

**Top Performing Investment Manager, Chetan Kapur of ThinkStrategy Capital Management, Went Way Above and Beyond for Investors which Enjoyed Leading Returns for over a Decade. Chetan Kapur Gets Unjustly and Unjustifiably Persecuted by the Corrupt, Racist and Power Abusing Element at the Securities and Exchange Commission.**

- *ThinkStrategy Capital Management's investors enjoyed excellent returns for over a decade prior to the Great Recession and out-performing returns during the market collapse and thereafter. Extremely integrous, selfless and diligent Chetan Kapur sacrificed all his and ThinkStrategy Capital Management's resources for the benefit and protection of investors during the Great Recession market collapse and thereafter. Kapur even sacrificed his substantive investment and creditor claim against the ThinkStrategy Funds to shelter and protect investors that he had no obligation whatsoever to do.*
- *The corrupt, deceitful contingent at the Securities and Exchange Commission (SEC) engaged in a campaign of harassment, defamation, destruction and attempted extortion against Kapur. The Securities and Exchange Commission's unjust, unjustified attack and abuse of power began one year after ThinkStrategy Capital Management and Kapur depleted all their resources for the benefit and protection of investors leaving them without any resources to defend against the corrupt attack. While accolades were deserving for Kapur's sacrifices, selflessness and uncompensated hard work for the benefit of investors, the Securities and Exchange Commission instead corruptly attempted to harass, abuse and extort third parties including Kapur's family out of assets that legally and rightfully belonged to them but failure was inevitable.*
- *All the Securities and Exchange Commission claims against Kapur were demonstrably fabricated, defamatory, libellous, fictional or egregiously false. The Securities and Exchange Commission's utterly baseless and drastically misleading claims were based on out-of-context, contorted, distorted or erroneous misinformation and never should have been brought.*
- *The Securities and Exchange Commission corrupt contingent was unjustly working hand in glove with one corrupt, racist, power abusing, misleading investor, Benjamin Schwarz, and his equally illicit prosecutor in-laws who were very upset he did not get preferential treatment and payout over other investors after the market collapse. The New York prosecutor's office was heavily misled by the Securities and Exchange Commission's corrupt contingent and Benjamin Schwarz's prosecutor in-laws but all charges were dropped after they realized it was a slanderous and wrongful persecution.*

*Furthermore, had Kapur provided preferential treatment to Benjamin Schwarz not only would this be illegal and inequitable but would open him up to liability from other investors. The anti-corruption authorities urgently need to investigate and bring these extremely corrupt, power abusing and hatefully libellous government officials and investor to justice.*

- *Numerous credible independent third parties provide testimony and factual testimonials which highlight Chetan Kapur's excellent reputation, impeccable character and outstanding contribution to the community.*

***The matters and events detailed are based on verified fact, credible and accurately characterizing witness testimony, and objective, unbiased evidence including authenticated and/or substantiated documentation:***

ThinkStrategy Capital Management managed and advised two leading hedge funds – ThinkStrategy Capital Fund, an equity market-neutral fund and TS Multi-Strategy Fund, a leveraged multi-strategy fund of hedge funds and had a comprehensive managed account program. The funds and managed accounts provided investors excellent annual returns with low relative volatility for over a decade. All investors received the reported returns that were based on the net asset values generated from the funds trading or allocations. With the worst banking crisis in history and accompanying market collapse, the leveraged TS Multi-Strategy Fund, a top performer, was put into liquidation by its lender and custodian, KBC Financial - which put all their leveraged clients into liquidation. The TS Multi-Strategy Fund was one of KBC Financial's last funds to get put into liquidation due to the quality and diversification of their investments. ThinkStrategy Capital Management eventually placed the TS Multi-Strategy Fund into the hands of Pricewaterhouse Coopers as resources were completely depleted after sacrificing all to protect and shelter investors during the Great Recession and market collapse. The TS Multi-Strategy Fund conducted due diligence on or evaluated approximately 8000 investment opportunities and had over 150 different investment tranches.

ThinkStrategy Capital Management had quality independent service providers that independently audited and administered the Funds and their returns. The Funds' custody, leverage, brokerage, legal, tax and other service providers were also quality independent firms. The service providers included KBC Financial, Pricewaterhouse Coopers, O'Connor Davies Munns and Dobbins, Eisner, Folio Administrators and Kirkpatrick & Lockhart.

