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and Collective Action

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 **QIUZI HU**, an individual, **EDWIN**
14 **RAMIREZ**, an individual, **IVAN**
15 **RONCERIA**, an individual, **WENZHI**
FEI, an individual, on behalf of themselves
and all others similarly situated,

16 Plaintiffs,

17 v.

18 **JOSE M. PLEHN-DUJOWICH**, a.k.a.
19 **JOSE M. PLEHN**, an individual;
20 **BIZQUALIFY LLC**, a California limited
liability company; and **POWERLYTICS,**
21 **INC.**, a Delaware corporation,

22 Defendants.

Case Number: 3:18-cv-01791-EDL

Honorable Elizabeth D. Laporte

**FIRST AMENDED CLASS AND COLLECTIVE
ACTION COMPLAINT FOR:**

1. **Failure to Pay Minimum Wage (29 U.S.C. §§ 201 et seq.);**
2. **Failure to Pay Minimum Wage (Cal. Lab. Code §§ 1182.12, 1194, 1194.2, 1197, 1197.1);**
3. **Failure to Provide Accurate Wage Statements (Cal. Lab. Code § 226);**
4. **Failure to Reimburse Required Business Expenses (Cal. Lab. Code § 2802);**
5. **Failure to Pay Earned Wages Upon Discharge (Cal. Lab. Code §§ 201-203);**
6. **False Advertising (Cal. Bus. & Prof. Code § 17500);**
7. **Unfair Competition (Cal. Bus. & Prof. Code § 17200);**
8. **Violation of Consumer Legal Remedies Act (Cal. Civ. Code § 1750, et seq.);**
9. **Fraud (Cal. Civ. Code §§ 1709, 1710);**
10. **Negligent Misrepresentation (Cal. Civ. Code § 1710(2));**
11. **Breach of Implied Contract;**
12. **Quantum Meruit; and**
13. **Civil Theft (Cal. Pen. Code §496)**

JURY TRIAL DEMANDED



1 Plaintiffs Qiuzi Hu, Edwin Ramirez, Ivan Ronceria, and Wenzhi Fei (collectively,
2 “Plaintiffs”) bring this class and collective action against Dr. Jose M. Plehn-Dujowich, also known
3 as Jose M. Plehn (“Dr. Plehn-Dujowich”), Bizqualify LLC (“BizQualify”), and Powerlytics, Inc.
4 (“Powerlytics;” Dr. Plehn-Dujowich, BizQualify, and Powerlytics are collectively referred to as
5 “Defendants”) for damages, penalties, and injunctive relief following Defendants’ failure to
6 compensate hundreds of university students who Defendants fraudulently convinced to work for
7 them, by falsely promising to provide them with educational instruction in the areas of finance,
8 accounting, and economics; a course certification from University of California, Berkeley and/or
9 University of California, Los Angeles, with which Defendants’ program is not sponsored, endorsed, or
10 affiliated; and a letter of recommendation. In exchange, the enrollees were required to pay
11 thousands of dollars to Defendants in the form of a “course fee” and to conduct dozens of hours of
12 data collection and research for the benefit of Defendants’ businesses.

13 INTRODUCTION

14 1. Defendants maintain and sell access to one or more databases that contain information
15 relating to, *inter alia*, growth, revenue, employment, website, global and U.S. rank, and other statistics
16 on millions of businesses. Defendants’ customers then use this information to make informed
17 investment or other decisions. Collecting and updating portions of the database(s) from online sources,
18 such as Alexa, whois.icann.org, Census NAICS, Crunchbase, and SEC Edgar, among other sites, is a
19 painstaking process that requires individuals to independently retrieve information specific to each
20 business, because, in the words of Dr. Plehn-Dujowich, “[t]he manual collection process seems to be
21 the only reliable, comprehensive method.”

22 2. As a result of this reality, and in their quest to grab profits and minimize labor costs,
23 Defendants Dr. Plehn-Dujowich, BizQualify, and Powerlytics conspired to fraudulently and
24 maliciously recruit approximately 240 foreign and domestic university students to enroll in the Global
25 Financial Data Project (“GFDP”), requiring the enrollees of the GFDP to manually collect data for
26 Defendants’ businesses. Defendants falsely advertised the GFDP as an online educational program
27 conducted by the University of California, Berkeley Haas School of Business (“Haas”) and the
28 University of California, Los Angeles Anderson School of Management (“Anderson”). UC Berkeley

1 and UCLA have disavowed any connection to the GFDP, and UC police have encouraged those
2 affected by this fraud to seek civil redress of the harm Defendants have caused.

3 3. The GFDP purports to offer—yet fails to provide—educational instruction, a
4 certification from Haas and/or Anderson, and a letter of recommendation written by the director of the
5 non-existent Haas- and Anderson-run program. In exchange for these false promises, the enrollees
6 were required to pay a \$2,413, or more, directly to BizQualify, and to spend dozens of hours collecting
7 and updating Defendants’ data, which was then ingested back into Defendants’ database(s) for sale to
8 their customers.

9 4. Defendants’ fraudulent actions include: routinely, and falsely, referring to the GFDP as
10 the “Berkeley Haas Global Financial Data Project;” fraudulently entering into contracts on behalf of
11 UC Berkeley to disseminate false and misleading recruiting materials; creating email addresses of the
12 form “gfdp@haas.berkeley.edu” and “gfdp@ucla.anderson.edu” to further the appearance that the
13 GFDP is operated by those institutions; and circulating misleading advertisements displaying UC
14 Berkeley and UCLA insignia, and what appears to be a UC Berkeley GFDP diploma or certificate,
15 now known to be fake.

16 5. Throughout the duration of the GFDP, which ran from approximately July 2016
17 through May 2017, Dr. Plehn-Dujowich misrepresented himself to the enrollees as being independent
18 from BizQualify, despite acting as its sole Manager and Chief Executive Officer. Dr. Plehn-Dujowich
19 also fraudulently omitted disclosing any relationship to Powerlytics whatsoever, though it is now
20 known that Dr. Plehn-Dujowich is Powerlytics’ Board Chairman and Chief Research Officer.
21 Powerlytics, in turn, relied heavily on Dr. Plehn-Dujowich and BizQualify to interface with and
22 demand payment from the enrollees, in an effort to conceal its involvement in Defendants’ conspiracy.

23 6. In spring 2017, Defendants’ fraudulent conspiracy unraveled after Dr. Plehn-Dujowich
24 was suspended by UCLA and investigated for misusing university assets. In April and May 2017, Dr.
25 Plehn-Dujowich abruptly disappeared from the GFDP, ceased conducting the online course sessions,
26 and ignored the GFDP enrollees’ efforts to contact him. Then in early May 2017, Dr. Plehn-Dujowich
27 contacted the enrollees, offered a hollow apology for his absence, and falsely stated he was
28 transitioning from UCLA to MIT, and that the GFDP would continue as normal. In truth, Dr. Plehn-

1 Dujowich was not transitioning to employment at MIT, and during his absence he was busy
 2 purchasing a new home in Huntington Beach, California for \$1,375,000, likely aided by the estimated
 3 \$580,000, or more, Defendants took from the GFDP enrollees, under false pretenses. By all
 4 appearances, Defendants ceased operations of the GFDP shortly after Dr. Plehn-Dujowich's
 5 manipulative email to the enrollees.

6 7. Plaintiffs Hu, Ramirez, Ronceria, and Fei, on behalf of themselves and all others
 7 similarly situated, seek to recover monetary damages and temporary and permanent injunctive
 8 relief to prevent Defendants from continuing or recommencing their fraudulent scam of acquiring
 9 uncompensated workers who *pay Defendants* for work being completed for Defendants' sole
 10 benefit.

11 JURISDICTION AND VENUE

12 8. This action arises under 29 U.S.C. §§ 201 *et seq.* in relation to Defendants' failure to
 13 pay their student-employees minimum wage for work performed for Defendants. Accordingly, this
 14 Court has federal question jurisdiction under 28 U.S.C. §§ 1331 and 1343. The Court has
 15 supplemental jurisdiction over all related state claims pursuant to 28 U.S.C. § 1367.

16 9. Venue is proper in this judicial district under 28 U.S.C. § 1391, because a substantial
 17 part of the acts or omissions giving rise to the claims for relief occurred in or were directed toward this
 18 District, and each of the Defendants is subject to the personal jurisdiction of this Court. Such acts or
 19 omissions include, but are not limited to, Defendants' fraudulently displaying the UC Berkeley logo
 20 on advertising and billing materials, and conspiring to do the same; deceiving Plaintiffs and other
 21 enrollees by falsely suggesting that the GFDP is operated, sponsored, or endorsed by, or affiliated
 22 with, UC Berkeley, when it is not; promising to issue course certifications bearing UC Berkeley's
 23 mark; and recording, or live-streaming, "instruction" in and from this District throughout the duration
 24 of the online program.¹ In April 2017, Powerlytics also hired (but did not pay) then-UC Berkeley
 25 student, GFDP enrollee, and GFDP Assistant Director, Ningrui Zhang ("Ms. Zhang") as a "data
 26 analyst," instructing her to spend 20 hours per week collecting, analyzing, and cleaning the data

27 _____
 28 ¹ Plaintiffs submit with this filing a declaration by Plaintiff Qiuzi Hu attesting to these facts, pursuant
 to California Civil Code § 1780(d) and California Code of Civil Procedure § 2015.5.

1 collected by the GFDP enrollees to “prepare it for ingestion into database systems,” as set forth in Ms.
2 Zhang’s March 27, 2017 offer letter, attached here as **Exhibit A**. This work, which Ms. Zhang had
3 already been doing for months at Dr. Plehn-Dujowich’s direction before being formalized, was
4 performed in Berkeley, California.² Accordingly, venue is proper in this District.

5 10. This Court has personal jurisdiction over each of the Defendants, because each
6 Defendant is domiciled in the State of California, has sufficient minimum contacts with California,
7 and/or otherwise has intentionally availed himself or itself of significant benefits provided by the State
8 of California, rendering the exercise of jurisdiction by this Court permissible under traditional notions
9 of fair play and substantial justice.

10 INTRADISTRICT ASSIGNMENT

11 11. This Action is properly assigned to the San Francisco Division of the Court, as the
12 conduct giving rise to this dispute occurred in or was directed to Alameda County, California. *See*
13 Local Rule 3-2(d).

14 PARTIES

15 12. Plaintiff Qiuzi “Vanessa” Hu (“Hu”) is an individual who currently resides in Burbank,
16 California, and has resided there since April, 2017. Prior to moving to California, Hu resided in
17 Phoenix, Arizona.

18 13. Plaintiff Edwin Ramirez (“Ramirez”) is an individual who, at all times relevant to the
19 First Amended Complaint, resided in South San Francisco, California.

20 14. Plaintiff Ivan Ronceria (“Ronceria”) is an individual who, at all times relevant to the
21 First Amended Complaint, resided in Casselberry, Florida.

22 15. Plaintiff Wenzhi Fei (“Fei”) is an individual who, at all times relevant to the First
23 Amended Complaint, resided in Santa Cruz, California.

24 16. Defendant Dr. Plehn-Dujowich, also known as Jose Plehn, is an individual who, on
25

26 ² Defendants concealed the fraudulent nature of the GFDP from Ms. Zhang, who, like all other
27 enrollees, paid thousands of dollars to enroll in the program. As a result of Defendants’ fraudulent
28 actions, Ms. Zhang worked approximately 600 hours to assist Dr. Plehn-Dujowich with instruction
and other tasks necessary to operate the GFDP. She acted without knowledge of the fraudulent nature
of the GFDP or that Defendants sought to monetize the data being collected by the enrollees.

1 information and belief, permanently resided in Berkeley, Newport Beach, Huntington Beach, and/or
2 San Leandro, California at all times relevant to the First Amended Complaint, and, at the time of this
3 filing, resides in Huntington Beach, California.

4 17. Defendant BizQualify is a California limited liability company with its principal place
5 of business in San Leandro, Newport Beach, or Huntington Beach, California. BizQualify engages in
6 the business of procuring and selling financial data and analysis, which it claims on its website to be
7 “the highest quality available financial information on private companies in the U.S.,” sourced from
8 filings with government regulatory agencies. According to documents filed with the California
9 Secretary of State, Dr. Plehn-Dujowich is the sole Manager and Chief Executive Officer of
10 BizQualify, and serves as its agent for service of process.

11 18. Defendant Powerlytics is a Delaware corporation with its principal place of business in
12 Doylestown, Pennsylvania. Like BizQualify, Powerlytics engages in the business of procuring and
13 selling financial data and analysis to its customers. Dr. Plehn-Dujowich is a co-founder, Board
14 Chairman, and Chief Research Officer for Powerlytics. According to documents produced by
15 Powerlytics, Dr. Plehn-Dujowich owns 24.2% of Powerlytics’ fully diluted shares, as of July 13, 2018.

16 RELEVANT FACTS

17 Defendants Conspire to Develop Fraudulent Scam to Obtain Unpaid Labor

18 19. Dr. Plehn-Dujowich is a highly-educated businessman and academic, who routinely
19 exploits his professional connections to several major universities in the United States to further
20 Defendants’ fraudulent practices described in this First Amended Complaint. He received a B.S. from
21 the Massachusetts Institute of Technology (“MIT”) in information technology and economics, and a
22 Ph.D. in economics from the University of Chicago. He previously served as an assistant professor in
23 the areas of accounting, finance, strategic management, and economics at Temple University’s Fox
24 School of Business and at State University of New York at Buffalo.

25 20. In or around April 2011, Dr. Plehn-Dujowich co-founded Powerlytics to engage in the
26 for-profit accumulation, analysis, and sale of public and private company financial data to consumers.
27 According to its website, Powerlytics offers “the most comprehensive consumer and business
28 financial data available.” Its database of information, as advertised by Powerlytics, can be used to

1 “create precise benchmarking and market-sizing reports, and to perform detailed economic, business
2 and marketing research,” which in turn may be used to “drive corporate strategy, discover potential
3 markets, evaluate competitors, and identify risks and trends in both the business and consumer
4 sectors.”³

5 21. In or around 2013, Dr. Plehn-Dujowich founded BizQualify, which, like Powerlytics,
6 engages in the for-profit accumulation, analysis, and sale of public and private company financial
7 information. According to information presented on its website, BizQualify “leverages Form 5500
8 filings with the IRS & Labor Dept. . . . [and] collects regulatory filings and scrapes the websites of
9 10M+ companies.”⁴ BizQualify then compiles this and other information about companies into reports
10 and its database of information. The company also claims to use the information contained in those
11 materials to conduct “fundamental research” and quantitative analysis. Like Powerlytics, BizQualify
12 sells access to its reports and research to its customers, who then use the information in making
13 investment, sales, and marketing decisions. By way of example, BizQualify’s publicly accessible
14 report on Dropbox, Inc., dated December 16, 2015, is attached here as **Exhibit B**.⁵ On information and
15 belief, Powerlytics maintains the same or substantially similar reports.

