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July 12, 2018

By E-Filing and Fax

Justice Saliann Scarpulla
Supreme Court of the State of New York
Commercial Division, Courtroom 208
New York, New York 10007

Re: *Yang Ang et al. v. U.S. Immigration Fund – NY, LLC*, Index No. 156339/2018

Dear Justice Scarpulla:

We are counsel to Petitioners in the above-captioned proceeding. We write in connection with the Stipulation submitted to the Court yesterday on the two key issues addressed at Tuesday's hearing on Petitioners' application for a temporary restraining order ("Stipulation," attached as Exhibit A). In the Stipulation, Respondents agreed that, pending a hearing on the injunction (with a proposed hearing date of August 1, 2018), they would not (i) close, or enter into any binding commitments to close, on the 702 Times Square reinvestment, or (ii) "notify [USCIS] . . . that investors who did not approve the Proposal have decided not to redeploy their capital or to maintain it at risk, except that in response to an inquiry from USCIS Respondents may inform USCIS of the terms of the Proposal and a pending dispute involving the effectiveness of the Proposal." The Stipulation, which was submitted with a request that it be "So Ordered" or otherwise incorporated into an Order, is attached as Exhibit A.

Today, we learned that *after entering into the Stipulation*, Respondents have reiterated their threat to the investors that if they do not change their vote by midnight tonight to a "yes" vote in favor of the Proposal, Respondents will notify the government that the investors decided not to maintain their capital at risk. In other words, *Respondents state that they will act in violation of the Stipulation they signed yesterday*.

A verified translation of the message sent by the Manager to the investors (attached as Exhibit B) is as follows:

“If you want to redeploy your capital, please let us know no later than 11:59 p.m. Thursday July 12, Eastern time. . . . **After this deadline, the regional center [USIF] and your immigration counsel will have the obligations to comply with the U.S. immigration office’s reporting requirement and report your decision not to redeploy.** Unfortunately, after the immigration office receives the notice or a notice of material change (for example, project, regional center or NCE), your future attempt to redeploy your capital will cause your immigration petition to be denied.”

Respondents’ statements that they will “report your decision not to redeploy” to USCIS, without any mention of the Stipulation prohibiting them from so doing, confirms the need to embody the terms of the Stipulation in a Court Order.

Moreover, we write to bring to the Court’s attention misrepresentations being spread by Respondents about this lawsuit and the actions taken by your Honor. After the hearing on Tuesday, USIF’s agent Qiaowai Overseas Services sent the following false message to investors in Mandarin, as per the certified translation at Exhibit C:

“On [July] 10th in USA time zone, US Immigration Fund responded to the injunction petition brought by Reid & Wise. **After the oral argument, the court ruled that Reid & Wise lost the injunction order petition.**

Later US Immigration Fund will issue a formal notice to 701 investors. **Now I would like to pass on the news that US Immigration Fund has won the lawsuit.** In the meantime, I hope that you can find the real truth behind those law firms who hope to grab reputation and profit by bringing down ‘THE VERY BEST.’ American attorneys that work for ... loved to file lawsuits against top one in the industry. Regardless of winning or losing, they have drawn enough attention, but the most unfortunate ones are investors, and in the end investors have no choice but to be responsible for their choices.” (emphasis added)

USIF’s representative also sent a false message to investors in Mandarin, as per the certified translation at Exhibit C:

“701 is finally ended up in court. **We won.** The law is fair and just. You must treat your choice rationally. **You have one or two days to change your vote to alternative 1,** and we will honor your decision.

If you remain unresponsive, we will proceed as planned. This means that your green card application may be at risk of being denied, and you won’t get a refund of your capital contribution back anytime soon, I have already notified you about this...if you have any question please let me know.” (emphasis added)

These and similar false messages have been widely disseminated to the investors by USIF and its agents.