ThinkStrategy Capital Management always had a Director of Business Development that fully managed and spearheaded the firm's capital raising, sales and investor relations effort. The Director of Business Development created all offering materials and was responsible for all investor needs as it related to the Funds' performance, assets

under management, longevity, strategy, due diligence and management team. In addition, other senior members spearheaded portfolio management, research and due diligence, trading and other functional areas of the firm such as operations and archiving. ThinkStrategy Capital Management was a sophisticated growing firm managed in a similar fashion to many growing hedge funds of its size.

Any inadvertent omission or inaccuracy made by ThinkStrategy's Director of Business Development or his investor relations team in the normal course of business in one-off documents was not only corrected immediately when identified and re-issued but also accurately noted in many other offering materials including the Funds' foundational offering documents (i.e. the Offering Memorandum, Prospectus, Limited Partnership Agreement and Investment Management Agreement). The Funds' sophisticated, qualified, experienced, accredited investors carefully reviewed all documents and spoke to and met the ThinkStrategy team and their independent service providers - all of which accurately answered all questions prior to investment. Not one investor was ever misled in any way, shape or form as to the investment products and the risks associated with them. Not one investor ever redeemed as a result of an inadvertent inaccuracy being corrected by the Director of Business Development or his investor relations team.

ThinkStrategy Capital Management conducted comprehensive research and due diligence in all its investment products. ThinkStrategy Capital Management's fund of hedge fund product, TS Multi-Strategy Fund, had an extensive, multi-faceted program of diligence that included operational, strategy, risk, stress and scenario due diligence processes that were applied to all sub-funds being evaluated. Each due diligence process had several qualitative and quantitative aspects and checks. Other leading fund of funds also had similar processes that were above or at industry standard for the time. The TS Multi-Strategy Fund investments oftentimes were recommended by highly regarded institutional advisors or consultants, or came from respected investment databases. All TS Multi-Strategy Fund's sub-fund managers always had strong knowledge and experience with their strategy, very solid business and investing experience, and used quality service providers. Many sub-funds were eliminated from consideration as a result of the stringent and multi-faceted due diligence performed by ThinkStrategy Capital Management. TS Multi-Strategy Fund continually improved its above industry standard due diligence processes eventually adopting a 'No Stone Should Be Left Unturned' policy even if there were no red flags. Furthermore, the TS Multi-Strategy Fund could not invest in any sub-fund unless it passed KBC Financial's (TS Multi-Strategy Fund's lender and custodian) independent due diligence processes and standards. TS Multi-Strategy Fund's rigorous due diligence processes went way beyond the processes communicated to investors while serving investor interests.

The TS Multi-Strategy Fund, a leading performer, was one of KBC Financial's last clients to be put into liquidation as it was a top performer and well diversified. The leveraged fund of hedge funds had no choice in having to submit full control over to

KBC Financial, as did all its peers, during the worst banking crisis in United States history and the worst economic and financial crisis since 1929. Nonetheless, the fund outperformed a vast majority of its peers locked in a similar position in spite of coming to discover and fully writing off a couple of issue sub-investments. Further, the evidence shows that had the Securities and Exchange Commission done their jobs properly, being the only ones with access to third-party fund bank and brokerage statements, the TS Multi-Strategy Fund of Funds and thousands of other sophisticated investors would not have been victims of any losses from issue funds. The TS Multi-Strategy Fund and the ThinkStrategy Capital Fund enjoyed investment success and outperformance significantly higher than its peers in all periods. Furthermore, the evidence displays that had Kapur's firm been given the opportunity they would have maneuvered easily out of the market collapse as was demonstrated by the B Class returns of the TS Multi-Strategy Fund (the B Class was a recent and much smaller unleveraged class that unfortunately had to be folded into the A leveraged class as all classes of the Fund entity must be treated together in a liquidation).

Kapur and ThinkStrategy Capital Management worked very diligently for investors of the leveraged Fund even while receiving no compensation or fees for approximately 3 years as KBC Financial (lender and custodian that put all their clients into liquidation with the banking crisis) halted all required fees payable to all their investment managers during the liquidation period. ThinkStrategy Capital Management and its founder, Kapur, thereafter went out-of-pocket during these 3 years to pay for all the infrastructure, operating, administrative and investment manager expenses of the Fund until their resources were fully depleted leaving Kapur with very significant debts. Most other investment managers would have forced their funds into court receivership or the hands of a liquidator immediately whereby all these expenses and costs would be charged to the fund - thereby hurting investor returns, and furthermore would not have worked "16 to 20 hour days for 3 years in selfless sacrifice without compensation as Kapur did," discloses an institutional investor in the Fund. Kapur did not abandon investors, which he was legally entitled to do as he was working gratis. Investors benefitted at the very substantial cost and expense of Kapur.