16 22. Some of the information contained in Defendants’ reports and database(s) must be
17 collected and updated by individuals reviewing online materials and resources, and cannot (or was
18 not) acquired or updated automatically by computer programs. In fact, in a February 20, 2017 email to
19 Ms. Zhang, on this very topic, Dr. Plehn-Dujowich wrote “I have not seen a systematic simple way of
20 accessing everything we need from Alexa or WHOIS in bulk the way we need it. The manual
21 collection process seems to be the only reliable, comprehensive method. Please send an email to
22 everyone about this.” A copy of this email is attached here as **Exhibit C**.

23 23. Sifting through material contained on online platforms such as Alexa, whois.icann.org,
24

25 ³ At the time of this filing, Powerlytics’ website is accessible at the following url:
<http://www.powerlytics.com/>.

26 ⁴ At the time of this filing, BizQualify’s flyer describing its business services is accessible at the
27 following url: https://bizqualify.com/assets/bq_flyer_2017-a9def638ace8830e5055ae517babead0.pdf

28 ⁵ At the time of this filing, BizQualify’s 2015 report on Dropbox, Inc., is available online at the
following url:
https://bizqualify.com/assets/bq_report_dropbox69649a9f592ac8185972005f955e0443.pdf.

1 Census NAICS, Crunchbase, and SEC Edgar, among other sites, is labor-intensive, requiring
2 substantial work on the part of the researcher.

3 24. As a result, Defendants sought out cost-effective methods of acquiring and analyzing as
4 much financial data as possible.

5 25. In or around January 2014, Dr. Plehn-Dujowich joined UC Berkeley as a visiting
6 professor. Then in spring 2015, Dr. Plehn-Dujowich was made a lecturer and the Executive Director
7 of the Center for Financial Reporting and Management at UC Berkeley's Haas School of Business. In
8 June 2016, Dr. Plehn-Dujowich applied for, and was granted, a transfer to UCLA's Anderson School
9 of Management, where he was made the Director of the Fink Center for Finance & Investments.

10 26. In furtherance of their efforts to collect and update their database(s), in or around mid-
11 2016, Defendants, including Dr. Plehn-Dujowich, who, duly authorized, acted on behalf of himself,
12 BizQualify, and Powerlytics, formed a conspiracy and thereafter conspired to establish the fraudulent
13 GFDP program, and to disseminate false and misleading advertisements about the same, in order to
14 trick hundreds of unsuspecting university students into correcting and supplementing Defendants'
15 database(s); and to take, under false pretenses, thousands of dollars from each enrollee, while unjustly
16 profiting from their labor, yet failing to compensate the enrollees or adhere to California and Federal
17 employment laws and regulations.

18 27. UC Berkeley operates a "Global Access Program," which allows for international
19 students to travel to the United States to study at UC Berkeley. Through the program, international
20 students may enroll in a wide variety of courses offered by several different departments and schools
21 within UC Berkeley, including the Haas School of Business, and UC Berkeley Extension. As UC
22 Berkeley is held in high esteem, both within the United States and abroad, its Global Access Program
23 is highly successful and profitable for the university.

24 28. Beginning in or around July 2016, Defendants established and began marketing the
25 similarly named "Global Financial Data Project," with Dr. Plehn-Dujowich acting as the project's
26 Executive Director. At the time of the GFDP's commencement, Dr. Plehn-Dujowich worked as a
27 lecturer for UC Berkeley until mid-September 2016, when he transferred to UCLA.

28 29. As discussed in detail below, Defendants used the GFDP as a means to recruit

1 approximately 240 university students, particularly foreign students, interested in business,
 2 accounting, and finance to perform the data collection and analysis tasks required for Defendants'
 3 business, without pay. Plaintiffs and all other enrollees did not receive what they bargained for, and
 4 instead were fraudulently exploited into paying Defendants for the privilege of completing
 5 Defendants' work for free.

6 **Defendants' False and Deceptive Advertising Practices**

7 30. Defendants systematically engaged in fraudulent recruiting tactics, primarily targeting
 8 undergraduate students, both those living abroad and in the United States, by disseminating false and
 9 misleading advertisements about the GFDP, and leveraging Dr. Plehn-Dujowich's relationships with
 10 UC Berkeley and UCLA faculty and/or staff to target students with an academic focus in business and
 11 finance.

12 31. As advertised by Defendants, the GFDP is conducted online, and purports to run
 13 cyclically for a period of 10 weeks at a time, once or more per year, but, in reality, was held more or
 14 less continually from in or around July, 2016 through May, 2017, with enrollees dropping in or out of
 15 the program at differing times. Defendants appear to have loosely grouped enrollees into four groups
 16 based on differing start dates or spans of dates.

17 32. According to Defendants' promotional materials for the program, the GFDP is
 18 composed of four phases: (1) Learning; (2) Data Collection; (3) Data Analysis; and (4) Presentations.
 19 During the "Learning" phase, the students were to receive instruction and training from Dr. Plehn-
 20 Dujowich on how to perform the financial data collection and research. During the "Data Collection"
 21 and "Data Analysis" phases of the program, the students collected and analyzed data to "uncover
 22 patterns and trends" and "[w]rite a professional report." Finally, the students were to present their
 23 findings for feedback and assessment. A copy of Defendants' flier for the February 3, 2017 to April
 24 14, 2017 program is attached here as **Exhibit D**.

25 33. In exchange for a "course fee" of \$2,413 to \$2,913 (or more⁶) and their data collection

26 _____
 27 ⁶ Several individuals enrolled in the GFDP through third-party educational recruitment companies
 28 hired by Defendants, including WholeRen LLC and GreatChina International Education. Defendants
 offset the recruitment service's commission fees by charging those students recruited by such services
 a higher course fee.

1 work, Defendants promised to compensate Plaintiffs and the other enrollees by providing meaningful
2 educational instruction, a course certification from UC Berkeley and/or UCLA, and a letter of
3 recommendation written by Dr. Plehn-Dujowich—none of which Defendants provided to Plaintiffs or
4 the other enrollees in the program.

5 34. Defendants’ fraudulent advertising efforts include, but are not limited to, the following:

6 a. falsely stating or implying that the GFDP is operated by UC Berkeley Haas School of
7 business and/or UCLA Anderson School of Management, including by referring to the GFDP as the
8 “Berkeley Haas Global Financial Data Project” and by stating that the GFDP is “from Berkeley Haas”
9 in written and spoken communications with enrollees and/or prospective enrollees, including in the
10 form attached here as **Exhibit E**, and shown below, with the relevant language excerpted and
11 highlighted;

12 **From:** joseplehn@gmail.com on behalf of Jose M. Plehn-Dujowich
<jplehn@haas.berkeley.edu>
13 **Sent:** Sunday, July 17, 2016 9:56 PM
To: undisclosed-recipients:
14 **Subject:** Congratulations! You have been accepted into the Berkeley Haas Global Financial Data
Project

15
16 Hello,

17 This email is to certify that you have been admitted into the Berkeley Haas Global Financial Data Project.
18 Congratulations!

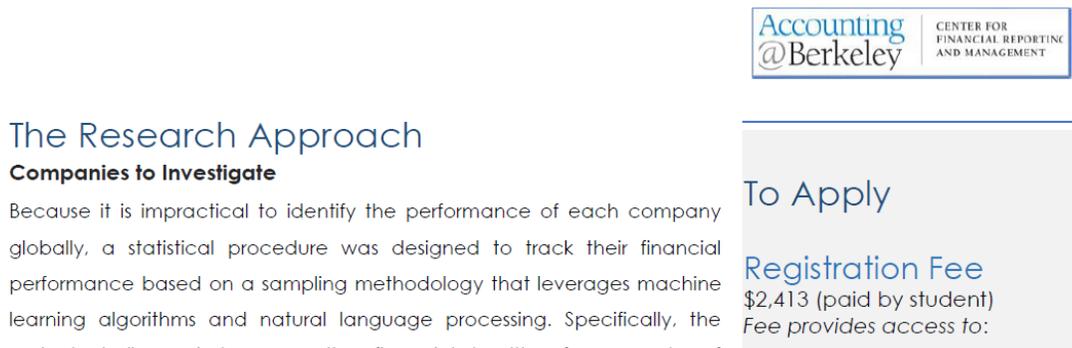
20
21 **From:** joseplehn@gmail.com on behalf of Jose M. Plehn-Dujowich
<jplehn@haas.berkeley.edu>
22 **Sent:** Sunday, July 10, 2016 8:30 PM
To: undisclosed-recipients:
23 **Subject:** New summer research program from Berkeley Haas
24 **Attachments:** Global Financial Data Project_flyer_July 2016.pdf

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28 //

1 b. fraudulently disseminating flyers that display the UC Berkeley Haas School of
2 Business and UCLA Anderson School of Management marks, falsely indicating that GFDP is
3 operated, sponsored, endorsed, or approved by, or is affiliated with, these schools; *See* Ex. D;



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13 c. fraudulently disseminating flyers that display “Accounting@Berkeley: Center for
14 Financial Reporting and Management,” falsely indicating that the GFDP is operated, sponsored,
15 endorsed, or approved by, or is affiliated with, UC Berkeley; Ex. D;



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23 d. fraudulently disseminating flyers that display a website address containing the name
24 “Haas,” referring to the UC Berkeley Haas School of Business, falsely indicating that the GFDP is
25 operated, sponsored, endorsed, or approved by, or is affiliated with, UC Berkeley;

26 **APPLY NOW**

27 <https://globalfinancialhaas.wufoo.com/forms/global-financial-data-project-fall-2016/>

28

1 e. fraudulently entering into contracts on behalf of UC Berkeley or UCLA, or entities or
2 organizations under the control of those universities, with third party advertising and recruiting
3 agencies, including, by way of example, Defendants’ contract with WholeRen LLC, attached here as
4 **Exhibit F**;

5 f. falsely promising that Defendants will provide a “certificate of completion,” also
6 bearing the UC Berkeley and/or UCLA marks, in the same or substantially similar form as attached
7 here as **Exhibit G**, and shown below;



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19 g. falsely promising to provide a “letter of recommendation written personally by the
20 Executive Director” of what was advertised to be a UC-operated educational program, where, in truth,
21 no such program exists, and no such recommendation would be provided; Ex. D;

22 h. falsely promising that the GFDP will assist students in preparing for a career or
23 graduate program in finance, accounting, business, or economics; Ex. D;

24 i. misleadingly using Dr. Plehn-Dujowich’s former relationships with UC Berkeley and
25 UCLA faculty and/or staff to send emails from UCLA and/or UC Berkeley email accounts to recruit
26 prospective enrollees, including, by way of example, Dr. Plehn-Dujowich’s email attached hereto as
27 **Exhibit H**, thereby falsely indicating that the GFDP is operated, sponsored, endorsed, or approved by,
28 or is affiliated with, those institutions;

1 j. misleadingly using Dr. Plehn-Dujowich’s prior affiliation with UC Berkeley and
2 UCLA’s faculty and/or staff to create general inquiry email addresses bearing the names of those
3 institutions (i.e. “gfdp@haas.berkeley.edu” and “gfdp@anderson.ucla.edu”), so that prospective
4 enrollees could correspond with Dr. Plehn-Dujowich or his UC Berkeley and UCLA undergraduate
5 teaching assistants; Ex. D;

6 k. misleadingly advertising that the GFDP is “taught by Berkeley Haas and UCLA
7 Anderson students and faculty,” falsely suggesting that an official connection between UC Berkeley,
8 UCLA, and the GFDP exists, where it does not; Ex. D;

9 l. fraudulently using Dr. Plehn-Dujowich’s connections to UC Berkeley and UCLA to
10 encourage undergraduate advisors at those universities to disseminate misleading advertisements from
11 the advisors’ email accounts, falsely suggesting that the GFDP is operated, sponsored, endorsed, or
12 approved by, or is affiliated with, UC Berkeley and/or UCLA, an example of which is attached hereto
13 as **Exhibit I**;

14 m. fraudulently using Dr. Plehn-Dujowich’s connections to UC Berkeley and UCLA to
15 place advertisements for the GFDP on the UC Berkeley and UCLA websites, falsely suggesting that
16 the GFDP is operated, sponsored, endorsed, or approved by, or is affiliated with, UC Berkeley and/or
17 UCLA, copies of which, as obtained from internet archiving service web.archive.org, are attached here
18 as **Exhibits J and K**;⁷

19 n. fraudulently disseminating advertising materials falsely stating that the GFDP is “co-
20 sponsored by UC Berkeley and UCLA” to other universities, including Ohio State University,
21 University of Washington, University of Toronto, University of Illinois, University of Central Florida,
22 and Texas A&M University, for the purpose of having undergraduate advisors at those universities
23 relay that false information to students at their universities, an example of which is attached here as
24 **Exhibit L**; and

25 o. misleadingly submitting invoices to the GFDP enrollees with “Accounting@Berkeley
26 Center for Financial Reporting and Management” displayed on the invoice, thereby falsely indicating

27 _____
28 ⁷ UC Berkeley and UCLA have since removed these false and deceptive advertisements from their
respective websites.

1 that the GFDP is operated, sponsored, endorsed, or approved by, or is affiliated with, UC Berkeley
2 and that payment is being remitted to UC Berkeley, when it is not, in the form attached hereto as

3 **Exhibit M;**



4
5
6 **INVOICE**

7 **BILL TO**
8 Ivan Ronceria

INVOICE # 83532
DATE 10/17/2016

9
10 p. fraudulently stating or implying that Defendants are wholly independent of each other
11 and not acting in furtherance of their conspiracy, including by pretending that Dr. Plehn-Dujowich is
12 not connected to BizQualify:

13 **From:** joseplehn@gmail.com on behalf of Jose M. Plehn-Dujowich
<jplehn@haas.berkeley.edu>
14 **Sent:** Thursday, July 21, 2016 8:10 PM
15 **To:** undisclosed-recipients:
16 **Subject:** Summer research program reminder

17 Hi everyone,

18 You are receiving this email because I was notified by BizQualify that you have not yet paid their fee. Please do
19 so ASAP so you can gain access and explore their systems before our meeting on Monday.

20 Best,
21 Jose

22 **From:** Jose M. Plehn-Dujowich <joseplehn@gmail.com>
23 **Sent:** Friday, May 05, 2017 8:33 PM
24 **To:** Gary Vartanian
25 **Cc:** Ningrui Zhang
26 **Subject:** Re: Checking In

27 Hi Gary,

28 Apologies for not replying sooner! You should have gotten the email I sent everyone.

BTW, good news about your request to have access to time series data from BizQualify. They told me you
contacted them, and they said yes! They will send me a file shortly.

