

body” nor a “governmental agency,” said production was not included in the above response, as said production was non-responsive to the interrogatory.

**Interrogatory No. 11:** Identify with specificity each instance in which Johnson has communicated (orally and/or in writing) with member(s) of the press or media during the Relevant Period -including but not limited to persons working on behalf of BloombergNews Service, The Wall Street Journal and/or any other publication -related to 3Red Group, Oystacher and/or the Koch Litigation. For each instance, provide a detailed description of: (i) the date of such communication; (ii) the participants in each communication; (iii) who initiated such communication; (iv) the form of such communication; (v) the specific content of such communication; (vi) the purpose of such communication; (vii) any documents referencing or related to 3Red Group provided to any member of the press, and (viii) the location of any documents or communications related to such communication in Johnson's production.

**RESPONSE:** To the best of Johnson's knowledge, based on a complete and thorough review of all information at Johnson's disposal, Johnson herein identifies the following relevant communications:

1. (i) September 17, 2014  
(ii) Johnson and Matthew Leising (“Leising”), of the Bloomberg News  
(iii) Leising  
(iv) Email  
(v) Leising asked if Johnson was the “Edwin Johnson” involved in a lawsuit with a law firm related to Johnson's time at 3Red  
(vi) Unknown  
(vii) None  
(viii) JOHNSON-2<sup>nd</sup>-173503
2. (i) November 18, 2014  
(ii) Johnson and Leising  
(iii) Leising  
(iv) Email  
(v) Leising sought to speak with Johnson regarding an article Leising was writing about the CFTC's investigation into “spoofing” at 3Red  
(vi) Unknown  
(vii) None  
(viii) None
3. (i) On or about November 18, 2014  
(ii) Johnson and Leising  
(iii) Johnson

- (iv) Telephonic conversation
  - (v) As a preliminary matter, Johnson is unsure of whether or not this phone call actually occurred, however, given the fact that Johnson did not reply to Leising's email requesting a conversation, Johnson believes that he may have called Leising. In the event that such a conversation occurred, Johnson would have refused to comment on the record regarding the CFTC investigation and would have referred Leising to Johnson's counsel, to wit, Jeffrey O. Katz (“Katz”). Furthermore, the only other potential content of the aforesaid conversation would have been a generalized discussion of “spoofing” and market manipulation, with no specific reference to any actual “spoofing” transactions or market manipulative transactions that occurred at 3Red.
    - (vi) To respond to Leising's November 18, 2014 email
    - (vii) None
    - (viii) None
4. (i) November 21, 2014  
(ii) Johnson, Katz, and Bradley Hope (“Hope”), of the Wall Street Journal  
(iii) Johnson, per Katz's instruction  
(iv) Email  
(v) Johnson informed Hope that he was providing him with a copy of a draft complaint against Advantage Futures per the instruction of his counsel, Katz, and Johnson impressed upon Hope the need to maintain complete confidentiality as it pertain to said draft complaint prior to its public filing.
    - (vi) To provide Hope with a copy of the draft complaint, as per Katz's instruction
    - (vii) Draft complaint against Advantage Futures
    - (viii) Said draft complaint has not been produced, and it is not subject to production for two separate reasons, to wit, (1) that it is protected under the attorney-client and work product privilege, and (2) this specific copy of the draft complaint no longer exists in any format because it has since been revised and modified on numerous occasions, by separate counsel.
  5. (i) On or about December 4, 2014  
(ii) Johnson, Katz, Hope, and Jeff Nichilo. For a limited time during the meeting, Eric Chisholm, an attorney at The Patterson Law Firm LLC, was present, as was an unknown secretary employed by The Patterson Law Firm LLC.
    - (iii) Katz
    - (iv) In-Person Meeting
    - (v) Hope asked Johnson questions about his claim against