ThinkStrategy Capital Management and Kapur during this liquidation period devoted a lot of hard work and effort in providing detailed reports to investors, in making prudent decisions on sub-funds that were restructuring, in procuring the sub-funds to payout as soon as feasible (including participating in investor committees and appointing advisors to oversee payouts), in obtaining risk, liquidity, outlook and other updates from the sub-funds, as well as maintained coordination with all service providers to the Funds (the independent auditors, the independent administrators, the independent accountants, tax preparers and legal) while the management company and Kapur received no compensation for their diligence. Further, the Fund's investors were provided substantial fee discounts in the normal course of business prior to the economic and banking crisis too - once again benefitting investors at the cost of ThinkStrategy Capital

## Management and Kapur.

ThinkStrategy Capital Management eventually put the Multi-Strategy Fund of Hedge Funds into the hands of Pricewaterhouse Coopers after 3 long years of managing all aspects and costs of the funds without pay, having done all it could for investors, depleting resources fully and leaving founder, Kapur, in a very substantial debt position. Further, ThinkStrategy Capital Management and Kapur suffered the exact same percentage loss during the economic, banking and private lending crisis being a major investor in the Fund that was put into liquidation. ThinkStrategy Capital Management and Kapur wrote off their Fund investment and a very substantial and fully substantiated creditor claim towards the Fund for the major benefit of investors.

One year after Kapur wound down ThinkStrategy Capital Management operations (having handed over ThinkStrategy's Funds to PriceWaterhouse Coopers to manage), instead of praising his tireless efforts and selfless sacrifice for investors, the SEC corruptly brought egregiously false, fictional and slanderous claims against ThinkStrategy Capital Management and its founder, Kapur. The Securities and Exchange Commission knew full well Kapur was in debt and had depleted all his resources for the benefit of investors, leaving him unable to defend himself against their egregiously false, fictional and unjust claims. The SEC corrupt contingent wanted default penalties based on their fake and fabricated claims that they brought one year after ThinkStrategy Capital Management and Kapur depleted all resources for investors' benefit. Thereafter, the underhanded SEC contingent along with one equally corrupt investor, Benjamin Claudios Schwarz, and his prosecutor in-laws got Kapur wrongly indicted per their egregious lies and by misleading the New York prosecutor's office. All the indictment charges were dropped by the New York prosecutor after they realized they were wrongly and slanderously persecuting Kapur over a SEC complaint that was egregiously false, fictional and had no basis in fact or truth whatsoever.

The dishonorable investor, Benjamin Claudios Schwarz, had connections with the corrupt element at the Securities and Exchange Commission via his illicit prosecutor in-laws and tried unsuccessfully through harassment and defamation to extort ThinkStrategy Capital Management and Kapur into providing him preferential treatment and payout over other investors. Benjamin Schwarz used the wrongfully brought and utterly baseless indictment as an opportunity to try to extort Kapur's family out of assets that belonged to them. Upon Kapur's vindication of all charges, Benjamin Claudios Schwarz engaged in a further attempt to extort Kapur's family out of their assets and failed. Schwarz had a default judgment based on egregiously false, fictional and defamatory claims that he obtained 2 years after ThinkStrategy Capital Management depleted all resources for investors' benefit thus not being able to defend itself. During this failed collection attempt for Kapur's aunt's car, his mother's ring and other third party assets Judge Paul Engelmayer ruled unequivocally that the assets did not and could not belong to Kapur. Benjamin Claudios Schwarz having failed, he now

got the dishonest SEC contingent (via his prosecutor in-laws) to back his campaign of harassment, defamation, destruction and attempted extortion.

Instead of Kapur receiving well deserved accolades from the Securities and Exchange Commission, the disreputable contingent of the Commission spearheaded by Scott F. Weisman was instead trying to collect on demonstrably false and fictional claims (that Kapur had no resources to defend against after having nobly provided all he had to shelter and protect investors during the Great Recession and market collapse). Furthermore, while Benjamin Schwarz's prosecutor in-laws wanted to keep a low profile while fully supporting Benjamin Schwarz's corruption and attempted extortions, this was near impossible as the illicit Benjamin Schwarz advertised their full collusion by threatening every member of the ThinkStrategy Capital Management team as well as several of its independent service providers with wrongful charges by his unscrupulous prosecutor in-laws if he did not get preferential payout and treatment during the market collapse.