On Fri, May 5, 2017 at 1:08 PM, Gary Vartanian <gary.vartanian@gmail.com> wrote:
Dear Professor Plehn-Dujowich,

Many of the other students and myself have not heard from you for a while now and we wanted to know if all is
well. I would like to inquire about the status of GFDP and if we are still proceeding with the Chinese research
as planned.

Please let me know as I wish to know that all is well.

Sincerely
Gary

1 q. concealing that the work performed by the enrollees consisted of correcting and
2 supplementing Defendants' database(s) and that Defendants would be profiting from use of the data
3 the enrollees collected; Ex. A (data would later be prepared for "ingestion into database systems").

4 35. Defendants did not intend to fulfill any of their promises to Plaintiffs and the other
5 enrollees at the time they made such promises and advertisements, nor could they fulfill any such
6 promises.

7 36. The GFDP was never operated, sponsored, endorsed, or approved by, or affiliated with,
8 UC Berkeley or UCLA, and both institutions have since removed all GFDP advertisements from their
9 websites, and adamantly deny any involvement with the GFDP. On August 3, 2017, James Webb, the
10 current Executive Director for UC Berkeley's Center for Financial Reporting and Management, stated
11 in an email to WholeRen LLC that "[the GFDP] is not and has never been affiliated with the
12 University of California. When Berkeley was made aware of the unauthorized use of its trademarks by
13 the program, Berkeley successfully demanded the cessation of any use of its name. The matter has
14 been referred for criminal investigation, and anyone who thinks they have been defrauded should
15 contact UCPD."

16 37. Both UC Berkeley and UCLA are widely recognized in many parts of Asia, and across
17 the world as being premier educational institutions in the areas of business, finance, and economics.
18 Knowing this, Defendants maliciously targeted unsuspecting international students, many of whom
19 are not native English speakers, with their deceptive advertising campaigns. Indeed, Defendants' flyer,
20 attached as Exhibit D, states an "[i]nternational background is preferred."

21 38. Though failing to fulfill their promises to provide meaningful instruction, letters of
22 recommendation, and course certifications, Dr. Plehn-Dujowich did create approximately 23 form
23 letters that proclaim to "certify" that the 23 students named in the letters participated in the GFDP.
24 Each such letter fraudulently bears either UC Berkeley's "Accounting@Berkeley" and
25 "BerkeleyHaas," or UCLA's "UCLA Anderson School of Management" insignia, or, in at least one
26 instance, is issued by Powerlytics, not UC Berkeley or UCLA, as was promised. Given the fraudulent
27 nature of these letters, even those letters that contain UC Berkeley or UCLA's marks do not constitute
28 performance of the promised certification from UC Berkeley or UCLA or letter of recommendation

1 from Dr. Plehn-Dujowich. Representative examples of these letters are attached here as **Exhibit N**.

2 **Plaintiffs Rely on Defendants' False Advertisements and Enroll in the GFDP**

3 39. Defendants conducted the GFDP program from approximately July 2016 through May
4 2017, and advertised separate cycles of the 10-week program, including for following dates: October
5 14, 2016 – January 13, 2017; February 3, 2017 – April 14, 2017, and June 2, 2017 – August 11, 2017.
6 Contrary to Defendants' advertisements, the GFDP ran more or less continually from July 2016
7 through May 2017, with enrollees starting and stopping at differing times, and being separated into
8 groups based on start dates or spans of start dates. It is unknown whether the latest iteration of the
9 program advertised by Defendants (June 2, 2017 through August 11, 2017) actually occurred.

10 40. Approximately 240 individuals, including Plaintiffs, enrolled in the program and paid
11 the applicable course fee. Plaintiffs Edwin Ramirez and Wenzhi Fei enrolled in the GFDP in or around
12 August 2016, and Plaintiffs Ivan Ronceria and Qiuzi Hu enrolled in October 2016 and January 2017,
13 respectively. On information and belief, Defendants continue to operate the GFDP and/or plan to do
14 so in the future.

15 41. In late 2016 and early 2017, Plaintiffs learned of the GFDP through the false and
16 misleading advertisements distributed by Defendants, which are described above and attached hereto.
17 In reliance on those false representations and promises, Plaintiffs enrolled in the GFDP. Each paid
18 Defendants a \$2,413 course fee, and completed all tasks required of them to register for the program.

19 42. After Plaintiffs joined the GFDP, Dr. Plehn-Dujowich provided some initial, basic
20 instruction on the class format and method for accessing BizQualify's financial data, all of which was
21 done to further Defendants' concealed business interests. Dr. Plehn-Dujowich did not provide any
22 meaningful educational instruction in the areas of finance, economics, accounting, or business, despite
23 advertising and promising otherwise.

24 43. Instead, the task of providing instruction to Plaintiffs and other enrollees fell primarily
25 to Defendants' undergraduate student-instructors, including Ningrui Zhang, then a student from UC
26 Berkeley, and Danwei Chen, a student from UCLA. Ms. Zhang was eventually given the title
27 "Assistant Director" of the GFDP, and Ms. Chen was made the "Managing Director".

28 44. Despite paying the course fee of \$2,413, and contributing approximately 600 hours of

1 her time to the GFDP, Ms. Zhang was paid a mere \$200 by Dr. Plehn-Dujowich in December 2016,
2 which Dr. Plehn-Dujowich described as a “gift.” Plaintiffs are unaware of whether Ms. Chen was
3 compensated, or was promised compensation, for her work.

4 45. Throughout the duration of the GFDP, Plaintiffs received instruction primarily from
5 Ms. Chen and/or Ms. Zhang. Dr. Plehn-Dujowich played little or no role in providing course
6 instruction, except as necessary to direct the enrollees on how to access BizQualify’s data and how to
7 correct and supplement the same. Throughout much of the program, Dr. Plehn-Dujowich passively
8 observed the enrollees’ presentations, and he provided little or no constructive guidance or evaluation
9 of their research, other than was necessary to ensure that the data being collected was assimilated in a
10 format useable by Defendants.

11 46. Through the online instruction, Defendants directed enrollees to collect specific data,
12 from specified sources. Defendants instructed the enrollees to download a batch of data from
13 BizQualify in the form of an excel spreadsheet. Defendants then instructed the enrollees to add several
14 additional columns to the spreadsheet, and to populate those columns with the relevant information on
15 each of the businesses pulled from the database. Each enrollee would then obtain the desired data,
16 populate the spreadsheet, and return the new data to Defendants.

17 47. The new and/or corrected data that the enrollees were required to obtain included the
18 following: Alexa⁸ global ranking; Alexa country ranking; Alexa categorization indicator; Alexa
19 category ranking; correct website address; website creation date; website registrant; website privacy
20 protection information; and parent-company information.

21 48. The GFDP enrollees were required to obtain this information from specified online
22 sources, and to collect and return this data to Defendants in specified manner, and by deadlines set by
23 Defendants. By way of example, one of several instruction sheets provided by Defendants to enrollees
24 is attached here as **Exhibit O**, describing the tasks Defendants charged the enrollees with completing.

25 49. During this time, and throughout the project, Plaintiffs, along with all other enrollees,
26 spent approximately three to five hours, per week, collecting and analyzing BizQualify’s financial data
27 for Defendants, and later presented their findings and research to the other enrollees.

28 ⁸ Alexa measures and ranks website trafficking information.

1 pending UCLA's investigation of him for the misuse of university assets:

2 March 15, 2017

3 Jose Plehn-Dujowich
4 

5 **Re: Investigatory Leave**

6 Dear Jose,

7 In accordance with Personnel Policies for Staff Members (PPSM) Policy 63, this letter is to notify
8 you that you are being placed on paid investigatory leave from your position as Executive
9 Director in the Fink Center for Finance & Investments at UCLA Anderson commencing today,
10 March 15, 2017 and ending on approximately March 31, 2017. You will be contacted if the leave
period needs to be extended. The reason you are being placed on leave is to allow the Department
time to review allegations of misuse of University assets.

11 57. Dr. Plehn-Dujowich's employment with UCLA ceased thereafter.

12 58. By mid-April 2017, Dr. Plehn-Dujowich withdrew his limited involvement in the
13 GFDP altogether, without warning or stating that he was doing so. Over the course of several weeks,
14 Dr. Plehn-Dujowich failed to respond to inquiries from students, including from Ms. Chen and Ms.
15 Zhang.

16 59. On May 4, 2017, Ms. Zhang emailed Plaintiffs and the other program enrollees, stating
17 that she had not been in contact with Dr. Plehn-Dujowich for several weeks, and that the project would
18 need to be discontinued until such time as Dr. Plehn-Dujowich "shows up." A copy of Ms. Zhang's
19 email is attached here as **Exhibit Q**.

20 60. After receiving Ms. Zhang's email, Gary Vartanian, one of the other enrollees in the
21 GFDP, emailed the Fink Center for Finance & Investments at the UCLA Anderson School of
22 Management, to which Dr. Plehn-Dujowich had represented he was affiliated with, on May 4, 2017,
23 inquiring as to Dr. Plehn-Dujowich's whereabouts.

24 61. Alexandra Gomez, the Fink Center's assistant director, responded by email the
25 following morning, stating that Dr. Plehn-Dujowich "is no longer with the UCLA Anderson School of
26 Management." A copy of this email exchange is attached here as **Exhibit R**.

27 62. Later that same day, Mr. Vartanian received a second email from the Fink Center
28 stating that "[t]he GFDP program is not authorized by UCLA nor the UCLA Fink Center. Jose is no

1 longer with the university. You will need to take up any questions or issues directly with Jose. This is
2 not a UCLA program.” A copy of this email is attached here as **Exhibit S**.

3 63. On May 5, 2017, Ms. Zhang again emailed Plaintiffs and the rest of the enrollees,
4 stating that she had learned that Dr. Plehn-Dujowich was no longer associated with UCLA and that
5 UCLA had “officially stopped endorsing the project.” It is now known that UCLA *never* endorsed the
6 project, and Ms. Zhang, like Plaintiffs, was misled by Defendants as to the true nature of the program.
7 A copy of Ms. Zhang’s email is attached here as **Exhibit T**.

8 64. Later that day, Dr. Plehn-Dujowich emailed Ms. Zhang and all enrollees, stating that he
9 had been “traveling extensively” and “got very busy with an important personal transition.” He
10 revealed that he was leaving the University of California to join MIT, and stated that the next online
11 session for the program would be held the following week, on May 12, 2017. A copy of Dr. Plehn-
12 Dujowich’s email is attached here as **Exhibit U**.

13 65. It is now known that Dr. Plehn-Dujowich’s stated reason for his disappearance, namely
14 that he was transitioning to MIT, was yet another lie. Dr. Plehn-Dujowich is not currently employed
15 by MIT, and despite performing a diligent search, MIT was unable to locate any records that Dr.
16 Plehn-Dujowich was ever considered for employment by MIT.

17 66. Adding insult to injury, it is also now known, that during the period of his
18 disappearance, Dr. Plehn-Dujowich was busy purchasing a lavish new house in Huntington Beach,
19 California. According to county records and Zillow.com, after nearly ten months of defrauding
20 hundreds of people out of hundreds of thousands of dollars, Dr. Plehn-Dujowich paid \$1,375,000, on
21 or around May 30, 2017, for his new home, complete with a pool. County records do not show that
22 any mortgage or deed of trust has been recorded in connection with Dr. Plehn-Dujowich’s purchase of
23 this property, suggesting he owns the property outright.

24 67. Upon completing their side of the bargain, Plaintiffs were surprised to discover that—
25 contrary to Defendants’ false advertisements and promises—Plaintiffs and all other enrollees in the
26 GFDP were not enrolled in a program that was operated, endorsed, or sponsored by, or affiliated with,
27 UC Berkeley or UCLA, were not and would not be provided with meaningful instruction, be issued
28 certifications, or be provided with letters of recommendation from the executive director of a

1 possession of the United States at any time within the FLSA Collective Action
2 Period.

3 70. Plaintiffs are informed and believe that the FLSA Collective Action members
4 potentially consists of dozens or hundreds of individuals from all over the United States.

5 71. During this litigation, Plaintiffs may find it appropriate or necessary to amend the
6 definition of those covered by the FLSA Collective Action. Similarly, Plaintiffs reserve the right to
7 move for the creation of subdivisions of the Collective Action, so that the Collective Action
8 members may be divided along any reasonable point of distinction that might exist among them.

9 72. Plaintiffs and the FLSA Collective Action members are similarly situated in that
10 they were/are all non-exempt employees subject to Defendants' common practice, policy, or plan
11 of willfully and unlawfully failing to compensate them in accordance with the FLSA.

12 73. The names and addresses of the FLSA Collective Action members are available from
13 Defendants, and notice should be provided to the members of the FLSA Collective Action via first
14 class mail to the last address known as provided by the Defendants as soon as possible.

15 **B. California State Law Class under Federal Rule of Civil Procedure 23**

16 74. Plaintiffs Qiuzi Hu, Edwin Ramirez, Ivan Ronceria, and Wenzhi Fei (collectively,
17 the "Class Representatives") bring the Second through Thirteenth Causes of Action as a class
18 action pursuant to Rule 23 of the Federal Rules of Civil Procedure, as follows.

19 75. The class that the Class Representatives seek to represent is composed of and
20 defined as follows:

21 All persons who enrolled in Defendants' Global Financial Data Project. Excluded
22 from the Class are Defendants' officers and directors and the immediate families
23 of the Defendants' officer and directors. Also excluded from the Class are the
24 Defendants' legal representatives, heirs, successors or assigns, and any entity in
25 which Defendants have or have had a controlling interest (the "Class").

26 76. A California Subclass that the Class Representatives Hu, Ramirez, and Fei seek to
27 represent is composed of and defined as follows:

28 All members of the Class that resided, temporarily or permanently, in California

1 during any portion of their enrollment in the Global Financial Data Project, or that
2 performed work in California for the GFDP, at any point (the “California
3 Subclass”).

4 77. As set forth below, claims two through five are asserted by Plaintiffs Hu, Ramirez,
5 and Fei, and the California Subclass, and claims six through thirteen are asserted by Plaintiffs and
6 the Class. Each Plaintiff is a member of the Class, and Plaintiffs Hu, Ramirez, and Fei are members
7 of the California Subclass. The Class and California Subclass period is four (4) years from the
8 filing of the original complaint in this matter, on March 22, 2018, up to and including the time of
9 trial for this matter.

10 78. This Class and California Subclass are so numerous that joinder of all members is
11 impracticable. Plaintiffs estimate that approximately 240 persons enrolled in Defendants’ fraudulent
12 program. A significant portion of those are believed to have resided, and/or performed work for
13 Defendants in connection with the GFDP, in California.

