

# Table of Exhibits

Exhibit 1: SEC's Website Screenshot Taken on December 14, 2022.

Exhibit 2: Email Communications between American CryptoFed and the Division of Enforcement December 8, 2022 through December 9, 2022

**RESPONDENT**  
**AMERICAN CRYPTO FED DAO LLC**

**EXHIBIT 1**

- Newsroom
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## Upcoming Events



This page provides a schedule of the upcoming meetings of the Commission, public appearances of senior SEC officials, and other events. Contact information is provided for additional information. Please note that all events are subject to change.

SEC MEETINGS AND OTHER EVENTS	PUBLIC APPEARANCES BY OFFICIALS	PUBLIC HEARINGS IN ADMINISTRATIVE PROCEEDINGS
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All times appearing below are listed in Eastern Time unless otherwise noted.

## SEC Meetings and Other Events

All SEC open meetings and many other public events are webcast. A hyperlink to the webcast will be posted to SEC.gov shortly before the start of a meeting. Captioning is provided for these webcasts. Reasonable accommodations for persons with disabilities attending an event in person can be arranged by submitting a request to [ReasonableAccommodation@sec.gov](mailto:ReasonableAccommodation@sec.gov) at least five business days in advance.

SEC closed meetings are not open to the public.

### Open Meeting

DEC. 14, 2022 | 11:00 AM ET

See Also:

- Sunshine Act Notice
- Agenda
- Time Change Notice
- Fact Sheet: Insider Trading Arrangements and Related Disclosure
- Fact Sheet: Disclosure of Order Execution Information
- Fact Sheet: Tick Sizes, Access Fees, and Transparency of Better Priced Orders
- Fact Sheet: Enhancing Order Competition
- Fact Sheet: Regulation Best Execution

Webcast:

Contact:

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

[View Event Details](#)

### Closed Meeting

DEC. 15, 2022 | 2:00 PM ET

See Also:

- Sunshine Act Notice

Contact:

For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

[View Event Details](#)

**RESPONDENT  
AMERICAN CRYPTO FED DAO LLC**

**EXHIBIT 2**

----- Forwarded message -----

From: **Baker, Michael** <BakerMic@sec.gov>

Date: Thu, Dec 8, 2022 at 8:04 AM

Subject: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP  
File No. 3-21243

To: mkaufman@hkwyolaw.com <mkaufman@hkwyolaw.com>

Cc: Bruckmann, Christopher <bruckmannc@sec.gov>, Carney, Christopher  
<CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Scott Moeller  
<scott.moeller@americancryptofed.org>, Xiaomeng Zhou <zhouxm@americancryptofed.org>

Mr. Kaufman,

We received a notification from you indicating your tentative plans to join the hearing in the above-captioned matter scheduled for January 18, 2023. Do you represent American CryptoFed DAO LLC as its attorney in this matter? If so, we ask that you use the eFAP electronic filing system to file a Notice of Appearance with the Securities and Exchange Commission in this matter pursuant to Rule 102 of the SEC's Rules of Practice (17 C.F.R. §201.102). If you are not representing American CryptoFed, we would note that the hearing link is only for parties, counsel, witnesses, the Administrative Law Judge, and the staff needed to run the hearing. The public may watch the hearing on [sec.gov](https://www.sec.gov).

Sincerely,

**Michael C. Baker**

Senior Counsel

Enforcement Division

**OFFICE** +1 202 551 4471

**MOBILE** +1 202 215 4170

[bakermic@sec.gov](mailto:bakermic@sec.gov)

----- Forwarded message -----

From: **Matthew Kaufman** <mkaufman@hkwyolaw.com>

Date: Thu, Dec 8, 2022 at 9:06 AM

Subject: Re: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Baker, Michael <BakerMic@sec.gov>

Cc: Bruckmann, Christopher <bruckmannnc@sec.gov>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Scott Moeller <scott.moeller@americancryptofed.org>, Xiaomeng Zhou <zhouxm@americancryptofed.org>

Mr. Baker,

Thank you for reaching out. Neither I, nor my firm, represent American CryptoFed DAO, LLC in this matter. My assumption is that I was listed or included on the list of people noticed for informational purposes only and to observe the proceedings. I will not be filing a Notice of Appearance, and will plan to observe any proceedings as a member of the public.

Best,  
Matt

**Matthew D. Kaufman**

Hathaway & Kunz, LLP | The Wyoming Law Firm™  
2515 Warren Avenue | Suite 500 | P.O. Box 1208  
Cheyenne, WY 82001  
p (307) 634-7723 | f (307) 634-0985

[MKaufman@hkwyolaw.com](mailto:MKaufman@hkwyolaw.com)

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----- Forwarded message -----

From: **Xiaomeng Zhou** <zhouxm@americancryptofed.org>

Date: Thu, Dec 8, 2022 at 10:20 AM

Subject: Re: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Baker, Michael <BakerMic@sec.gov>

Cc: mkaufman@hkwyolaw.com <mkaufman@hkwyolaw.com>, Bruckmann, Christopher <bruckmann@sec.gov>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Scott Moeller <scott.moeller@americancryptofed.org>

Mr. Baker,

I forwarded Mr. Kaufman the Webex link for our January 18, 2022 hearing.