It must be noted that Scott F. Weisman's corruption, criminal mismanagement and abuse of power is witnessed repeatedly at the Securities and Exchange Commission. Our investigation shows that he was part of the Madoff investigating teams that knew Madoff was running a Ponzi scheme for a very long time and did absolutely nothing about it. When Madoff got criminally charged he and his SEC team did nothing and completely ignored Madoff's criminal conduct, when Madoff got criminally convicted he still did absolutely nothing. Shortly after Madoff was criminally convicted the SEC then lazily brought a complaint against Madoff and touted just how quickly they had acted on the matter. This explains and is very telling of this SEC contingent's criminality and corruption.

On the complete other end of the spectrum, Scott Weisman has repeatedly proven that he is very willing to bring fabricated and false charges against innocent, hardworking people of different race, legal immigrants and minorities working in the securities industry. In the case of Kapur, here is a manager that went so far above and beyond the call of duty, he was deserving of many accolades not the corruption, criminal mismanagement and abuse of power of the morally deprived at the Securities and Exchange Commission. Furthermore, this criminal mismanagement and abuse of power by Scott F. Weisman and his team is made worse by his evident racism and jealousy towards those that have accomplished and served investors faithfully through diligence and tenacity but who are of different culture and heritage, and those that have accomplished from humble beginnings. "Scott Weisman's high moral turpitude and incompetence to effectively and unbiasedly regulate is further underlined when unjustified persecutions by him are described as reputation management for the Securities and Exchange Commission," reveals a high ranking officer at the SEC. "It is precisely deceitful, proudly power abusing, hypocritical government agent's like Scott Weisman that have given the Securities and Exchange Commission a tainted reputation

for being unscrupulous, racist and heavily biased regulators,” discloses an agent at the SEC. “Besides for being corrupt and racist, it is likely with Scott Weisman’s reputation for taking bribes that he wanted to be bribed to stop his corrupt activities in my case. He deserves to be detained indefinitely for his past and ongoing criminal conduct, should have all his assets seized and be made to pay punitive damages to all the victims of his corruption through every penny of income he undeservingly earned at the SEC and currently earns at Bain Capital,” divulges another innocent victim of Scott Weisman’s corruption while at the SEC. A current insider at the SEC explains, “During the period Scott Weisman and team worked at the SEC, they loved to tout their non-existent integrity and will to do the right thing in SEC publications and notices to try to obtain coveted positions in the private sector when in fact in several cases their corruption, criminality and complete lack of integrity was astonishing.”

The SEC dishonest contingent went in front of the very same judge as Benjamin Claudios Schwarz had, Paul A. Engelmayer, as they knew his reputation for supporting wrongful persecutions if brought by a government agency. With absolutely no new evidence whatsoever on the items that were presented at the Schwarz hearings (where the judge rightly and unequivocally ruled in Kapur’s favor) the shameful SEC contingent and the now biased judge made the utterly baseless and egregiously false claim that Kapur had control over assets (that were non-existent) and a certain third-party’s entity that they knew full well per the facts that he did not and could not control (and more importantly that such assets did not and could not belong to him). Furthermore, the third party’s entity’s assets were sequestered or frozen for years prior to these proceedings and remained frozen after the proceedings.

Nonetheless, this judge turned his prior opinion and judgments from the comprehensive Schwarz hearings 180 degrees simply because the SEC’s morally bankrupt contingent got involved in unjustly persecuting Kapur. The judge deliberately ignored independent, irrefutable, complete and accurate accounting with all backing statements and substantiation by ThinkStrategy Capital Management and Kapur’s reputable CPA demonstrating how ThinkStrategy Capital Management and Kapur depleted their resources for the enormous benefit of investors leaving Kapur in immense debt. Further, the judge knowing the assets did not and could not belong to Kapur felt it was his job to side with the underhanded SEC contingent even though they were slanderously persecuting Kapur. The judge held Kapur unjustly and unjustifiably in contempt of court for his inability to pay the unprincipled SEC contingent’s egregiously false, fabricated and fictional claim based default judgment (obtained after Kapur depleted all resources for investors’ benefit) and thus became party to the unjustified and slanderous persecution of Kapur.