Respondents have thus resorted to making false representations about what happened in your Honor’s Courtroom as part of their unrelentingly vindictive and coercive campaign to force

the investors to approve their self-dealing Proposal. As set forth in the Petition, the Proposal will enrich Respondents and harm the investors by, among other things, eliminating all fiduciary duties owed by Respondents.

For the foregoing reasons, Petitioners respectfully request that the Court enter an Order in accordance with the agreed language in the proposed Stipulation and, in addition, to protect the integrity of the judicial process, prohibiting Respondents from making any further misrepresentations about your Honor's rulings and the pending proceeding and directing them to correct their prior misstatements.

We are available to discuss these issues at the Court's convenience.

Respectfully submitted,



Matthew Sava

Encls.

cc: Shahzeb Lari, Esq.

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of the Application of

YANG ANG, RENYI CAO, FENGHUA CHEN,
WEILUN CHEN, JIANG CHEN, JINGKE CHEN,
WEIQI CHEN, XIULING CHEN, GUOJIAN
CHEN, JIAN CHENG, JIHONG CUI, WENTING
CUI, ZHENHUI CUI, CHENGLING DENG,
YIHONG DING, JING FU, JUANJUAN FU,
HONGMEI FU, BO GAO, DAN GAO, ZIMING
GU, YAN GU, JIANGHONG HE, MINGYUAN
HUA, ZEHONG HUANG, BEI HUANG,
XIAOYAN HUANG, JIANPING JIANG, YAN
JIN, XIAONAN JING, JUNYAN KANG, LIHUA
KUI, QIN LI, YUNSHAN LI, QIANG LI,
XIAOHONG LI, ZHEN LI, HAOJUN LING,
XIAOYANG LIU, FEN LIU, YIHUA LIU, JIN
LIU, YUFEI LUO, KAI LUO, HONGXIA MA,
ZHENBIN MO, ZHENNING MU, QINGLI
PANG, JING PENG, NING QU, YAN REN,
ANQI SHI, YUJIA SHI, LI SHI, LING SU,
HAITAO SUN, ZHAOHONG SUN, YANFU
SUN, JIAN SUN, LI SUN, LI SUN, WEI SUN,
XIANGQIONG TANG, RUJUN TAO, JING
TIAN, AIRONG TIAN, QIJIA TONG, XIAONAN
WANG, FUBAO WANG, YE WANG,
XIAOTING WANG, AIHUA WANG, ZHEN
WANG, BIQING WANG, QUN WANG, YIYU
WANG, YINGXUAN WANG, XUEMEI WEI,
SHUZHEN WU, JIAPING WU, ZHAOHUI WU,
DONG WU, ZHENG XI, ZUOHAN XIAOHOU,
YAN XIAO, XIAO XIAO, HONG XIE, YUNING
XIE, GUOFEN XU, DONGYAN XU, PEI XU,
ZIXI XU, JIEWEI XU, LING XUE, YAN YANG,
QINGFA YANG, LEI YANG, ZHIWEI YAO,
YIQING YE, JIANJUN YIN, JIA YU, YI YUAN,
LIU YUAN, HU ZENG, HAIYING ZENG,
XIAOLIN ZENG, MEILING ZHAN, WEI
ZHANG, YANPING ZHANG, WEIFAN ZHANG,
YAN ZHANG, JIE ZHANG, JIANBO ZHANG,
JIEYUN ZHANG, XIAOHUI ZHANG, YAN
ZHANG, YAN ZHANG, YUCHI ZHANG,
MUMU ZHAO, ZICHU ZHENG, QUN ZHOU,

Index No. 156339/2018

STIPULATION

Motion Sequence No. 1

IAS Part 39

(Scarpulla, J.)

JINGXING ZHOU, MEI ZHOU, and YAMIN
ZHU,

Petitioners,

-against-

U.S. IMMIGRATION FUND-NY LLC, 701 TSQ
1000 FUNDING GP, LLC, 701 TSQ 1000
FUNDING, LLC, and NICHOLAS
MASTROIANNI,

Respondents.

