

EXHIBIT D

Moustakis, Philip

From: Moustakis, Philip
Sent: Wednesday, October 09, 2013 2:18 PM
To: trendon@buscog.com
Cc: Downes, Daphne P.; Szczepanik, Valerie; Gerber, Jacob
Subject: SEC v. Shavers, et al, 4:13-CV-416 (RC) (ALM)
Attachments: 2013-1009 Initial Disclosures.pdf; Exhibit A (Initial Disclosures).pdf

Mr. Shavers:

Please find attached the Commission's initial disclosures. At your convenience, please call me to discuss the form and format of the production referenced in the disclosures.

Best regards,
Philip Moustakis

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**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-- against --

**TRENDON T. SHAVERS AND BITCOIN
SAVINGS AND TRUST,**

Defendants.

**CIVIL ACTION NO.
4:13-CV-416 (RC) (ALM)**

PLAINTIFF'S INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and the Court's Standard Initial Order Governing Proceedings ("OGP"), plaintiff Securities and Exchange Commission ("Commission") hereby makes its initial disclosures to defendants Trendon T. Shavers ("Shavers") and Bitcoin Savings and Trust ("BTCST" and, together with Shavers, "Defendants"). The Commission will supplement or amend these disclosures as appropriate pursuant to Rule 26(e).

GENERAL DISCLOSURE

These disclosures reflect the results of a search of the Commission's existing investigative files in this matter.

SPECIFIC DISCLOSURES

I. Disclosures Pursuant to Fed. R. Civ. Pro. 26(a)(1)(A)(i) and the OGP

A. The following are the names and, if known, the addresses and telephone numbers of any potential parties to this action: Ashley Shavers, 2305 South Custer Road, McKinney, TX 75077.

B. Attached as Exhibit A to these disclosures are the names and, if known, the addresses and telephone numbers of individuals whom the Commission currently believes likely have discoverable information or knowledge of facts relevant to the claim or defense of any party; a brief characterization of each individual's connection to the case; and a brief description of the subject matter of the individual's discoverable information.

II. Disclosures Pursuant to Fed. R. Civ. Pro. 26(a)(1)(A)(ii) and the OGP

The following is a description by category of all documents, electronically stored information (ESI), witness statements, and tangible things, excluding privileged or otherwise undiscoverable material, currently in the possession custody and control of the Commission. These documents are located at the offices of the Commission, Brookfield Place, 200 Vesey Street, Ste. 400, New York, NY 10281-1022.

- A. Documents and ESI concerning accounts in the name of, for the benefit of, or controlled by Shavers at Woodforest National Bank, Mt. Gox, Dwolla, and PayPal.
- B. Documents and ESI concerning btcst.com, buscog.com, and gpumax.com.
- C. Documents and ESI concerning GPUMAX Technologies, LLC.
- D. Documents, ESI, and statements concerning BTCST, provided to the Commission by Shavers.
- E. Documents, ESI, and statements, provided to the Commission by BTCST investors. (The Commission is not disclosing witness interview notes or memoranda created by its attorneys or staff because they are not witness statements, i.e., they are not intended to be substantially verbatim recitals of witnesses' oral statements.)

F. Publicly available documents, including, without limitation, Commission registration records; incorporation records or other public records; internet relay chat logs; and documents, ESI, or communications available on bitcointalk.org.

The Commission will produced the materials listed above to Defendants, except such items that were produced to the Commission by Shavers, on a rolling basis, as soon as the parties agree on a workable format for production.

III. Disclosures Pursuant to Fed. R. Civ. Pro. 26(a)(1)(A)(iii) and the OGP

In this civil enforcement action, the Commission seeks various forms of equitable relief and remedial sanctions expressly authorized by statute. That relief includes disgorgement. With respect to disgorgement, the Commission seeks an order requiring Defendants to disgorge the gross proceeds of the fraudulent and unlawful sale of unregistered securities alleged in the Complaint, and any other ill-gotten gains, and to pay prejudgment interest thereon from the date of the violation based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2).

The Commission also seeks civil penalties. As to penalties, the Commission seeks an order requiring Defendants to pay civil money penalties pursuant to Section 20(d) of the Securities Act of 1933 [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Securities Exchange Act of 1934 [15 U.S.C. § 78u(d)(3)]. In the event the Commission prevails on any of its claims, and absent a settlement, the Court shall determine the amount, if any, of the civil penalties according to the criteria described in the applicable statutory provisions. Documents relevant to a determination of

the amounts of disgorgement and civil penalties are contained in the Commission's investigative files in this matter, as described in Part II above.

Dated: October 9, 2013
New York, NY

By: /s/ Philip Moustakis
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(212) 336-0542
MoustakisP@sec.gov
Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I hereby certify that, on this 9th day of October, 2013, I served the foregoing Initial

Disclosures, by UPS Overnight Delivery, and by email, on:

TRENDON T. SHAVERS
2305 South Custer Road, Apt. 1507
McKinney, TX 75070
trendon@buscog.com

BITCOIN SAVINGS AND TRUST
c/o Trendon T. Shavers
2305 South Custer Road, Apt. 1507
McKinney, TX 75070
trendon@buscog.com

/s/ Philip Moustakis

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