没有退款受煎熬。701的教训就是没有律师就会成为别人赚钱的炮灰。高大上的律师不一定会真正代表投资人的利益。



kelly

@笑口常开 叶律师那边出结果了吗?



笑口常开

还要一两个星期

笑口常开

现在对选一投资人保密



kelly

那你刚那段话说可以拿到比选1更有保险 的投资选择?



箕口常开

是的



kelly

就是不投702了, 投其他项目了?

NYSCEF DOC. NO. 12

INDEX NO. 159222/2018

RECEIVED NYSCEF: 10/04/2018

12:39 ₹





第日常开

单独雇佣律师了

#### 等口常开

叶律师现在推广702是牺牲保卡投资人的 利益帮助退款投资人了。

#### 笑口常开

702项目就是拉斯维加斯SLS 项目的结 局、投资人钱卡不保。

### 笑口常开

702的高级贷款需要200人做优先股、 900人做夹层贷款、这样702资金才够。

### 美口常开

现在叶律师逼投资人做702夹层贷款。 有 些投资人抗议。现在变成选一的做优先 股、拒签的做夹层。都投资702项目。

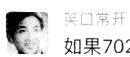


kelly

优先和夹层哪个更安全?

#### kelly

叶律师也逼投资人选702、没想到 ₩



如果702项目变成赌城SLS项目、投资人 会血本无归。这两个选择都不安全

#### 笑口常开

我对702最大的担心就是成为第二个SLS, 纽约的SLS.