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WHEREAS attorneys for all parties identified in the caption above (individually a “Party,” and collectively, the “Parties”) have discussed and agreed upon proposed case deadlines and a proposed schedule for certain events relevant to this dispute;

The Parties, through their undersigned counsel, hereby STIPULATE AND AGREE as follows:


1. Prior to August 1, 2018 (the “Limitation Date”), Respondents will not:
 - a. close, or enter into any binding commitments requiring them to close, the reinvestment transaction relating to the project at 1568 Broadway (702 Times Square), New York, New York, as described in the consent solicitation proposal circulated to Petitioners on June 5, 2018, as supplemented on June 25, 2018 (“Proposal”), but, for the avoidance of doubt, nothing in this Stipulation shall prevent Respondents from conducting negotiations and taking any and all preparatory steps to closing any such transaction; and
 - b. notify United States Citizenship and Immigration Services (“USCIS”) that investors who did not approve the Proposal have decided not to redeploy their

capital or to maintain it at risk, except that in response to an inquiry from USCIS Respondents may inform USCIS of the terms of the Proposal and a pending dispute involving the effectiveness of the Proposal;

2. Respondents shall file and serve their papers in opposition to Petitioners' Verified Petition for Injunction In Aid of Arbitration Pursuant to CPLR 7502(c) and 6301 (the "Petition") on or before July 20, 2018;
3. Petitioners shall file and serve their reply papers in further support of the Petition on or before July 27, 2018;
4. Subject to the Court's availability, the hearing on the Petition shall be held on August 1, 2018, at 11 a.m., or on such other date and time as convenient for the Court;
5. Except as stipulated herein, Petitioners otherwise withdraw their application for the expedited issuance of a temporary restraining order; and
6. The Parties expressly reserve the right to request an advance of the Limitation Date to a date before August 1, 2018 or an extension of the Limitation Date beyond August 1, 2018, either by agreement of the Parties or through judicial intervention, if circumstances warrant.

Dated: July 11, 2018.


Matthew Sava
REID & WISE LLC
One Penn Plaza, Suite 2015
New York, NY 10119
P: 212-858-9968
Attorneys for Petitioners


Kevin Logue
Shahzeb Iqari
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
P: 212-318-6000
Attorneys for Respondents

SO ORDERED:

J.S.C.

EXHIBIT B


VERIFIED TRANSLATION OF WECHAT TEXT MESSAGES DATED JULY 12, 2018

CT-Mobile <WeChat (32)	9:35 a.m. U.S. Immigration Fund 701 Times . . .
	(At the start of the second paragraph) If you want to redeploy your capital, please let us know no later than 11:59 p.m. Thursday July 12, Eastern Time.
	If we do not receive you response, we will not redeploy your capital. The voting process for the new Operating Agreement has already been completed, within this window, we allow you to redeploy. After this deadline, the regional center and your immigration counsel will have the obligations to comply with the U.S. immigration office's reporting requirement and report your decision not to redeploy. Unfortunately, after the immigration office receives the notice or a notice of material change (for example, project, regional center or new commercial enterprise), your future attempt to redeploy your capital will cause your immigration petition to be denied. We urge you to contact your immigration counsel in order to make the best decision for you and your family. For your convenience, we provide you here the 2018 official link of your petition priority date: (Hyperlink)

VERIFICATION

I, Wei Zhang, affirm under penalties of perjury that I am a member of the Bar of the State of New York and employed by Reid & Wise LLC; that I am a native speaker of Mandarin Chinese and fluent in English; that the original text messages in Exhibit A and Exhibit B annexed to this Verified Translation of WeChat Text Messages dated July 12, 2018 are written in simplified Chinese; and that the above translation of the text messages made from simplified Chinese to English is true and accurate.

Dated: July 12, 2018


Wei Zhang

< 微信(32)

美国移民基金701时代... ..