Paul A. Engelmayer per his record of conduct is “arguably the most disrespected judge in the Thurgood Marshall Courthouse who gets all the cases no other judge wants to deal with,” reveals an experienced noteworthy attorney that has done several cases

before this judge. Thus it is not surprising the corrupt SEC contingent case against Kapur involving the slanderous and unjust persecution of Kapur fell on his lap. Further behaving like a “judicial terrorist” proudly having supported the SEC’s corruption, abuse of power and racism, this judge demonstrated yet again “his cowardly conduct in standing against injustice,” notes a court clerk familiar with the case. “This dishonorable judge can best be described for his criminality as someone who abuses his power to support, aid and abet corrupt, racist prosecutors with their persecutions,” records an innocent victim of the judge’s power abusing and corruption. The evidence repeatedly shows that this “judge’s deeply troubling moral depravity, hypocrisy and utter incompetence towards justice is a matter of pride for him as is evident in several cases including the one against Kapur,” declares an objective party and attorney. “Besides for being a bigot and pompous, it is possible based on this judge’s reputation that he was looking to be bribed in the Kapur contempt case as his actions and decisions are completely outrageous, illogical and not supported by law or truthful fact in any way,” affirms a regular member of the Engelmayer’s courtroom and that closely followed the Kapur case.

While it is understandable why this judge whose credentials look good on paper got appointed to judgeship to fill a vacated seat, it is clear his performance in practice collapsed at some point thereafter and is marred by his deliberate bad judgement, racism and corruption in ruling unjustly in certain cases against innocent parties as is demonstrated in the Kapur case. “It goes without saying that at the very least all the questionable decisions and judgements by this manipulative judge should be carefully scrutinized by the Justice Integrity and Review Unit and a serious investigation should be conducted by the Public Integrity Section (PIN) which has exclusive jurisdiction over the allegations of criminal misconduct on the part of federal judges. Clearly, based on the substantiated claims against this judge related to corruption and biased decisions he has engaged in egregious misconduct of a criminal nature and thus is in major violation of his ‘good behavior’ requirement,” notes a neutral party and lawmaker.

Only when Kapur appealed the matter pro se to the Court of Appeals and was about to file his appeals brief did the contempt purge on the exact same day. An appeal would have exposed the egregious SEC corruption and judicial malfeasance. Not surprisingly, the judge then concluded what he knew all along which was that the third party assets were not and could not be controlled by Kapur.

Kapur during his fight against this unjust campaign of harassment, defamation, destruction and attempted extortion unfortunately had two attorneys that stand out as having engaged in malpractice, troublemaking behavior and utter incompetence per our investigation findings and the court filings.

The first was Vivian Rivera Drohan, founding partner of the law firm Drohan Lee LLP. Kapur did not know at the time he hired this attorney that she had “a well deserved



reputation for malpractice and troublemaking behavior” to greedily line her own pockets. Kapur was dealing with his first legal matter ever due to the unjust and illicit Schwarz investor during the Great Recession market collapse. Client after client on Vivian Drohan’s prior client list had shocking testimony on how this attorney happily feeds her clients to the wolves. “Vivian Drohan has long standing relationships with shady agents at the Securities and Exchange Commission (SEC) and the Commodity Futures Trading Commission (CFTC) that she has bring utterly baseless cases against her clients to line her own pockets,” asserts a former member of her firm. Her prior clients note she puts on a disingenuous show of defense while in reality doing everything possible to make matters worse for her clients behind their backs.

“Vivian Drohan’s systematic betrayal of every client that walks through her firm’s doors is business as usual for her malpracticing and fraudulent firm,” reveals a former client. Credible evidence, witness testimony and substantiated documentation further demonstrates that Vivian Drohan has engaged in theft of client funds through fraudulent billing, including blatant theft of over USD 85,000 on the Kapur case. “Vivian Drohan and her practice Drohan Lee LLP has a record of the lowest quality, most inefficient and unresponsive representation,” discloses a neutral party. “Vivian Drohan should be detained for at least 20 years for her crimes,” declares an ex-client. Yet another affirms, “Vivian Rivera Drohan will take one easily dismissible civil case and with her talent for manipulation and troublemaking will proudly turn this into several major civil cases against her client, and then she will seek to turn the cases criminal and earn fees from criminal attorneys for the referral. This is how she chooses to make a living through fraud and theft of client funds. Unfortunately while she puts on a good show for her clients, Vivian Drohan is deliberately incompetent and very proud of her immorality in the way she conducts herself.” Another former client expresses that “Vivian Drohan is easily the worst litigator on the planet.” An impartial party and current member of her firm divulges, “she (Vivian Drohan) has had to hire a criminal attorney to represent her personal interests more than a few times related to client civil cases that she has baselessly escalated into a criminal matter.”