14 79. Many common questions of law and fact involve and affect the parties to be
15 represented. These common questions of law or fact predominate over any questions affecting only
16 individual members of the Class and California Subclass. Common questions include, but are not
17 limited to, the following:

- 18 a. whether Defendants falsely advertised the GFDP in violation of California law;
- 19 b. whether Defendants engaged in unfair, unlawful, or fraudulent business practices
20 related to their fraudulently inducing persons to enroll into the GFDP under false pretenses;
- 21 c. whether Defendants are liable for failing to compensate the program enrollees in
22 satisfaction of federal and California minimum wage laws;
- 23 d. whether Defendants are liable for failing to comply with California laws requiring
24 Defendants to provide all program enrollees with accurate wage statements, to reimburse for all
25 business expenses incurred, and to promptly pay all enrollees upon their termination;
- 26 e. whether Defendants are liable for defrauding the GFDP enrollees; and
- 27 f. whether the Class and California Subclass are entitled to equitable relief, including
28 temporary, preliminary, and permanent injunctive relief, enjoining Defendants from further violating

1 federal and California wage and hour, unfair competition, and consumer protection laws.

2 80. The Class Representatives' claims are typical of the claims of the Class and the
3 California Subclass they seek to represent, in that the Class Representatives, and all members of the
4 proposed Class and Subclasses because they (a) enrolled in the GFDP, (b) paid Defendants a course
5 fee, (c) were not provided with meaningful educational instruction, as Defendants promised, (d) were
6 not provided with a certification from UC Berkeley or UCLA, as Defendants promised, (e) were not
7 provided with a letter of recommendation written by the director of a legitimate UC Berkeley and/or
8 UCLA educational program, as Defendants promised, and, as with respect to the California Subclass,
9 (f) Plaintiffs Hu, Ramirez, and Fei resided and/or performed work for the GFDP within California.

10 81. The Class Representatives will fairly and adequately protect the interests of the Class
11 and California Subclass. Plaintiffs have no interests which are adverse to the interests of absent class
12 members. Plaintiffs have retained attorneys experienced in class actions and complex litigation as their
13 counsel.

14 82. Defendants have acted on grounds generally applicable to the Class and California
15 Subclass, thereby making final injunctive relief appropriate.

16 83. The Class Representatives aver that the prerequisites for class action treatment apply to
17 this action, and that questions of law or fact common to the Class and California Subclass predominate
18 over any questions affecting only individual members, and that class action treatment is superior to
19 other available methods for the fair and efficient adjudication of the controversy which is the subject
20 of this action. The Class Representatives further state that the interest of judicial economy will be
21 served by concentrating litigation concerning these claims in this Court, and that the management of
22 this Class and California Subclass will not be difficult.

23 **FIRST CLAIM FOR RELIEF**

24 **Failure to Pay Minimum Wage (29 U.S.C. §§ 201 *et seq.*)**

25 **(By All Plaintiffs Individually and as a Collective Action Against All Defendants)**

26 84. Plaintiffs incorporate by reference the allegations in the preceding paragraphs, as if fully
27 set forth herein.

28 85. The Fair Labor Standards Act applies to Defendants. Defendants engage in interstate

1 commerce, including because a significant portion of the enrollees, including Plaintiff Ronceria, reside
2 outside of California and enrolled in Defendants' fraudulent program. Additionally, Defendants'
3 annual revenue exceeds \$500,000, including because approximately 240 individuals enrolled in the
4 GFDP and paid a minimum of \$2,413, each, for an approximate total of \$580,000, in addition to
5 Defendants' other expected income streams.

6 86. Defendants violated the Fair Labor Standards Act by failing to pay the Collective
7 Action members minimum wage for services provided to Defendants. Each Plaintiff and Collective
8 Action member was an employee of Defendants by enrolling and participating in the GFDP.
9 Defendants instructed each Plaintiff and Collective Action member on how to collect and analyze
10 financial data maintained by Defendants, including by accessing and using BizQualify's financial
11 tools. Defendants therefore had the right to control the manner and means by which the work was or is
12 performed. The data collection and analysis services provided by Plaintiffs and the Collective Action
13 members were, and are, an integral part of Defendants' business of acquiring and selling financial
14 data. Plaintiffs and the Collective Action members did not, and did not stand to, independently profit
15 from engaging in those activities; rather, Defendants profited, and continue to profit, from their
16 efforts, and failed to compensate Plaintiffs and the Collective Action members whatsoever.

17 87. At this time, Plaintiffs estimate that each Collective Action member provided an
18 average of six to ten hours of work for each week enrolled in the GFDP, without any compensation for
19 their work.

20 88. The foregoing conduct, as alleged, constitutes a willful violation of the FLSA within
21 the meaning of 29 U.S.C. § 255(a).

22 89. Plaintiffs, on behalf of themselves and the Collective Action members, seek recovery
23 of their attorneys' fees and costs of action to be paid by Defendants, as provided by the FLSA.

24 90. Plaintiffs, on behalf of themselves and the Collective Action members, seek damages in
25 the amount of their respective unpaid minimum wage compensation, liquidated damages as provided
26 by the FLSA, interest, and such other legal and equitable relief as this Court deems just and proper.

27 91. At all times relevant to this First Amended Complaint, since three years prior to the
28 commencement of this action, Plaintiff and the Collective Action members, as alleged herein, claim

1 that each Defendant willfully failed to pay minimum wage owed to said Plaintiff and the Collective
2 Action members for all of his/her/their hours worked per workweek, in violation of the FLSA.

3 92. The aforementioned conduct of Defendants, and each of them, constitutes multiple and
4 repeated violations of 29 U.S.C. § 206; based thereon, Plaintiffs pray for and seek judgment and
5 appropriate orders in favor of Plaintiffs and those in the Collective Action identified above against
6 Defendants, jointly and severally, as follows: for the recovery of minimum wage compensation owed
7 to Plaintiffs and the Collective Action members plus liquidated damages, attorneys' fees and costs
8 pursuant to 29 U.S.C. § 216(b), in an amount according to proof; for an award of pre-judgment
9 interest; for costs of suit; for interest as allowed by law; and for such other relief as may be proper.

10 93. Defendants are independently liable as a result of their own actions and inactions.
11 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
12 App. 4th 1276 (2015) ("Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
13 theory of co-equal legal liability under which certain defendants may be held liable for 'an
14 independent civil wrong.'). Defendants conspired to, and did, violate the FLSA by failing to pay
15 Plaintiffs and the Collective Action members wages. Defendants agreed to a common plan or design
16 to accomplish their tortious acts, with full knowledge of the conspiracy's unlawful purposes.

17 94. WHEREFORE, Plaintiffs, on behalf of themselves and all members of the proposed
18 Collective Action seek to represent, prays for relief as follows:

- 19 a. for an order certifying that the first claim of this First Amended Complaint may be
20 maintained as a collective action pursuant to 29 U.S.C. § 216(b) and that prompt notice
21 of this action be issued to potential members of the opt-in Collective Action, apprising
22 them of the pendency of this action, and permitting them to assert timely FLSA claims;
- 23 b. designation of Plaintiffs as representatives for the FLSA claims and Plaintiffs'
24 attorneys as counsel for the Collective Action;
- 25 c. appropriate equitable relief to remedy Defendants' violations of the FLSA, including
26 but not limited to, an order enjoining Defendants from continuing its unlawful
27 practices;
- 28 d. all unpaid minimum wages, as calculated by the applicable provisions of the FLSA at

1 deems just and proper.

2 100. At all-times relevant to this First Amended Complaint, since three years prior to the
3 commencement of this action, Plaintiffs Hu, Ramirez, and Fei and the California Subclass, as alleged
4 herein, claim that each Defendant willfully failed to pay minimum wage owed to Plaintiffs and the
5 California Subclass members for all of his/her/their hours worked per workweek, in violation of the
6 above-cited provisions.

7 101. Defendants are independently liable as a result of their own actions and inactions.
8 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
9 App. 4th 1276 (2015) (“Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
10 theory of co-equal legal liability under which certain defendants may be held liable for ‘an
11 independent civil wrong.’”). Defendants conspired to, and did, violate the above-cited provisions by
12 failing to pay Plaintiffs Hu, Ramirez, and Fei and the California Subclass members wages. Defendants
13 agreed to a common plan or design to accomplish their tortious acts, with full knowledge of the
14 conspiracy’s unlawful purposes.

15 **THIRD CLAIM FOR RELIEF**

16 **Failure to Provide Accurate Wage Statements (Cal. Lab. Code § 226)**

17 **(By Plaintiffs Hu, Ramirez, and Fei, and California Subclass Against All Defendants)**

18 102. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully
19 set forth herein.

20 103. Labor Code § 226 requires an employer to furnish its employees with an accurate
21 itemized statement in writing showing, among other things: (1) all applicable hourly rates in effect
22 during each respective pay period and the corresponding number of hours worked by each respective
23 individual; (2) total hours worked by each respective individual; (3) gross wages earned; (4) net wages
24 earned; (5) all deductions; (6) inclusive dates of the period for which the employee is paid; (7) the
25 name of the employee and an employee identification or social security number; and (8) the name and
26 address of the legal entity that is the employer.

27 104. As a pattern and practice, in violation of Labor Code § 226(a), Defendants did not, and
28 do not, provide Plaintiffs Hu, Ramirez, and Fei or the California Subclass members with accurate

1 itemized wages statements, or any statement whatsoever.

2 105. As a result of Defendants' failure to provide accurate itemized wages statements,
3 Plaintiffs Hu, Ramirez, and Fei and the California Subclass members suffered actual damages and
4 harm by being unable to determine their applicable hourly rate or the amount of hours worked each
5 pay period, which prevented them from becoming aware of these violations and asserting their
6 statutory protections under California law.

7 106. Defendants have knowingly and intentionally failed to comply with Labor Code §
8 226(a) by failing to provide any wage statement to Plaintiffs Hu, Ramirez, and Fei or the California
9 Subclass members.

10 107. Pursuant to Labor Code § 226(e), Plaintiffs Hu, Ramirez, and Fei and the California
11 Subclass members are entitled to recover the greater of all actual damages or fifty dollars (\$50.00) for
12 the initial pay period in which a violation occurs and one hundred dollars (\$100.00) per employee for
13 each violation in a subsequent pay period, not exceeding an aggregate penalty of four thousand dollars
14 (\$4,000.00) per employee.

15 108. The Plaintiffs Hu, Ramirez, and Fei and California Subclass are entitled to an award of
16 costs and reasonable attorneys' fees under Labor Code § 226(h).

17 109. Defendants are independently liable as a result of their own actions and inactions.
18 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
19 App. 4th 1276 (2015) ("Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
20 theory of co-equal legal liability under which certain defendants may be held liable for 'an
21 independent civil wrong.'). Defendants conspired to, and did, violate the above-cited provisions by
22 failing to provide Plaintiffs Hu, Ramirez, and Fei and the California Subclass members with wage
23 statements. Defendants agreed to a common plan or design to accomplish their tortious acts, with full
24 knowledge of the conspiracy's unlawful purposes.

25 **FOURTH CLAIM FOR RELIEF**

26 **Failure to Reimburse Required Business Expenses (Cal. Lab. Code § 2802)**

27 **(By Plaintiffs Hu, Ramirez, and Fei, and California Subclass Against All Defendants)**

28 110. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully

1 set forth herein.

2 111. Labor Code § 2802 provides that “[a]n employer shall indemnify his or her employee
3 for all necessary expenditures or losses incurred by the employee in direct consequence of the
4 discharge of his or her duties.”

5 112. Plaintiffs Hu, Ramirez, and Fei and the California Subclass members incurred
6 reasonable and necessary expenses in the course of completing their job duties, which were not
7 reimbursed by Defendants. These expenses include paying a \$2,413 (or more) course fee to
8 Defendants (through BizQualify), and computer, internet, and related costs.

9 113. Plaintiffs Hu, Ramirez, and Fei and the California Subclass members are entitled to
10 reimbursement for these necessary expenditures, plus interest and attorneys’ fees and costs, under
11 Labor Code § 2802.

12 114. Defendants are independently liable as a result of their own actions and inactions.
13 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
14 App. 4th 1276 (2015) (“Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
15 theory of co-equal legal liability under which certain defendants may be held liable for ‘an
16 independent civil wrong.’”). Defendants conspired to, and did, violate the above-cited provisions by
17 failing to reimburse Plaintiffs Hu, Ramirez, and Fei and the California Subclass members’ reasonable
18 and necessary expenses. Defendants agreed to a common plan or design to accomplish their tortious
19 acts, with full knowledge of the conspiracy’s unlawful purposes.

20 **FIFTH CLAIM FOR RELIEF**

21 **Failure to Pay Wages Upon Discharge (Cal. Lab. Code §§ 201-203)**

22 **(By Plaintiffs Hu, Ramirez, and Fei, and California Subclass Against All Defendants)**

23 115. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully
24 set forth herein.

25 116. Labor Code § 203 provides that if an employer willfully fails to pay, without abatement
26 or reduction, in accordance with Labor Code §§ 201, 201.5, 202, and 205.5, any wages of an
27 employee who is discharged or who quits, the wages of the employee shall continue as a penalty from
28 the due date thereof at the same rate until paid or until an action therefore is commenced; but wages

1 shall not continue for more than thirty (30) days.

2 117. Defendants had a constituent and uniform policy, practice, and procedure of willfully
3 failing to pay the earned wages of Defendants' former employees, including, but not limited to, the
4 failure to pay minimum wage and other forms of compensation in an amount according to proof.

5 118. Plaintiffs Hu, Ramirez, and Fei and the California Subclass members are no longer
6 employed by Defendants, having either been discharged from or quit their employ.

7 119. Defendants willfully failed to pay Plaintiffs Hu, Ramirez, and Fei and the California
8 Subclass members for monies earned within seventy-two (72) hours of their resignation, failed to pay
9 those sums for thirty (30) days thereafter, and continue to owe such sums.

10 120. Defendants willful failure to pay wages to Plaintiffs Hu, Ramirez, and Fei and the
11 California Subclass violates Labor Code § 203, and Plaintiffs and the California Subclass members are
12 entitled to penalties in the amount of their respective daily wages multiplied by thirty (30) days, plus
13 the full amount of the unpaid wages, plus interest, reasonable attorneys' fees and costs of suit.

14 121. Defendants are independently liable as a result of their own actions and inactions.
15 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
16 App. 4th 1276 (2015) ("Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
17 theory of co-equal legal liability under which certain defendants may be held liable for 'an
18 independent civil wrong.'). Defendants conspired to, and did, violate the above-cited provisions by
19 failing to pay Plaintiffs and the California Subclass members wages upon their discharge. Defendants
20 agreed to a common plan or design to accomplish their tortious acts, with full knowledge of the
21 conspiracy's unlawful purposes.

22 **SIXTH CLAIM FOR RELIEF**

23 **False Advertising (Cal. Bus. & Prof. Code §§ 17500)**

24 **(By All Plaintiffs and Class Against All Defendants)**

25 122. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully
26 set forth herein.