701
TSQ

我们特此书面通知您我们并没有收到您的投票表格，根据文件，这意味着您选择了“否”。我们将不会把您的资金进行再投资。然而，大部分的成员投票选择再投资其资金，并且通过了运营协议修订案。至此，运营协议修订案的投票已经结束，新的运营协议开始生效。作为提醒，美国移民局将会按照法律要求被通知到收到您所选择对于再投资的“否”的决定且您没有成功将您的投资处于风险状态（请咨询您的移民律师并且再次确认）。所以，您的申请很有可能会被拒签。作为澄清，无论您所获得的第三方建议如何，经理人没有获得任何授权在没有您的同意的情况下将您的资金处于风险状态。此外，公司已经获得足够多的成员同意进行在702项目中的投资，并打算在这个项目上进行交易。

如果您想要再投资您的资金，请最迟于美国东部时间7月12日周四晚上11:59点回复我们。如果我





< 美国移民基金701时代广场 ...

们。如果我们没有收到您的任何回复，我们将不会再投资您的资金。新运营协议的投票已经完成，在这段时间窗口内，我们将允许您再投资。在这个截止时间点后，区域中心和您的档案移民律师将有责任遵循美国移民局的汇报义务，并且汇报您选择不再投资您的资金。不幸的是，在美国移民局得到通知后或者任何重大变更（比如，项目、区域中心或者新商业企业）后，您再企图再投资您的资金将会导致您的申请被拒签。我们敦促您联系您的移民律师，并且为您和您的家人作出最佳的选择。为了您的便捷，我们特此为您提供2018年7月的签证排期表官方链接：

<https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2018/visa-bulletin->



EXHIBIT C

TRANSACCURATE LANGUAGE SERVICES INC.
PROFESSIONAL LANGUAGE SERVICES

136-21 Roosevelt Ave #210 Flushing, NY 11354

Phone: (646)961-5658

E-mail: transperctny@gmail.com

T-Mobile

10:24 PM

< WeChat

Qinowai Overseas Services

Liyuan Wang



Hello Everyone,

On 10th in USA Time Zone, US Immigration Fund responded to the injunction petition brought by Reid & Wise. After the oral argument, the court ruled that Reid & Wise lost the injunction order petition.

Later US Immigration Fund will issue a formal notice to 701 investors. Now I would like to pass on the news that US Immigration Fund has won the lawsuit. In the meantime, I hope that you can find the real truth behind those law firms who hope to grab reputation and profit by bringing down "THE VERY BEST."

*Certified Translation
Official Seal*

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E-mail: transperctny@gmail.com

T-Mobile

10:35 PM

< WeChat

Qiaowai Overseas Services ~ Liyuan Wang

American attorneys that work for... loved to file lawsuits against top one in the industry. Regardless of winning or losing, they have drawn enough attention, but the most unfortunate ones are investors, and in the end investors have no choice but to be responsible for their choices.

US Immigration Service Department

10:33 PM

Are you Liyuan Wang who works for Qiaowai Overseas Services? This news seems pretty strange.

Wechat profile photo

Wechat profile photo

Yes, it's me.

Certified Translation
Official Seal

TRANSACCURATE LANGUAGE SERVICES INC.

PROFESSIONAL LANGUAGE SERVICES

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Phone: (646)961-5658

E-mail: transperctny@gmail.com

China Mobile 4G 4:18 AM
< WeChat (490) Miss Daisy

Wechat profile photo → What concerns me the most is what kind of result you want?
Sunday 2:07 PM

Wechat profile photo → All right, if you are not available, I'm going to sleep now, good night.
Yesterday 2:58 PM

Wechat profile photo → Please check your email, thank you!
0:43 AM

Wechat profile photo → 701 is finally ended up in court. We won. The law is fair and just. You must treat your choice rationally. You have one or two days to change your vote to alternative 1, and we will honor that decision.
1:06 AM

Wechat profile photo → If you remain unresponsive, we will proceed as planned. This means that your green card application may be at risk of being denied, and you won't get refund of your capital contribution back anytime soon, I have already notified you about this...if you have any question please let me know.

