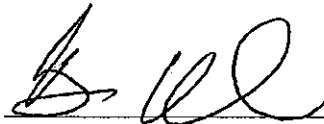




Memorandum in Support of Plaintiff's Motion for Summary Judgment, which includes Plaintiff's Rule 56.1 Statement of Undisputed Facts, the Declaration of Ricky Sachar and the exhibits attached thereto.

Dated: Washington, D.C.  
June 8, 2007

Respectfully submitted,



A. David Williams (Pro Hac Vice)  
Assistant Chief Litigation Counsel  
Carl A. Tibbetts (Bar # 22783)  
Assistant Chief Litigation Counsel  
Securities and Exchange Commission  
Division of Enforcement  
100 F Street, N.E.  
Washington, D.C. 20549-4010  
Telephone: (202) 551-4548 (Williams)  
Telephone: (202) 551-4483 (Tibbetts)  
Facsimile: (202) 772-9246  
[williamsdav@sec.gov](mailto:williamsdav@sec.gov) (Williams)  
[TibbettsC@sec.gov](mailto:TibbettsC@sec.gov) (Tibbetts)

Attorneys for Plaintiff  
Securities and Exchange Commission

---

Plaintiff reserves the right to seek leave of Court to include a prayer for findings and relief against Byer and Stevenson in its motion for summary judgment.

**CERTIFICATE OF SERVICE**

I HERBY CERTIFY that on June 8, 2007, I mailed the foregoing Plaintiff's Motion for

**Summary Judgment to:**

(by e-mail and Fedex)  
Dan R. Kirshbaum, Esq.  
Axelrod, Smith & Kirshbaum  
5300 Memorial Drive, Suite 700  
Houston, Texas 77007

(by certified mail)  
Malcolm C. Stevenson  
#346, 9 - 32442 Dahlstrom Avenue  
Abbotsford, BC V2S 6H1  
CANADA

(by e-mail and Fedex)  
Larry P. Ellsworth, Esq.  
Amy L. Tenney, Esq.  
Jenner & Bloch, LLP  
601 Thirteenth Street, N.W.  
Washington, DC 20005-3823

(by certified mail)  
Terry Martin, and CD2E, Inc.  
6951 Hannegan Road Suite 14  
Lynden, WA 98264-9058

(by e-mail and Fedex)  
Roy M. Terry, Jr., Esq.  
DuretteBradshaw, PLC  
600 East Main Street, 20th Floor  
Richmond, Virginia 23219

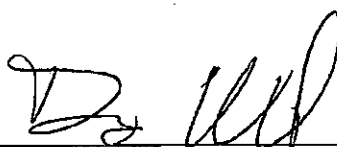
(by certified mail)  
M&M Technologies  
Attention: Terry Martin  
873 Hinotes Ct. Building D  
Lynden, WA 98264

(by certified mail)  
Daniel Eric Byer  
3 - 34250 Hazelwood Avenue  
Abbotsford, BC V2S 7L4  
CANADA

(by certified mail)  
Winchell Corporation  
Attention: Terry Martin  
3491 Unick Rd.  
Ferndale, WA 98248-9516

(by certified mail)  
Robert E. Lowrey  
37-21928 48 Avenue  
Langley, British Columbia V3S 7M1  
CANADA

(by certified mail)  
Robert E. Lowrey  
c/o SZE Coast Operating Corp.  
1730 Labounty Drive Suite 226 #3  
Ferndale, WA 98248

  
\_\_\_\_\_  
A. David Williams

**CERTIFICATE OF SERVICE**

I HERBY CERTIFY that on June 8, 2007, I mailed the foregoing Declaration of Ricky

Sachar in Support of Plaintiff's Motion for Summary Judgment to:

(by e-mail and Fedex)

Dan R. Kirshbaum, Esq.  
Axelrod, Smith & Kirshbaum  
5300 Memorial Drive, Suite 700  
Houston, Texas 77007

(by certified mail)

Malcolm C. Stevenson  
#346, 9 - 32442 Dahlstrom Avenue  
Abbotsford, BC V2S 6H1  
CANADA

(by e-mail and Fedex)

Larry P. Ellsworth, Esq.  
Amy L. Tenney, Esq.  
Jenner & Bloch, LLP  
601 Thirteenth Street, N.W.  
Washington, DC 20005-3823

(by certified mail)

Terry Martin  
c/o CD2E, Inc.  
c/o M&M Technologies  
c/o Winchell Corporation  
6951 Hannegan Road Suite 14  
Lynden, WA 98264-9058

(by e-mail and Fedex)

Roy M. Terry, Jr., Esq.  
DuretteBradshaw, PLC  
600 East Main Street, 20th Floor  
Richmond, Virginia 23219

(by certified mail)

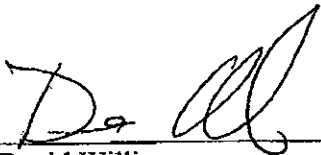
Daniel Eric Byer  
3 - 34250 Hazelwood Avenue  
Abbotsford, BC V2S 7L4  
CANADA

(by certified mail)

Robert E. Lowrey  
37-21928 48 Avenue  
Langley, British Columbia V3S 7M1  
CANADA

(by certified mail)

Robert E. Lowrey  
c/o SZE Coast Operating Corp.  
1730 Labounty Drive Suite 226 #3  
Ferndale, WA 98248

  
\_\_\_\_\_  
A. David Williams