27 123. California Business and Professions Code § 17500 *et seq.* prohibits various deceptive
28 practices in connection with the dissemination in any manner of representations which are likely to

1 deceive members of the public to purchase products and services, such as enrolling in Defendants’
2 fraudulent GFDP in exchange for a course fee.

3 124. Defendants’ acts and practices as described herein have deceived and/or are likely to
4 deceive Plaintiffs and Class members. Defendants use of UC Berkeley and UCLA insignia, statements
5 indicating that UC Berkeley and/or UCLA sponsor or are affiliated with the GFDP, and statements
6 indicating that enrollees in the program will receive meaningful educational instruction, a certification
7 of completion, and letter of recommendation, were all false, deceptive, and misleading to consumers,
8 including to Plaintiffs and the Class.

9 125. By their actions, Defendants have been and are disseminating uniform advertising,
10 including advertisements attached hereto, which by its nature is unfair, deceptive, untrue, or
11 misleading within the meaning of California Business and Professions Code § 17500 *et seq.* Such
12 advertisements are likely to deceive, and continue to deceive, the consuming public for the reasons
13 detailed above.

14 126. Defendants intended that Plaintiffs and Class members rely upon the false
15 advertisements and numerous material misrepresentations as set forth more fully above.

16 127. Plaintiffs and the Class members relied upon the advertisements and misrepresentations
17 to their detriment.

18 128. The above-described false, misleading, deceptive advertising Defendants disseminated
19 continues to have likelihood to deceive the consuming public.

20 129. Plaintiffs and the Class are entitled to recover restitutionary damages, penalties, and
21 permanent and temporary injunctive relief to prevent Defendants from continuing in their deceptive
22 advertising campaign.

23 130. Defendants are independently liable as a result of their own actions and inactions.
24 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
25 App. 4th 1276 (2015) (“Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
26 theory of co-equal legal liability under which certain defendants may be held liable for ‘an
27 independent civil wrong.’”). Defendants conspired to, and did, violate the above-cited provisions by
28 falsely advertising the GFDP. Defendants agreed to a common plan or design to accomplish their

1 tortious acts, with full knowledge of the conspiracy’s unlawful purposes.

2 **SEVENTH CLAIM FOR RELIEF**

3 **Unfair Competition (Cal. Bus. & Prof. Code §§ 17200)**

4 **(By All Plaintiffs and Class Against All Defendants)**

5 131. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully
6 set forth herein.

7 132. California Business & Professions Code § 17200 *et seq.* prohibits any unlawful, unfair,
8 or fraudulent business practice.

9 133. Defendants’ actions and omissions as described herein constitute unlawful, unfair, and
10 fraudulent activities as proscribed by California’s unfair competition law. Defendants violated the
11 laws stated herein, including California Civil Code §§ 1709, 1710, 1710(2), 1750, 17500, and
12 California Penal Code § 496.

13 134. Defendants’ fraudulent advertisements and false promises of providing Plaintiffs and
14 the Class with meaningful educational instruction, a course certification, and a letter of
15 recommendation were unlawful, unfair, and fraudulent. Such practices are unethical, oppressive, and
16 unscrupulous, and they violated fundamental policies of the State of California.

17 135. Defendants’ conduct caused and continues to cause substantial injury to Plaintiffs and
18 other Class members. Plaintiffs have suffered injury and lost money as a result of Defendants’
19 unlawful, unfair, and fraudulent conduct.

20 136. Accordingly, Plaintiffs and the Class are entitled to restitutionary and temporary and
21 permanent injunctive relief.

22 137. Defendants are independently liable as a result of their own actions and inactions.
23 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
24 App. 4th 1276 (2015) (“Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
25 theory of co-equal legal liability under which certain defendants may be held liable for ‘an
26 independent civil wrong.’”). Defendants conspired to, and did, violate the above-cited provisions by
27 engaging in unlawful, unfair, and fraudulent business practices. Defendants agreed to a common plan
28 or design to accomplish their tortious acts, with full knowledge of the conspiracy’s unlawful purposes.

EIGHTH CLAIM FOR RELIEF

Violation of Consumer Legal Remedies Act (Cal. Bus. & Prof. Code §§ 1750 *et seq.*)

(By All Plaintiffs and Class Against All Defendants)

138. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully set forth herein.

139. The California Consumer Legal Remedies Act, Cal. Civ. Code § 1750 *et seq.*, provides protection for consumers against unfair, deceptive, and unlawful practices, and unconscionable commercial practices in connection with the sale of any goods or services in California.

140. Plaintiffs and the Class are “consumers” as defined by Cal. Civ. Code § 1761(d). Plaintiffs and the Class members paid at least \$2,413 to enroll in Defendants’ fraudulent GFDP, in exchange for meaningful educational instruction, a course certification, and a letter of recommendation, which constituted “goods” and “services” as defined by Cal. Civ. Code § 1761(a)-(b).

141. Defendants’ actions violated Cal. Civ. Code § 1770(a) in the following respects:

a. passing off the GFDP, and its related goods (i.e. certification and recommendation letter) and services (i.e. instruction), as those of UC Berkeley and UCLA, in violation of Civ. Code, § 1770(a)(1);

b. misrepresenting the source, sponsorship, approval, or certification of the GFDP, and its related goods (i.e. certification and recommendation letter) and services (i.e. instruction), as that of UC Berkeley and UCLA, in violation of Civ. Code, § 1770(a)(2);

c. misrepresenting the affiliation, connection, or association with, or certification of the GFDP, and its related goods (i.e. certification and recommendation letter) and services (i.e. instruction), as being with or by UC Berkeley and UCLA, in violation of Civ. Code, § 1770(a)(3);

d. misrepresenting that the GFDP, and its related goods (i.e. certification and recommendation letter) and services (i.e. instruction), has “sponsorship, approval, characteristics ingredients, uses, benefits, or quantities” that it does not have, including but not limited to Defendants’ misrepresentation that UC Berkeley and UCLA operate, endorse, sponsor, or approve of the GFDP, that Defendants will provide meaningful instruction, that Defendants will provide a certification and

1 recommendation letter upon completion of the GFDP, and that work performed by Plaintiffs and Class
2 in connection with the GFDP will meaningfully advance the students' career objectives, in violation of
3 Civ. Code, § 1770(a)(5);

4 e. misrepresenting that the instruction, certification, and letter of recommendation offered
5 through GFDP are of a particular standard, quality, and/or grade, when they are of another, lesser,
6 grade, in violation of Civ. Code § 1770(a)(7); and

7 f. advertising the GFDP, and its related goods (i.e. certification and recommendation
8 letter) and services (i.e. instruction), with the intent not to sell them as advertised or represented. Civ.
9 Code, § 1770(a)(9).

10 142. By reason of the foregoing, Plaintiff and the Class have been irreparably harmed,
11 entitling them to injunctive relief, disgorgement, and restitution. At this time, Plaintiffs seek
12 compensatory and punitive damages against BizQualify and Dr. Plehn-Dujowich, and injunctive relief
13 against all Defendants.

14 143. Pursuant to § 1782 of the CLRA, Plaintiffs notified Defendants Dr. Plehn-Dujowich
15 and BizQualify in writing of the particular violations of the CLRA and demanded Defendants rectify
16 the actions described above by providing complete monetary relief, agreeing to be bound by their legal
17 obligations and to give notice to all affected customers of their intent to do so. Plaintiffs sent this
18 notice by certified mail, return receipt request to Defendants Dr. Plehn-Dujowich and BizQualify's
19 principal place of business and place of employment.

20 144. As Powerlytics involvement in Defendants' fraudulent conspiracy was only recently
21 discovered at the time of this filing, Plaintiffs' claims against Powerlytics are limited to injunctive
22 relief, until such time as the statutory notice requirement has been satisfied. *See* Cal. Civ. Code §
23 1782(d). After satisfying the notice requirements with respect to Powerlytics, Plaintiffs will seek leave
24 to amend this First Amended Complaint to seek monetary damages, in addition to the injunctive relief
25 currently sought, against Powerlytics.

26 145. Defendants failed to adequately rectify, or state an interest in rectifying, their actions,
27 and, accordingly, Plaintiffs and the Class are entitled to compensatory and punitive damages, costs,
28 attorneys' fees, and any other relief which the Court deems proper.

1 fraudulently advertise the GFDP through UC Berkeley, UCLA, and other reputable university
2 contacts, such as undergraduate advisors. Indeed, advertisements for the GFDP were posted on both
3 the UC Berkeley and UCLA websites, as a result of Defendants’ fraudulent activities.

4 152. Plaintiffs and the Class members have been substantially harmed by Defendants’
5 misrepresentations and false promises because they paid Defendants a course fee; invested significant
6 time, energy, and resources into performing work for Defendants, without compensation; and
7 forewent career and educational opportunities to participate in the GFDP.

8 153. Plaintiffs are informed and believe, and thereon allege, that in performing the acts
9 herein alleged, Defendants, and each of them, acted with oppression, fraud, and malice, and that
10 Plaintiffs and the Class members are entitled to punitive damages to punish Defendants and to deter
11 such conduct in the future, in an amount to be determined at trial.

12 154. Defendants are independently liable as a result of their own actions and inactions.
13 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
14 App. 4th 1276 (2015) (“Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
15 theory of co-equal legal liability under which certain defendants may be held liable for ‘an
16 independent civil wrong.’”). Defendants conspired to, and did, violate the above-cited provisions by
17 engaging in the above-described fraudulent conduct. Defendants agreed to a common plan or design to
18 accomplish their tortious acts, with full knowledge of the conspiracy’s unlawful purposes.

19 **TENTH CLAIM FOR RELIEF**

20 **Negligent Misrepresentation (Cal. Civ. Code § 1710(2))**

21 **(By All Plaintiffs and Class Against All Defendants)**

22 155. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully
23 set forth herein.

24 156. Defendants intentionally, recklessly, or negligently misrepresented to Plaintiffs and the
25 Class that true nature of the GFDP—a program that benefits Defendants, not the program’s enrollees.
26 Defendants misrepresented to Plaintiffs and the Class that, in exchange for a minimum \$2,413 course
27 fee, that Plaintiffs and the Class would receive meaningful educational instruction, a course
28 certification from UC Berkeley and/or UCLA, and a letter of recommendation written by the director

1 of a legitimate UC Berkeley and/or UCLA educational program. At no time did Defendants intend to
2 fulfill these false promises. Defendants did so without grounds for believing these representations and
3 promises to be true.

4 157. Defendants' misrepresentations and false promises were material. Plaintiffs and the
5 Class members would not have enrolled in the GFDP had they known the truth, that they would be
6 paying Defendants for the privilege of working for Defendants' business without pay, and without any
7 of the items Defendants promised.

8 158. Defendants intended for Plaintiffs and the Class members to rely on their
9 misrepresentations and false promises, and Defendants had reason to expect that Plaintiffs and the
10 Class members would so rely, due to their status as undergraduate or graduate students, and interest in
11 finance, accounting, economics, or related areas.

12 159. Plaintiffs and the Class members were justified in relying upon Defendants'
13 misrepresentations and false promises, because Defendants expended substantial efforts to
14 fraudulently advertise the GFDP through UC Berkeley, UCLA, and other reputable university
15 contacts, including undergraduate advisors. Indeed, advertisements for the GFDP were posted on both
16 the UC Berkeley and UCLA websites, as a result of Defendants fraudulent activities.

17 160. Plaintiffs and the Class members have been substantially harmed by Defendants'
18 misrepresentations and false promises because they paid Defendants a course fee, and invested
19 significant time, energy, and resources into performing work for Defendants, without compensation.

20 161. Defendants are independently liable as a result of their own actions and inactions.
21 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
22 App. 4th 1276 (2015) ("Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
23 theory of co-equal legal liability under which certain defendants may be held liable for 'an
24 independent civil wrong.'). Defendants conspired to, and did, violate the above-cited provisions by
25 engaging in the above-described conduct. Defendants agreed to a common plan or design to
26 accomplish their tortious acts, with full knowledge of the conspiracy's unlawful purposes.

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ELEVENTH CLAIM FOR RELIEF

Breach of Implied Contract

(By All Plaintiffs and Class Against All Defendants)

162. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully set forth herein.

163. By their actions, Defendants entered into a contract with each Plaintiff and each Class member whereby Plaintiffs and the Class members paid Defendants a course fee, in exchange for Defendants promise to provide Plaintiffs and the Class members meaningful educational instruction, a course certification, and a letter of recommendation.

164. Plaintiffs and the Class members satisfied all obligations pursuant to the implied contract, by paying the course fee, and satisfying all obligations required by Defendants.

165. Defendants breached the implied contract by failing to provide meaningful education instruction, a course certification, and a letter of recommendation to Plaintiffs and the Class members.

166. Plaintiffs the Class members have been harmed as a result of Defendants’ breaches of contract, and are entitled to damages in an amount to be determined at trial.

TWELFTH CLAIM FOR RELIEF

Quantum Meruit

(By All Plaintiffs and Class Against All Defendants)

167. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully set forth herein.

168. As a result of Defendants requests, representations, and instructions, Plaintiffs and the Class members performed data collection and analysis services and incurred costs.

169. There was never any understanding between Plaintiffs, the Class, and Defendants, that the services rendered were gratuitous. Rather, Plaintiffs and Class performed these services, to the sole benefit of Defendants’ business operations, in exchange for educational instruction, a certification, and a letter of recommendation that were never provided.

170. Accordingly, Plaintiffs and the Class are entitled to recover the reasonable value of such services rendered on behalf of, and for, Defendants.

1 171. Defendants are independently liable as a result of their own actions and inactions.
2 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
3 App. 4th 1276 (2015) (“Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
4 theory of co-equal legal liability under which certain defendants may be held liable for ‘an
5 independent civil wrong.’”). Defendants conspired to, and did, violate the above-cited provisions by
6 engaging in the above-described conduct. Defendants agreed to a common plan or design to
7 accomplish their tortious acts, with full knowledge of the conspiracy’s unlawful purposes.

8 **THIRTEENTH CLAIM FOR RELIEF**

9 **Civil Theft (Cal. Pen. Code § 496)**

10 **(By All Plaintiffs and Class Against All Defendants)**

11 172. Plaintiffs incorporate by reference the allegations in the preceding paragraphs as if fully
12 set forth herein.

13 173. Cal. Penal Code § 496(a) provides that “[e]very person who buys or receives any
14 property that has been stolen or that has been obtained in any manner constituting theft or extortion,
15 knowing the property to be so stolen or obtained, or who conceals, sells, withholds, or aids in
16 concealing, selling, or withholding any property from the owner, knowing the property to be so stolen
17 or obtained, shall be punished” Cal. Penal Code § 496(c) provides that [a]ny person who has been
18 injured by a violation of subdivision (a) or (b) may bring an action for three times the amount of actual
19 damages, if any, sustained by the plaintiff, costs of suit, and reasonable attorney’s fees.” Citing Cal.
20 Penal Code §§ 484 and 532, the California Court of Appeal has held that theft by false pretenses
21 constitutes a violation of Cal. Penal Code § 496(a). *Bell v. Feibush*, 212 Cal. App. 4th 1041, 1043
22 (2013).