*Certified Translation
Official Seal*

TRANSACCURATE LANGUAGE SERVICES INC.
PROFESSIONAL LANGUAGE SERVICES

136-21 Roosevelt Ave #210 Flushing, NY 11354

Phone: (646)961-5658

E-mail: transperfectny@gmail.com

China Mobile 12:25
< WeChat Time Square of US Immigration Fund 701

Are you Miss Zheng? ← Wechat profile photo

701 TSQ → Is there anything I can do for you?

11:31

Are you Miss Zheng? She called me. ← Wechat profile photo

11:41

After the oral argument, the court ruled that Reid & Wise lost the injunction order petition...
The rest of content is illegible for translation due to the fact that the words are too blurry. ← Wechat profile photo

Is this information true? ← Wechat profile photo

701 TSQ → Yes.

11:51

Are you a customer service for US Immigration Fund? Or Qiaowai Overseas Services? ← Wechat profile photo

701 TSQ → This is US Immigration Fund.

Certified Translation
Official Seal



各位好，

美国时间10日，美国移民基金应诉锐泽律所提出的禁止令。在口头答辩后，法院判决锐泽律所代理的申诉禁令败诉。

由于时间的关系，稍侯美国移民基金会出相应的正式通知给701投资人。现在先向您转达美国移民基金胜诉的消息。同时希望您认清希望通过“拉倒第一”来为自己



按住 说话





的美国律师最爱做的就是和业内第一名打官司，不论输赢，他们都赚了眼球，可最终倒霉的只有投资人，并最后只能为自己的选择买单。

美国移民事业部

下午10:33

你是侨外的王丽媛吗？这消息好奇怪啊



是我啊





了吗



我最关心的是你最想要的结果是什么

星期日 下午2:07



好吧 您要是没空我就先睡觉了 晚安

昨天下午2:58



请您查收一下邮件，谢谢



701最终走上了法庭 我们赢了 法律是公平公正的 您一定要理性的对待自己的选择 还有一两天时间 如果你更改选项一 我们可以接受的



如果您继续不回应 那么还是按原来的执行了，这也就意味着绿卡申请的被拒风险，而且资金不会快速得到返回，我已经通知到了.... 有问题联系吧



你是郑小姐吗?



701
TSQ

您有什么需要我帮助您的?

11:31

您是否郑小姐, 她给我打过电话



11:31

您是否郑小姐, 她给我打过电话



这个是真的吗?



701
TSQ

是的

11:31

你究竟是美国移民基金的客服? 还是侨外?



701
TSQ

我这边是美国移民基金



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PROFESSIONAL LANGUAGE SERVICES

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CERTIFICATE TRANSLATION FROM CHINESE TO ENGLISH

CERTIFICATE OF ACCURACY

COUNTY OF QUEENS)

) S.S

STATE OF NEW YORK)

On this day personally appeared before me Lina Xu who, after being duly sworn, depose and says:

That he/she is a certified translator of the English and Chinese languages by profession and as such is connected with *Transaccurate Language Services Inc.*

That he/she thoroughly conversant with these languages.

That he/she has carefully made the attached translation from the original document written in the Chinese language on the official paper of the *Transaccurate Language Services Inc.* while respecting the original content faithfully, and that the translation is true and accurate to the best of his/ her knowledge, ability and belief.

This is to certify that this is a complete, true and correct English translation of the attached photocopy of

WeChat History Records

Signature of the Translator: [Signature]
American Translators Association Membership Number: 263830

Date: 07/11/2018

Sworn to before me on this 11th day of July, 2018.

[Signature]
(Signature of Notary Public)

Certified Translation
Official Seal

HONG WU JIANG
Notary Public, State of New York
No. 01HO6189625
Qualified in Kings County
Certificate Filed in Queens County
Commission Expires June 30, 2020