Not surprisingly, the law firm previously called Drohan, Lee and Kelley LLP saw the exit of both partner Ian Kelley and founding partner John Drohan. Partner Ian Kelley repeatedly sued Vivian Drohan and her firm for breach of contract, fraud and for non-payment of earned fees under the partnership agreement (Kelley v Drohan Lee LLP, Index No: 602397/09). Furthermore, another credible witness to this attorney’s misconduct states, “Vivian Drohan has several misstatements, inaccurate and misleading informations in her self provided biography data.”

The other attorney is Eric Michael Creizman of the defunct law firm Creizman PLLC. Kapur had merely 24 hours per court deadline to retain a defender or attorney, after he had selflessly sacrificed all his resources for the benefit and protection of investors during the Great Recession market and banking collapse, in the civil coercion case

before the Judge Paul A. Engelmayer (the judge who was working hand in glove with the corrupt contingent at the Securities and Exchange Commission). Eric Creizman's utter incompetence and cowardly conduct in this case is of special note and very consistent with his history of incompetence and cowardice in court matters. This attorney knowingly sided with the injustice of Judge Paul A. Engelmayer's farce of a civil coercion contempt of court to burn Kapur over knowingly unjust and fictional claims and to seek assets that did not and could not belong to Kapur. Furthermore, these third party assets were under sequestration or freeze for years before the contempt of court and also after the contempt of court was purged by the corrupt judge. Thus coercion of a third party by holding innocent Kapur in contempt of court was even more impossible, nonsensical and outrageous. The cowardly conduct shown by Eric Creizman who per court filings was clearly stringing his client along about filing an appeal against the injustice being perpetrated by Judge Paul A. Engelmayer is appalling. Eric Creizman never did file the appeal that should have been filed within days of this incredible and unbelievable contempt of court by this power abusing and corrupt judge. Eric Creizman was too scared to stand up for justice and against the dishonorable conduct of Judge Paul A. Engelmayer in persecuting Kapur - a judge that has a history and record for criminally mismanaging cases. Several of Eric Creizman's former clients note that it is not surprising at all that his law practice Creizman PLLC was a complete failure. Eventually, Kapur - after much obstruction by this Judge and the corrupt at the SEC - did get the appeal forms and started to file the appeal pro se (in one's own behalf). Judge Paul A. Engelmayer at risk of being exposed for his egregious corruption, abuse of power and criminality purged the contempt of court the very next day.

"Eric Creizman is among the most incompetent, uncreative, low-energy, lazy and cowardly attorneys out there," declares a Partner who was part of the now defunct Creizman PLLC law firm. Eric Creizman's prior clients and other parties all agree that this attorney should not be practicing defense law but is "best suited as a peon for an assistant prosecutor or an illicit prosecutor who engages in persecutions." Our investigation update confirms that Eric Creizman currently works at the law firm of Morrison Cohen LLP. Another former client affirms and observes, "Eric Creizman is an attorney that moves firm's regularly and I am surprised anyone retains him being that he has a well-established history and reputation of duping clients into hiring him and then effectively stealing their retainers by immediately siding with the opposition."

The Kapur case demonstrates a history of wrongful, unjust and unjustified attacks on Kapur by the corrupt element at the SEC hand in glove with Benjamin Claudios Schwarz and his illicit prosecutor in-laws (all of which heavily mislead the New York prosecutor's office, which on discovery that their case was a slanderous persecution dropped all charges). The case highlights a campaign of defamation, harassment and destruction against Kapur including attempts to extort third parties out of assets that legally belong to them. Defamatory, fabricated, egregiously false, fictional and utterly baseless claims (that

never should have been brought) have been repeatedly and very unjustly brought to cause damage and then eventually get rightfully dropped in this persecution of Kapur.

Kapur is an individual who went way above the call of duty for investors in depleting all his and his company's resources for the shelter and protection of investors during the Great Recession market collapse (which he had no obligation whatsoever to do). Furthermore, ThinkStrategy Capital Management's investors enjoyed excellent returns for over a decade prior to the Great Recession and out-performing returns during the market collapse and thereafter. Kapur even sacrificed his substantive investment and creditor claim in the Funds, that he had no obligation whatsoever to do, to shelter and protect investors.

After all this, the reprehensible SEC contingent and judge Paul A. Engelmayer got the immigration department to bring totally nonsensical and ridiculous civil immigration claims against Kapur, a legal US resident for over 20 years, to try to push him out of the country. Kapur graduated with high distinction and honors from an Ivy League university and from one of the country's most prestigious business schools (having paid his own way through university). Thereafter, he worked for many years at a leading investment bank where he was quickly promoted due to his talent and diligence before starting his own investment firm.