23 174. Defendants intentionally deceived Plaintiffs and the Class by falsely promising and
24 representing, including in writing, that, in exchange for paying Defendants a course fee of at least
25 \$2,413, Defendants would provide each Plaintiff and Class member with meaningful educational
26 instruction, a course certification from UC Berkeley or UCLA, and a letter of recommendation.

27 175. At no point did Defendants intend to fulfill these promises. Rather, Defendants
28 intended to steal, through false pretenses, thousands of dollars from Plaintiffs and the Class, knowing

1 that Defendants would never, and could never, uphold their end of the bargain.

2 176. In reliance on Defendants false promises and representations, Plaintiffs and the Class
3 members paid Defendants a minimum of \$2,413 each, yet Defendants did not fulfill their promises to
4 provide educational instruction, a course certification, or a letter of recommendation.

5 177. Through their theft, Defendants obtained, bought, received, concealed, sold, and/or
6 withheld Plaintiffs' and the Class's money, knowing it to be stolen, and Defendants possessed the
7 same. Despite Plaintiffs' demand that all stolen funds be returned to Plaintiffs and the Class,
8 Defendants have refused.

9 178. Defendants maliciously and ruthlessly deceived Plaintiffs and the Class, stealing
10 hundreds of thousands of dollars, and their labor, providing nothing of value in return. As a result of
11 their actions, Defendants are liable to Plaintiffs and the Class for the entire value of all sums paid to
12 Defendants, plus treble damages, the costs of suit, and reasonable attorneys' fees, pursuant to Cal.
13 Penal Code § 496(c). Plaintiffs are also informed and believe, and thereon allege, that in performing
14 the acts herein alleged, Defendants, and each of them, acted with oppression, fraud, and malice, and
15 that Plaintiffs and the Class members are entitled to punitive damages to punish Defendants and to
16 deter such conduct in the future, in an amount to be determined at trial.

17 179. Defendants are independently liable as a result of their own actions and inactions.
18 Defendants are also jointly and severally liable as co-conspirators. *See Navarrete v. Meyer*, 237 Cal.
19 App. 4th 1276 (2015) ("Civil conspiracy is not an independent cause of action . . . [i]nstead, it is a
20 theory of co-equal legal liability under which certain defendants may be held liable for 'an
21 independent civil wrong.'"). Defendants conspired to, and did, violate the above-cited provisions by
22 engaging in the above conduct. Defendants agreed to a common plan or design to accomplish their
23 tortious acts, with full knowledge of the conspiracy's unlawful purposes.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiffs, on behalf of themselves and all other similarly situated, pray for
26 the following:

27 i. for an order certifying the Class and the California Subclass under Fed. R. Civ. P. 23
28 and naming Plaintiffs Qiuzi Hu, Edwin Ramirez, Ivan Ronceria, and Wenzhi Fei as the

1 representatives of the Class; Plaintiffs Qiuzi Hu, Edwin Ramirez, and Wenzhi Fei as representatives
2 of the California Subclass; and Plaintiffs’ attorneys as class counsel to represent members of the Class
3 and California Subclass;

4 ii. for compensatory, restitutionary, treble, and punitive damages against Defendants Dr.
5 Plehn-Dujowich, BizQualify, and Powerlytics on all claims, to the fullest extent permitted by law;

6 iii. for penalties to the fullest extent permitted by law;

7 iv. for temporary, preliminary, and permanent injunctive relief, enjoining Defendants
8 from: advertising the GFDP as being operated, endorsed, or sponsored by, or affiliated with, UC
9 Berkeley or UCLA; misrepresenting the source, sponsorship, or affiliation of the GFDP in any way; or
10 making false promises in connection with any efforts to recruit enrollees to the GFDP.

11 v. for an award of attorneys’ fees;

12 vi. for costs of suit incurred herein; and

13 vii. for such other and further relief as the Court deems just and proper.

14 Respectfully submitted,

15 Date: July 31, 2018

DHILLON LAW GROUP INC.

16 By: /s/ Harmeet K. Dhillon

17 HARMEET K. DHILLON (SBN: 207873)
18 harmeet@dhillonlaw.com

19 KRISTA L. BAUGHMAN (SBN: 264600)
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22 177 Post Street, Suite 700
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23 Telephone: (415) 433-1700

24 Attorneys for Plaintiffs Qiuzi Hu, Edwin Ramirez, Ivan
25 Ronceria, Wenzhi Fei, Proposed Class and Subclass,
26 and Collective Action

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DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs demand trial by jury on all claims in this action of all issues so triable.

Date: July 31, 2018

DHILLON LAW GROUP INC.

By: /s/ Harmeet K. Dhillon
HARMEET K. DHILLON (SBN: 207873)
harmeet@dhillonlaw.com
DHILLON LAW GROUP INC.
177 Post Street, Suite 700
San Francisco, California 94108
Telephone: (415) 433-1700
Attorneys for Plaintiffs Qiuzi Hu, Edwin Ramirez, Ivan Ronceria, Wenzhi Fei, Proposed Class and Subclass, and Collective Action



EXHIBIT C



POWERLYTICS

POWERFUL DATA, SMARTER DECISIONS

March 27, 2017

Dear Ms. Ningrui Zhang,

We are pleased to offer you the position of DATA ANALYST at Powerlytics. Your start date will be on April 3, 2017 and this position will be unpaid. I will be your direct supervisor. You will be working 20 hours per week, and the work will be performed remotely from your home. As Data Analyst, your responsibilities will include:

- Collect financial data and online metrics on U.S. and Chinese companies.
- Clean the data and prepare it for ingestion into database systems.
- Analyze the data to identify statistical correlations between financial metrics and online metrics.
- Use regression analysis and other methods to develop a predictive model of financial health for these companies.

Feel free to contact me if you have any questions or concerns. Welcome to the team!

Sincerely,

Jose M. Plehn-Dujowich
Chairman & Chief Data Officer
jplehn@powerlytics.com
Cell: 716-430-7597

EXHIBIT B

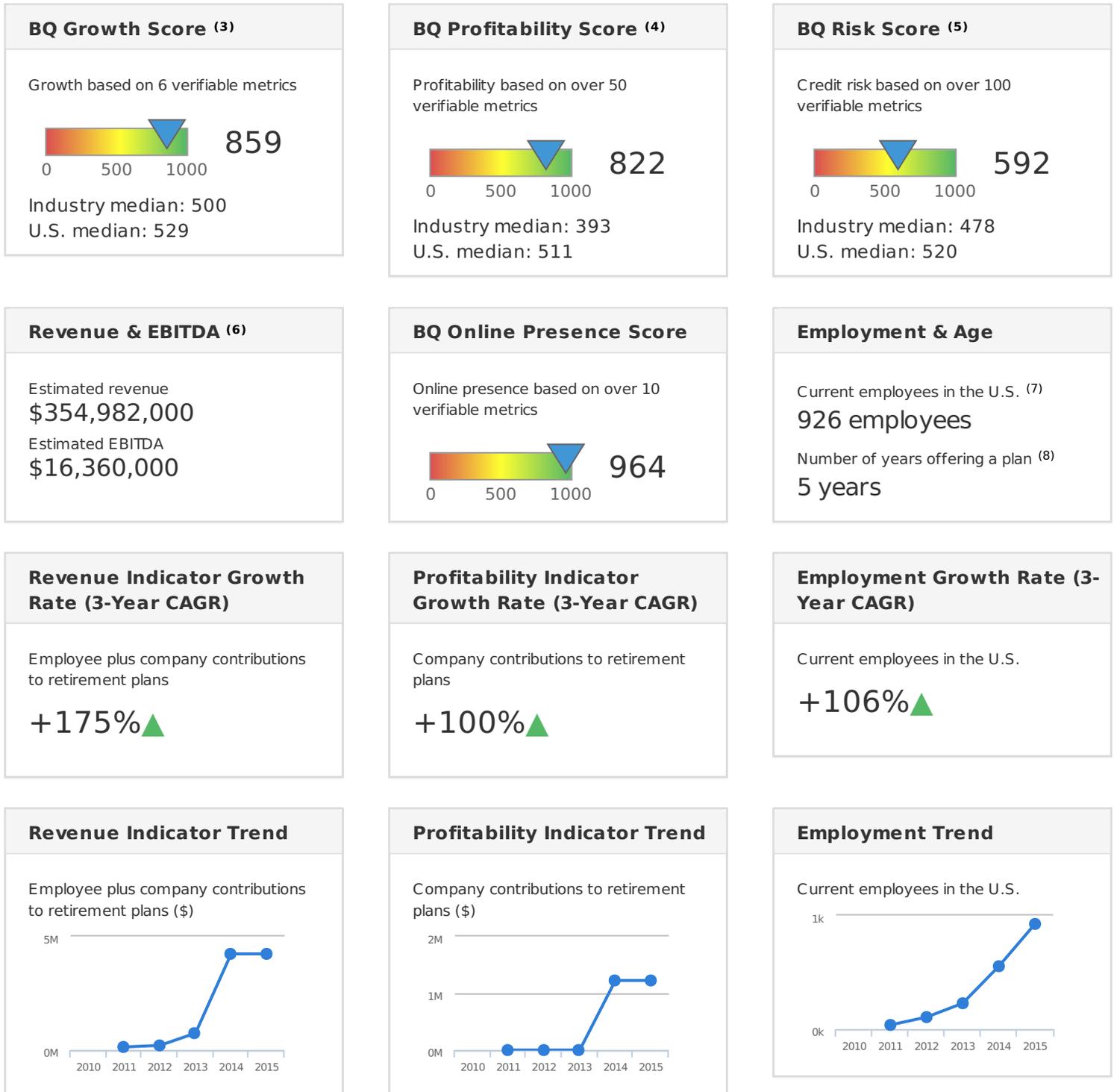
DROPBOX, INC. PRIVATE COMPANY ⁽¹⁾

<http://dropbox.com>

Electronics Stores (including Audio, Video, Computer, and Camera Stores)
 (There are **1,179** companies in this industry.) ⁽²⁾

Report Date: Dec 16, 2015

Company Overview





Overview of Revenue Indicators

The revenue indicator consists of the sum of company and employee contributions. Company contributions may include, for example, when a company matches the 401(k) retirement savings made by their employees, while employee contributions are those made by employees. Company contributions are indicators of profitability, while employee contributions are indicators of payroll.

Employee Plus Company Contributions to Retirement Plans (Revenue Indicator)

\$4,234,186

Employee Plus Company Contributions to Retirement Plans per Employee (Revenue Indicator per Employee)

\$7,643

Revenue Indicator Growth Rate (3-Year CAGR)

+175%▲

Industry median: +15%▲

U.S. median: +9%▲

Revenue Indicator per Employee Growth Rate (3-Year CAGR)

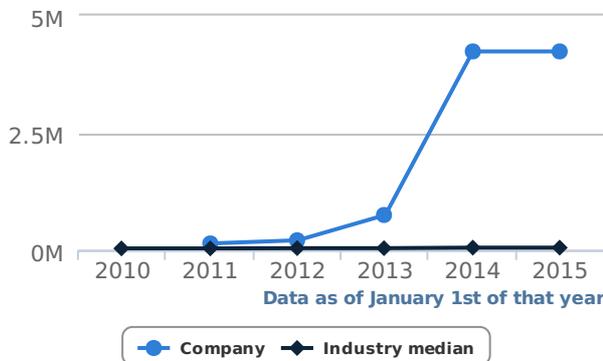
+58%▲

Industry median: +12%▲

U.S. median: +4%▲

Revenue Indicator Trend

Employee plus company contributions to retirement plans (\$)



Revenue Indicator per Employee Trend

Employee plus company contributions per current employee eligible for a retirement plan (\$)



Annual Growth Rates of Revenue Indicator

2014-2015	0%
2013-2014	+469%▲
2012-2013	+264%▲

Annual Growth Rates of Revenue Indicator per Employee

2014-2015	0%
2013-2014	+134%▲
2012-2013	+69%▲



Overview of Profitability Indicators

Company contributions to retirement plans may include, for example, when a company matches the 401(k) retirement savings made by their employees. Companies are generally not required to make contributions to their employee retirement plans. Therefore, when they do so, and at an increasing rate, it is a favorable indicator of profitability. Dividing this amount by the number of employees eligible for a retirement plan adjusts for the size of the company.

Company Contributions to Retirement Plans (Profitability Indicator)

\$1,225,710

Company Contributions to Retirement Plans per Employee (Profitability Indicator per Employee)

\$2,212

Profitability Indicator Growth Rate (3-Year CAGR)

+100%▲

Industry median: +41%▲

U.S. median: +8%▲

Profitability Indicator per Employee Growth Rate (3-Year CAGR)

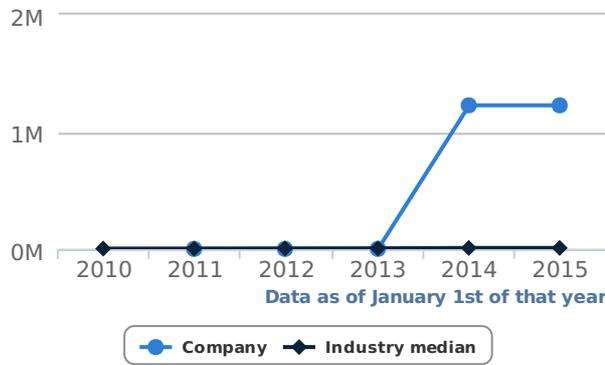
+100%▲

Industry median: +34%▲

U.S. median: +4%▲

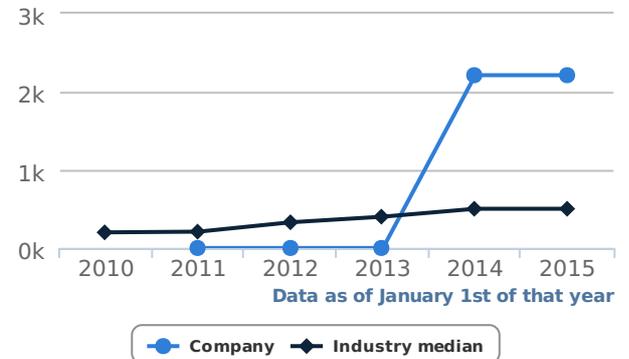
Profitability Indicator Trend

Company contributions to retirement plans (\$)



Profitability Indicator per Employee Trend

Company contributions per current employee eligible for a retirement plan (\$)



Annual Growth Rates of Profitability Indicator

2014-2015	0%
2013-2014	+100%▲
2012-2013	0%

Annual Growth Rates of Profitability Indicator per Employee

2014-2015	0%
2013-2014	+100%▲
2012-2013	0%



Overview of Employment & Payroll

Employment is measured by the current number of employees in the U.S. eligible for a retirement and/or welfare benefit plan, such as a 401(k) or health insurance. This often excludes recent hires, administrative staff, contractors, and part-time employees. Employee contributions to retirement plans may include, for example, when a company's employees save for retirement through a 401(k). In general, employee contributions may be correlated with the company's payroll in that they are often a fixed percentage of the employee's salary.