I was not aware that “the hearing link is only for parties, counsel, witnesses, the Administrative Law Judge, and the staff needed to run the hearing.”

Thank you for your advice “The public may watch the hearing on sec.gov.”

However, after clicking on the [sec.gov](https://www.sec.gov), on the web page, I cannot find the notice regarding the American CryptoFed DAO LLC Public Hearing.

How can people know the public hearing and Webcast link in advance?

Best regards

Zhou

----- Forwarded message -----

From: **Baker, Michael** <BakerMic@sec.gov>

Date: Thu, Dec 8, 2022 at 10:41 AM

Subject: RE: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Xiaomeng Zhou <zhouxm@americancryptofed.org>

Cc: Bruckmann, Christopher <bruckmannnc@sec.gov>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Scott Moeller <scott.moeller@americancryptofed.org>

(removing Mr. Kaufman).

Mr. Zhou,

On the days of the hearing, there is a banner on the homepage of [sec.gov](https://sec.gov) containing a link to a webcast of the proceedings. It is a public link and no registration is required to access the webcast.

Sincerely,

**Michael C. Baker**

Senior Counsel

Enforcement Division

**OFFICE** +1 202 551 4471

**MOBILE** +1 202 215 4170

[bakermic@sec.gov](mailto:bakermic@sec.gov)



----- Forwarded message -----

From: **Xiaomeng Zhou** <zhouxm@americancryptofed.org>

Date: Thu, Dec 8, 2022 at 10:58 AM

Subject: Re: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Baker, Michael <BakerMic@sec.gov>

Cc: Bruckmann, Christopher <bruckmannnc@sec.gov>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Scott Moeller <scott.moeller@americancryptofed.org>

Mr. Baker,

Thank you for letting me know “On the days of the hearing, there is a banner on the homepage of [sec.gov](https://sec.gov) containing a link to a webcast of the proceedings. It is a public link and no registration is required to access the webcast.”

I am wondering how the general public is notified of the public hearing time and the Webcast link above in advance, regarding American CryptoFed DAO’s public hearing?

Best regards

Zhou

----- Forwarded message -----

From: **Bruckmann, Christopher** <bruckmannc@sec.gov>

Date: Thu, Dec 8, 2022 at 11:01 AM

Subject: RE: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Xiaomeng Zhou <zhouxm@americancryptofed.org>, Scott Moeller <scott.moeller@americancryptofed.org>

Cc: Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Baker, Michael <BakerMic@sec.gov>

Mr. Zhou,

You are free to tell anyone you like about the hearing and how they can watch it. To the extent you are implying that the Division has an obligation to specifically promote or advertise this hearing, we are aware of no such obligation.

Regards,

Chris Bruckmann

----- Forwarded message -----

From: **Xiaomeng Zhou** <zhouxm@americancryptofed.org>

Date: Thu, Dec 8, 2022 at 11:12 AM

Subject: Re: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Bruckmann, Christopher <bruckmannc@sec.gov>

Cc: Scott Moeller <scott.moeller@americancryptofed.org>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Baker, Michael <BakerMic@sec.gov>

Mr. Bruckmann,

I think you misunderstood my question which is much broader than you thought. I am asking for generic information.

Independent of American CryptoFed DAO's case, regarding any general public hearings, as an ordinary citizen, do I have any way to find out the public hearing times and the Webcast links in advance?

Best regards

Zhou

----- Forwarded message -----

From: **Bruckmann, Christopher** <bruckmannc@sec.gov>

Date: Thu, Dec 8, 2022 at 11:25 AM

Subject: RE: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Xiaomeng Zhou <zhouxm@americancryptofed.org>, Scott Moeller <scott.moeller@americancryptofed.org>

Cc: Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Baker, Michael <BakerMic@sec.gov>

Mr. Zhou,

The SEC's website contains a wide variety of information, including information about public hearings. At this very moment, there is a link on [sec.gov](https://www.sec.gov) (which I have pasted a partial screenshot of below) to a meeting of the Investor Advisory Committee. The SEC's website also has a link to the orders issued in each ongoing administrative proceeding, and the SEC maintains a number of active social media feeds, including on Twitter and LinkedIn. The SEC also issues press releases and other releases, many of which are posted on various portions of our website. The press releases and a great deal of other information is available by clicking on the "News" tab on the website, which is also visible on the screenshot below, and which contains links to multiple other pages on the SEC's website containing information made available to the public.