The immigration department brought their first nonsense claim against Kapur and then dropped it before the immigration judge was going to dismiss it, and then brought another nonsense claim thereafter that was equally unjustified that was also dropped before the judge was going to dismiss it. All charges against Kapur were yet again rightfully dropped, after the intended damage, in this unjust campaign of defamation and destruction against him. Further there is clear evidence that no one at the immigration department wanted to take this case on but were being pushed by the corrupt SEC contingent and the judge, who are both deserving of legal action and liability for their corrupt, power abusing acts. Clearly, this was also a strategy by the corrupt at the SEC to try to prevent the truth from being revealed and to protect against a much deserved lawsuit for damages including punitive damages (a lawsuit that they would certainly lose).

In sum and substance, this appalling persecution by the corrupt at the SEC hand in glove with the investor, Benjamin Claudios Schwarz, that unreasonably demanded illegal preferential payout and his equally illicit prosecutor in-laws is criminal, corrupt and beyond disgraceful. The anti-corruption authorities need to bring these corrupt, power abusing parties and those that supported them to justice.

ThinkStrategy Capital Management LLC, its founder, directors, managers, employees and service providers are all extremely honest, hardworking members of the community that went way above and beyond for investors prior to, during and after the Great

Recession.

## **TESTIMONY, TESTIMONIALS AND FACTUAL OPINIONS:**

*“We were one of ThinkStrategy Capital’s largest institutional investors. We capitalized on outstanding absolute and relative returns with a conservative risk profile for many years. Unfortunately, we did get caught up in the TS Multi-Strategy Fund liquidation due to the worst US banking crisis in history. However, we must say that the way Chetan Kapur and his team handled matters was impressive. We always received detailed attention and excellent transparency, but the level of service, reporting and smart decision-making we received during the liquidation when all financial asset classes were collapsing was not observed at any of our other managers. Further, the TS Multi- Strategy Fund was one of our only leveraged funds with substantial equity several years into the banking and private lending crisis. For Chetan Kapur to have provided this servicing not receiving fees himself for years shows his commitment to his investors, as does the fact that he wrote off his investment and creditor claim to the Fund for investors. Our organization will without hesitation invest with Chetan Kapur again given the opportunity.” ~ **Founder of a renowned global organization that has several billions invested in alternative investments***

*“I was one of ThinkStrategy Capital Management’s earlier investors. I invested in their equity market neutral fund, ThinkStrategy Capital Fund. I was very happy with the low risk outperforming, top-tier returns I enjoyed at this Fund for several years. Later on, wanting to invest in a debt-based product, I also invested in their TS Multi-Strategy Fund. The decision to invest in the TS Multi-Strategy Fund was based entirely on their back tested pro forma return analysis done by their prestigious accounting and auditing firm O’Connor Davies Munns and Dobbins. These back tested returns were based on the actual trading of underlying sub-fund managers and traders. Investing in the TS Multi- Strategy Fund was a brilliant decision as well. I received even better returns at the Fund than the back tested pro forma analysis suggested I might receive. I was fully aware of all the risks at both funds having examined the Funds Offering Memoranda and through the honest forthcoming advice I got from Chetan Kapur, the Director of Business Development and the ThinkStrategy investor relations team. I knew going in that past results were not indicative of future results, that outlier and stressful market and economic environments may cause significant losses among other risks. I was a very satisfied accredited investor and am shocked at the injustice Chetan Kapur has had to face. I will definitely invest with Kapur again.” ~ **Long time accredited investor that invested in both of ThinkStrategy Capital Management’s Funds***

*“As a sophisticated investor in hedge funds for the past 20 years, I conducted very rigorous due diligence on ThinkStrategy Capital Management and both its hedge funds before investing and during my investment there. I routinely communicated with either Chetan Kapur or other members on their Investment Committee, spoke regularly with the Director of Business Development, and contacted their auditors and administrator on several occasions with detailed questions and inquires. That being said I can say with certainty, after having carefully and objectively reviewed the evidence, that the SEC complaint against ThinkStrategy and Chetan Kapur is absolute garbage, an utter manipulation filled with dire mischaracterizations, miscalculations, false claims and lies. I am saddened that a very good man like Kapur and his firm was subjected to such an unjustified attack” ~ Accredited and sophisticated investor in ThinkStrategy Capital Management’s Funds*