Employment Indicator

926 employees

Employee Contributions to Retirement Plans (Payroll Indicator)

\$3,008,476

Employment Growth Rate (3-Year CAGR)

+106%▲

Industry median: +5%▲

U.S. median: +9%▲

Payroll Indicator Growth Rate (3-Year CAGR)

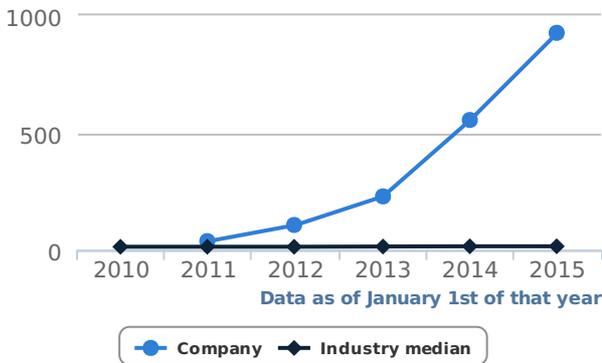
+145%▲

Industry median: +17%▲

U.S. median: +21%▲

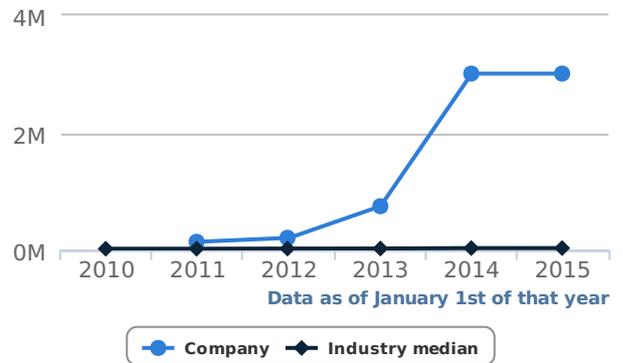
Employment Trend

Current employees in the U.S.



Payroll Indicator Trend

Employee contributions to retirement plans (\$)



Annual Growth Rates of Employment

2014-2015	+67%▲
2013-2014	+143%▲
2012-2013	+115%▲

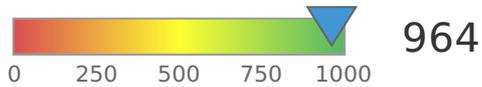
Annual Growth Rates of Payroll Indicator

2014-2015	0%
2013-2014	+304%▲
2012-2013	+264%▲

Online Presence

BQ Online Presence Score

Online presence based on over 10 verifiable metrics



Social Media Links

-  <https://www.facebook.com/Dropbox/>
-  <https://www.twitter.com/Dropbox>
-  <https://www.linkedin.com/company/dropbox>

Online Presence Significant Indicators

No privacy protection for website registry	YES
Business email address as contact for personal registry	YES
Valid organization name for website registry	YES
Website traffic ranked by Amazon's Alexa Service	YES
Website categorized by Amazon's Alexa Service	YES
Facebook page	YES
Twitter page	YES
LinkedIn page	YES

Website Traffic (Amazon's Alexa Service)

Global Rank ⁽⁹⁾	#88
Global Rank (3 months ago) ⁽⁹⁾	#80
U.S. Rank ⁽¹⁰⁾	#76
Categories	Top > Computers > Internet > On_the_Web > Web_Applications > Storage > Free
Detailed website traffic information	http://www.alexametrics.com/siteinfo/dropbox.com

Website Registry (WHOIS) Information

Website

<http://dropbox.com>

Website Age

20 years

Website Registered on:

Jun 28, 1995

Website registry updated on:

Oct 06, 2014

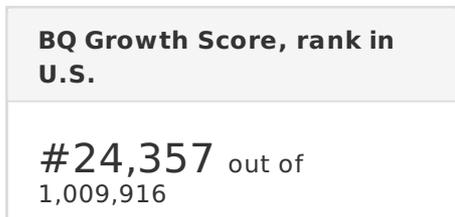
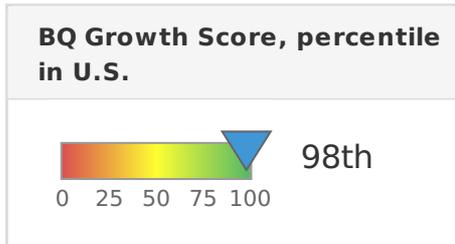
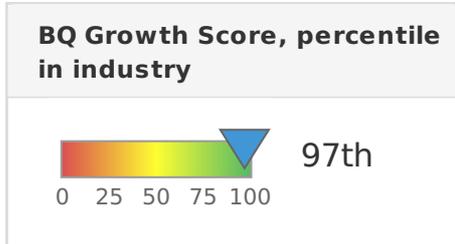
Contact Information:

Company name	Dropbox, Inc.
Street address	185 Berry St STE 400
City	San Francisco
Zip code	94107
State	CA
Country	UNITED STATES
Phone	+1-415-986-7057
Contact person	Domain Administrator
Contact email	domain@dropbox.com

Scores & Rankings

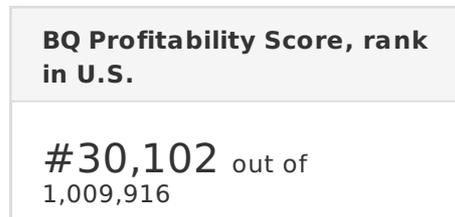
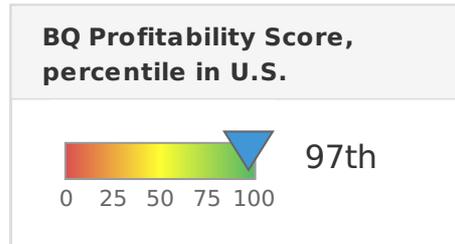
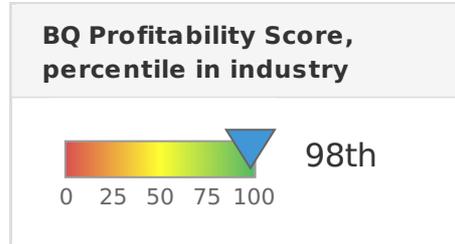
BQ Growth Score

Growth based on 6 verifiable metrics



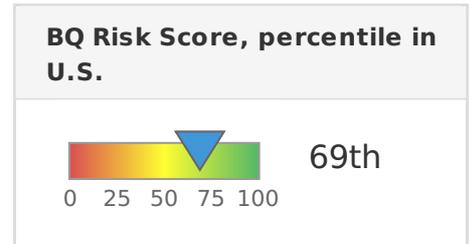
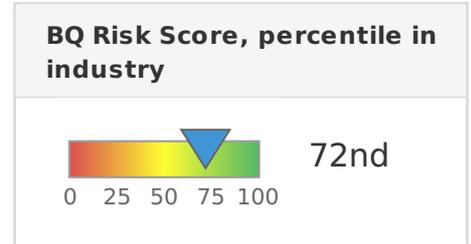
BQ Profitability Score

Profitability based on over 50 verifiable metrics



BQ Risk Score

Credit risk based on over 100 verifiable metrics



Growth Rate Rankings

Revenue Growth Rate (3-Year CAGR)

Employee plus company contributions to retirement plans

Revenue Growth Rate (3-Year CAGR)

+175%▲

Industry median: +15%▲
U.S. median: +9%▲

Revenue Growth Rate (3-Year CAGR), percentile in industry

99th

Revenue Growth Rate (3-Year CAGR), rank in industry

#15 out of 1,179

Revenue Growth Rate (3-Year CAGR), percentile in U.S.

99th

Revenue Growth Rate (3-Year CAGR), rank in U.S.

#10,170 out of 1,009,916

Profitability Growth Rate (3-Year CAGR)

Company contributions to retirement plans

Profitability Growth Rate (3-Year CAGR)

+100%▲

Industry median: +41%▲
U.S. median: +8%▲

Profitability Growth Rate (3-Year CAGR), percentile in industry

98th

Profitability Growth Rate (3-Year CAGR), rank in industry

#21 out of 1,179

Profitability Growth Rate (3-Year CAGR), percentile in U.S.

98th

Profitability Growth Rate (3-Year CAGR), rank in U.S.

#17,753 out of 1,009,916

Employment Growth Rate (3-Year CAGR)

Current employees in the U.S.

Employment Growth Rate (3-Year CAGR)

+106%▲

Industry median: +5%▲
U.S. median: +9%▲

Employment Growth Rate (3-Year CAGR), percentile in industry

99th

Employment Growth Rate (3-Year CAGR), rank in industry

#10 out of 1,179

Employment Growth Rate (3-Year CAGR), percentile in U.S.

99th

Employment Growth Rate (3-Year CAGR), rank in U.S.

#5,735 out of 1,009,916

Company Size Rankings

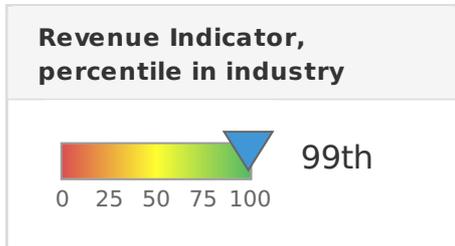
Revenue Indicator

Employee plus company contributions to retirement plans (\$)

Revenue Indicator

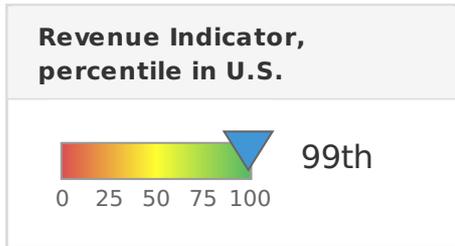
\$4,234,186

Industry median: \$47,505
U.S. median: \$63,289



Revenue Indicator, rank in industry

#9 out of 1,179



Revenue Indicator, rank in U.S.

#8,732 out of 1,009,916

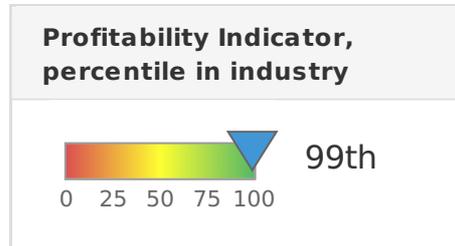
Profitability Indicator

Company contributions to retirement plans (\$)

Profitability Indicator

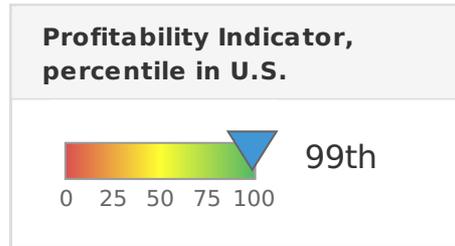
\$1,225,710

Industry median: \$8,490
U.S. median: \$17,985



Profitability Indicator, rank in industry

#9 out of 1,179



Profitability Indicator, rank in U.S.

#12,678 out of 1,009,916

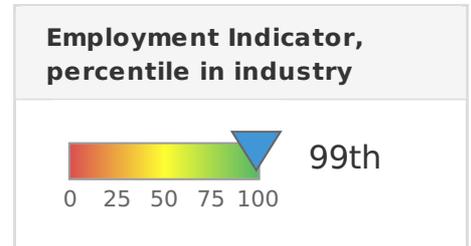
Employment Indicator

Current employees in the U.S.

Employment Indicator

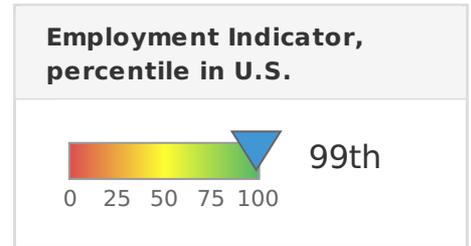
926

Industry median: 15
U.S. median: 13



Employment Indicator, rank in industry

#16 out of 1,179



Employment Indicator, rank in U.S.

#10,603 out of 1,009,916



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Business Information

Company Information

Company legal name	DROPBOX, INC.
Company description	Always have your stuff, wherever you are with Dropbox! For help, please visit https://www.dropbox.com/support
EIN (11)	260138832
Contact person (12)	NEIL FRYE
Address line 1 (13)	185 Berry Street, 4th Floor
Address line 2 (13)	N/A
City (13)	San Francisco
State (13)	CA
Zip code (13)	94107
Country (13)	United States
Phone number (14)	415-986-7057

Company Age ⁽⁸⁾





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Industry Information

Industry code ⁽²⁾	443142
Industry name ⁽²⁾	Electronics Stores (including Audio, Video, Computer, and Camera Stores)
Number of companies in the industry ⁽²⁾	1,179
Sub-sector ⁽¹⁵⁾	Electronics and Appliance Stores
Sector ⁽¹⁶⁾	Retail Trade
NAICS Industries	<ul style="list-style-type: none"> • Electronics Stores (443142)
SIC Industries	<ul style="list-style-type: none"> • Computers and Computer Peripheral Equipment and Software (5045) • Computer Maintenance and Repair (7378) • Miscellaneous Retail Stores, NEC (5999) • Camera and Photographic Supply Stores (5946) • Record and Prerecorded Tape Stores (5735) • Computer and Computer Software Stores (5734) • Radio, Television, and Consumer Electronics Stores (5731) • Durable Goods, NEC (5099) • Electronic Parts and Equipment, NEC (5065) • Electrical Appliances, Television and Radio Sets (5064) • Radio and Television Repair Shops (7622)



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Employee Benefits ⁽¹⁷⁾

Favorable indicators	Company	Percent of companies in the industry with this feature
Health plan ⁽¹⁸⁾	YES	3%
Dental plan ⁽¹⁸⁾	YES	3%
Vision plan ⁽¹⁸⁾	YES	2%
Life insurance plan ⁽¹⁸⁾	YES	3%
Long term disability plan ⁽¹⁸⁾	YES	2%
Defined contribution plan ⁽¹⁹⁾	YES	97%
Defined benefit plan ⁽²⁰⁾	NO	4%
Profit-sharing	YES	88%
401(k)	YES	80%
Stock bonus option	NO	0%

Unfavorable indicators	Company	Percent of companies in the industry with this feature
Failure to make timely payments in a retirement plan	YES	3%
Failure to make timely payments in a welfare plan	NO	0%
Failure to provide a benefit in a retirement plan	NO	0%
Failure to provide a benefit in a welfare plan	NO	0%
Delinquent filer voluntary compliance (DFVC) member	NO	0%
Negative employer contributions to a retirement plan	NO	0%



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Significant Unfavorable Indicators (Credit Risk Related)

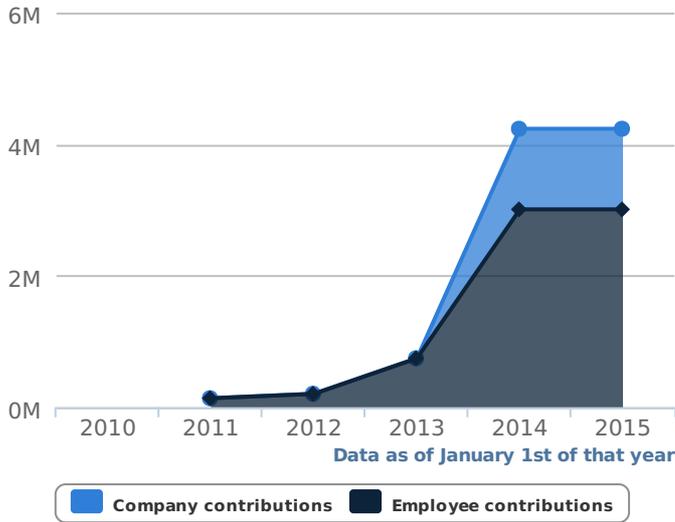
	Company	Percent of companies in the industry with this feature
No company filings in the past 2 years	NO	34%
Small company (files a simplified EZ form) ⁽²¹⁾	NO	5%
Company elected to terminate a plan ⁽²²⁾	NO	28%
Company closed all plans ⁽²²⁾	NO	5%
Company closed a plan ⁽²²⁾	NO	28%

Trends in Revenue Indicators

An upward trend in total contributions suggests the company's profitability and payroll are likely to be increasing. When the company exhibits an upward trend that exceeds the trend for the industry median, this indicates the company is likely to be out-performing the industry norm.