Regards,

Chris Bruckmann

----- Forwarded message -----

From: **Xiaomeng Zhou** <zhouxm@americancryptofed.org>

Date: Thu, Dec 8, 2022 at 11:54 AM

Subject: Re: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Bruckmann, Christopher <bruckmannc@sec.gov>

Cc: Scott Moeller <scott.moeller@americancryptofed.org>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Baker, Michael <BakerMic@sec.gov>

Mr. Bruckmann,

Thank you for your explanation.

Rather than a maze, out of all the information you sent me below, is there one place where an ordinary citizen like me, can find the accurate time and Webcast link for a scheduled public hearing, like American CryptoFed DAO public hearing on January 18, 2023, 10:00 EST, with a simple notice or instruction (similar to Mr. Baker's good instruction: On the days of the hearing, there is a banner on the homepage of [sec.gov](https://www.sec.gov) containing a link to a webcast of the proceedings. It is a public link and no registration is required to access the webcast.") ?

Best regards

Zhou

----- Forwarded message -----

From: Bruckmann, Christopher <bruckmannc@sec.gov>

Date: Thu, Dec 8, 2022 at 12:32 PM

Subject: RE: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Xiaomeng Zhou <zhouxm@americancryptofed.org>, Scott Moeller <scott.moeller@americancryptofed.org>

Cc: Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Baker, Michael <BakerMic@sec.gov>

Mr. Zhou,

Each time I respond, you change the question you are asking. Regardless, I have already provided you with more than sufficient information on this topic.

Good day,

Chris Bruckmann

----- Forwarded message -----

From: **Xiaomeng Zhou** <zhouxm@americancryptofed.org>

Date: Fri, Dec 9, 2022 at 1:59 PM

Subject: Re: In the Matter of The Registration Statement of American CryptoFed DAO LLC - AP File No. 3-21243

To: Bruckmann, Christopher <bruckmannc@sec.gov>

Cc: Scott Moeller <scott.moeller@americancryptofed.org>, Carney, Christopher <CarneyC@sec.gov>, Zerwitz, Martin <ZerwitzM@sec.gov>, Baker, Michael <BakerMic@sec.gov>

Mr. Bruckmann,

I disagree with your statement in your email dated December 9, 2022, “Each time I respond, you change the question you are asking. Regardless, *I have already provided you with more than sufficient information on this topic.*”

You did provide me with the important information below stating:

*“The press releases and a great deal of other information is available by clicking on the “News” tab on the website, which is also visible on the screenshot below, and which contains links to multiple other pages on the SEC’s website containing information made available to the public.”*

Following your information above, I did click on the “News” tab and was able to find the “Events” tab on the left of the webpage. I clicked on the “Events” tab and was able to find the page of “Upcoming Events” which includes “PUBLIC HEARINGS IN ADMINISTRATIVE PROCEEDINGS”. Please see the attached screenshot taken at 12:25:29, December 9, 2022, PST. There are only three events, but none of them is for the Day 4 Public Hearing of American CryptoFed DAO scheduled on January 18, 2023, although the schedule was already decided at our Day 3 hearing.

Since the Day 3 hearing was adjourned, at 4:37 p.m. December 6, 2022, EST, three (3) full business days have passed. However, the Day 4 Public Hearing of American CryptoFed DAO scheduled on January 18, 2023 has not been posted yet on the “Upcoming Events” page.

Can you let me know by the end of today (December 9, 2022) your estimate as to when the Day 4 Public Hearing of American CryptoFed DAO scheduled at 10:00 am, January 18, 2023 EST, will be posted on the “Upcoming Events” page?

If you are unable to provide me with an estimate of the posting time, please also let me know by the end of today (December 9, 2022). If the general public do not have timely notice on a public hearing schedule as soon as it is available, any public hearing, including but not limited to, the Day 4 Public Hearing of American CryptoFed DAO, may actually and in essence become a closed hearing.

“The judges conduct **public hearings** in a manner similar to **federal bench trials** at locations throughout the United States.”, according to the SEC website link below.

<https://www.sec.gov/page/aljsectionlanding>

As a general rule, trials must be open and public. Persons who wish to view trials and hearings, whether members of the press or ordinary citizens, have a right to both see and hear the proceedings. Public trials allow the general public to see that the justice system is functioning properly and treating defendants fairly. Under the U.S legal system, the Courts are open to the public so that every citizen may see that justice is done. The First Amendment right of public access to court proceedings and the Sixth Amendment expressly grants the accused a right to a public trial. In *Waller v. Georgia*, 467 U.S. 39 (1984), the U.S. Supreme Court has found the right to Public Trial and Hearing to be so fundamental to the fairness of the adversarial system that it is independently protected.

To the extent that the general public has no way to know the hearing schedule for the Day 4 Public Hearing of American CryptoFed DAO, this Day 4 hearing on January 18, 2023 may actually and in essence become a closed hearing. We hope that the Division of Enforcement can make necessary efforts as soon as possible so that the Day 4 Hearing of American CryptoFed DAO is a true, open and public hearing.

We are looking forward to your response.