*“I have been an investment manager for the last 25 years. I am a licensed registered investment advisor, and I am and have been a member of the board of directors of the Hedge Fund Association for the last 5 years. I have known Chetan Kapur for 12 years. Chetan and I have known each other since I conducted due diligence on ThinkStrategy. I managed a portfolio that invested in 21 Fund of Hedge Funds. Over the years we visited both in NY and in Miami many times and got to know each other’s funds extensively. Chetan has and always had an excellent reputation in the hedge fund community. He has impeccable character. He was one of the best investment managers and FoF managers. I have been impressed by his honesty, integrity, candor, professionalism and moral fiber. I know that Chetan does and will continue to positively contribute to the community personally and professionally...” ~ Board member of the Hedge Fund Association and a successful FoF investor*

*“While many might be surprised by this behavior of the SEC, I am not. The SEC has a history and reputation for corruption and incompetence. Matters have certainly improved there over the years but clearly not sufficiently enough. The SEC missed hundreds of frauds during the financial crisis and thereafter. Since then they have been so eager to mend their reputation they have no problems going after innocent managers like Kapur with invented, false and manipulated representations...”*

*As for Judge Engelmayer, a former federal prosecutor, he has a reputation for being an unobjective, heavily biased, bad and unjust judge when any government entity is involved. He is a well-practiced liar, deceiver and manipulator, and is the sort of person who would take great pride in being described as such. I have had a few cases in front of him and he is someone who has several complaints against him with the Judicial Council of the Second Circuit. This judge is much better off in a career as a fiction novelist with his drastically mischaracterized, manipulated and heavily*

*prejudiced opinions....Thurgood Marshall, the first African American judge appointed to the US Supreme Court who ended legal segregation in American, is probably rolling in his grave over the conduct of a racist judge like Engelmayer (who briefly even clerked for Thurgood Marshall) in his courthouse....While I do not usually do contingency cases, I will take on Kapur's case on a contingency basis should he wish to sue the SEC or this judge for their malicious and cowardly behavior...." ~ **Veteran New York attorney with 30 Years of experience***

*"We defended Chetan Kapur, the smart, creative young man behind ThinkStrategy, a New York hedge fund. When the market crashed in 2008, some of Mr. Kapur's investors absorbed significant losses, as did virtually every other investor in America. A powerful investor blamed Mr. Kapur for the diminished value of his portfolio. Ultimately, he was indicted on federal security fraud charges, with great fanfare by the New York United States Attorney's Office.*

*We took the time to learn the arcane and highly technical nature of Mr. Kapur's business. After several months of close analysis, we were able to demonstrate to and convince the federal prosecutors that, far from defrauding anyone, Mr. Kapur made money for most of his investors, while only those who had timed their investments poorly (i.e. by buying into the fund when it was doing well and selling when it was down) lost money. The prosecutor ultimately dismissed all of the charges.*

*'Mr. Kapur never defrauded anyone. He invested his clients' funds exactly as he promised he would and paid them precisely what they were entitled to receive when they redeemed their investments. Most of his clients made money and those who didn't understood the risks of investing. The charges against Mr. Kapur were ill-conceived and we are grateful that the United States Attorney recognized that fact by dismissing them.'*

*~ **Chetan Kapur's former attorney that defended against the wrongful, unjust and unjustified charges***

*"Chetan Kapur's firm ran the leading market neutral and multi-strategy fund for over a decade. Not only were they leading hedge funds in the industry by way of performance but after accounting for the very moderate risk factor they had one of the industry's highest Sharpe ratios. Chetan Kapur has been treated very very unfairly and unreasonably to say the least, particularly considering the remarkable sacrifice he personally made for Fund investors both before and after passing the ThinkStrategy's Funds over to Pricewaterhouse Coopers.....I will certainly invest with Chetan Kapur again and proudly recommend him to other qualified investors." ~ **Institutional investor that operates a thriving multinational institutional investment advisory practice***

***SOURCES include Case Dockets: SEC v. ThinkStrategy Capital Mgmt. LLC et al., 11CV8094, 17-691CV, 12CR00535, US District Court, Southern District of New York***

***Investigative Coverage Journal : Revealing and Uncovering the Truth through Investigation***

***This is an article REPOST from the Investigative Coverage Journal, 2017***

***Related Article:***

***[Top Performing Investment Manager, Chetan Kapur of ThinkStrategy Capital Management, Went Way Above and Beyond for Investors which Enjoyed Leading Returns for over a Decade.](#)***