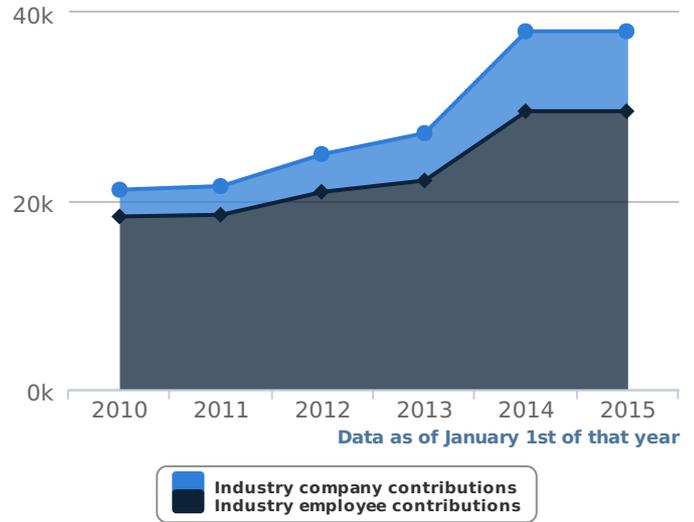
Company and employee contributions to retirement plans (\$)

Indicator of the company's revenue



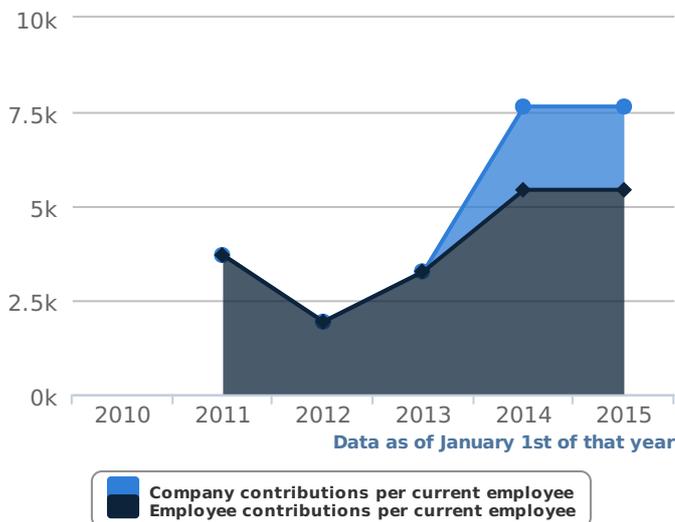
Industry medians of company and employee contributions to retirement plans (\$)

Indicator of the industry's revenue



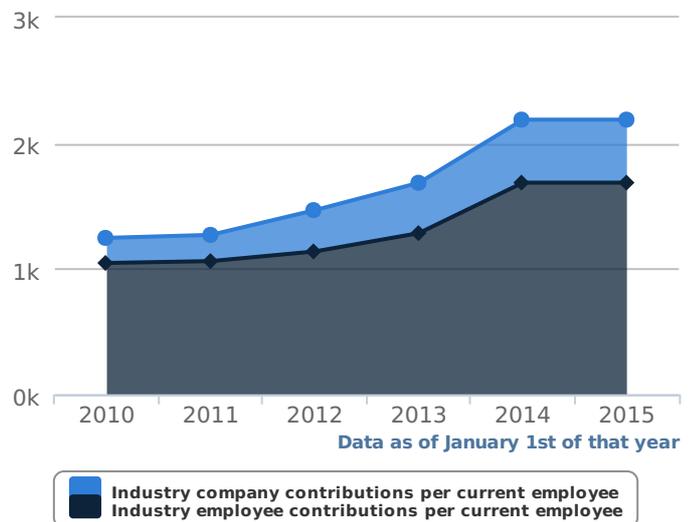
Company and employee contributions to retirement plans per current employee eligible for a retirement plan (\$)

Indicator of the company's revenue per employee



Industry medians of company and employee contributions to retirement plans per current employee eligible for a retirement plan (\$)

Indicator of the industry's revenue per employee

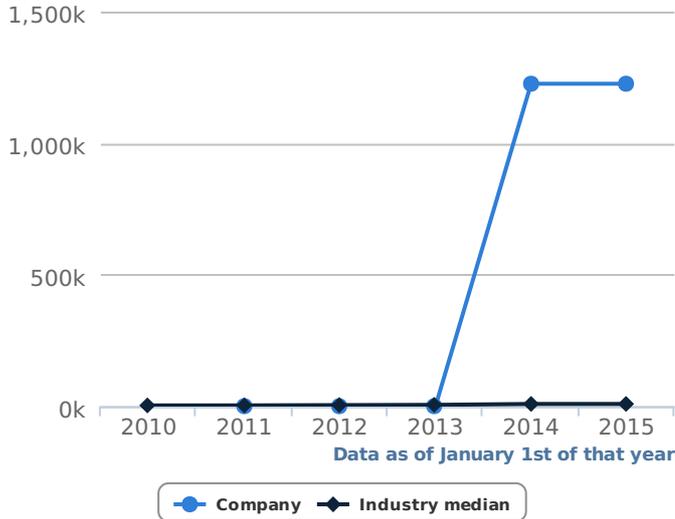


Trends in Profitability Indicators

A company's profitability can be inferred from its contributions to retirement plans; its total payroll can be inferred from employee contributions to retirement plans; and its total assets can be inferred from its retirement plan net assets.

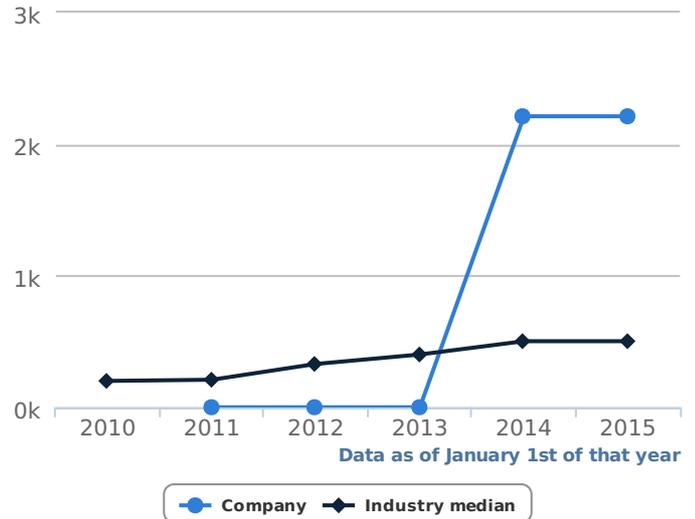
Company contributions to retirement plans (\$) ⁽²³⁾

Indicator of profitability



Company contributions per current employee eligible for a retirement plan (\$) ⁽²³⁾

Indicator of profitability per employee



✓ **DROPBOX, INC. is likely to be profitable.** Company contributions to retirement plans are positive in the most recent year.

✓ **DROPBOX, INC.'s profitability exceeds the industry median.** Company contributions to retirement plans exceed the industry median in the most recent year.

✓ **DROPBOX, INC.'s profitability per employee exceeds the industry median.** Company contributions per employee exceed the industry median in the most recent year.

Company contributions to retirement plans may include, for example, when a company matches the 401(k) retirement savings made by their employees. Companies are generally not required to make contributions to their employee retirement plans. Therefore, when they do so, and at an increasing rate, it is a favorable indicator of profitability. Dividing this amount by the number of employees eligible for a retirement plan adjusts for the size of the company.



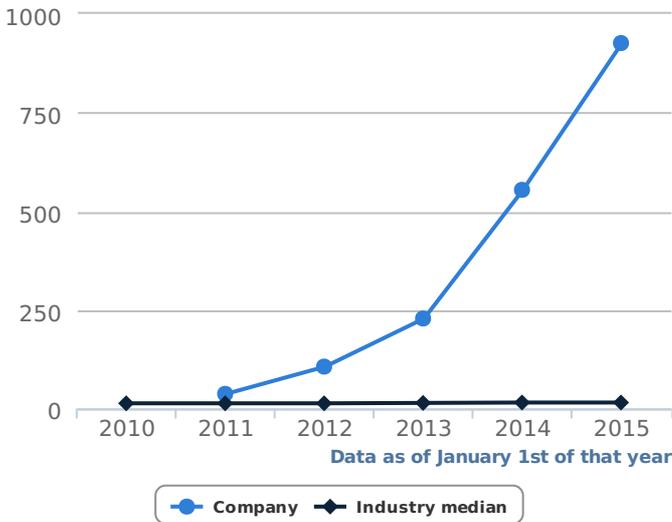
Trends in Employment Indicators

A company's size can be inferred from the number of employees it has that are eligible to receive benefits. There are two types of benefits: retirement plans and welfare benefit plans. A retirement plan includes defined contribution plans, like a 401(k), and defined benefit plans, which provide retirement income based on factors like tenure with the firm. A welfare benefit plan may include, for example, health, dental, and vision insurance.

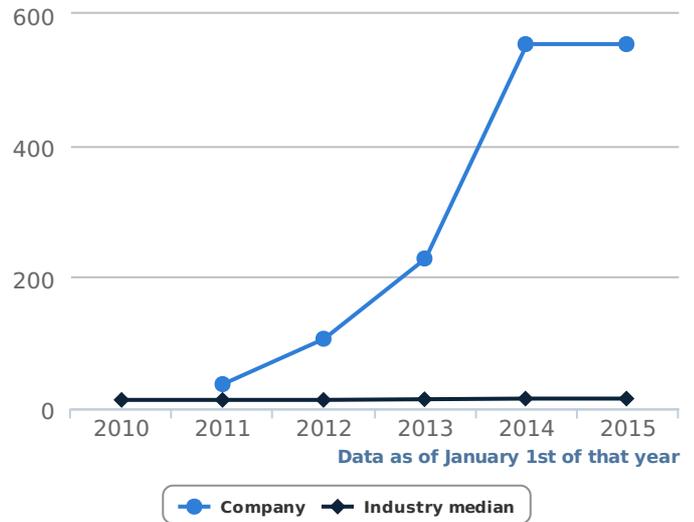
In general, only companies with more than 100 participants in a welfare benefit plan file a Form 5500 for their welfare benefit plan; thus, the industry median tends to be more than 100.

Only employees eligible to receive (retirement and/or welfare) benefits are included in Form 5500 filings; and usually only U.S.-based employees are included in Form 5500 filings. By contrast, employment numbers reported by companies may include all employees (part-time, full-time, and contractors) on a global basis.

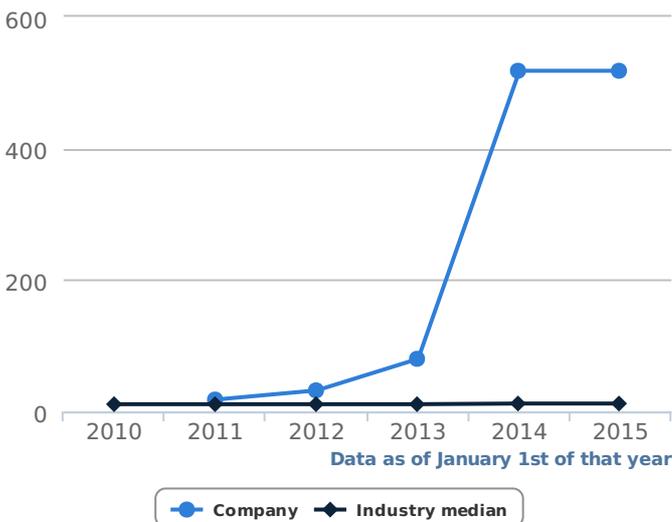
Current employees in the U.S. in a retirement and/or welfare plan ⁽¹⁸⁾



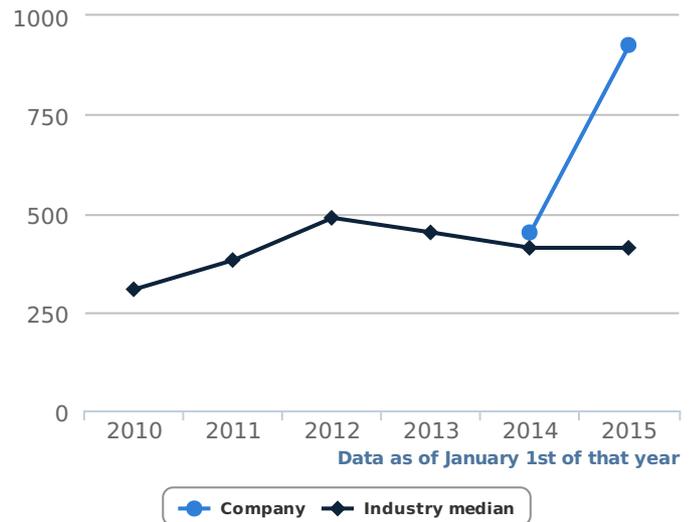
Current employees in the U.S. eligible for a retirement plan ⁽¹⁹⁾



Current and former employees in the U.S. in a retirement plan ⁽²⁰⁾



Current employees in the U.S. in a welfare plan ⁽²¹⁾





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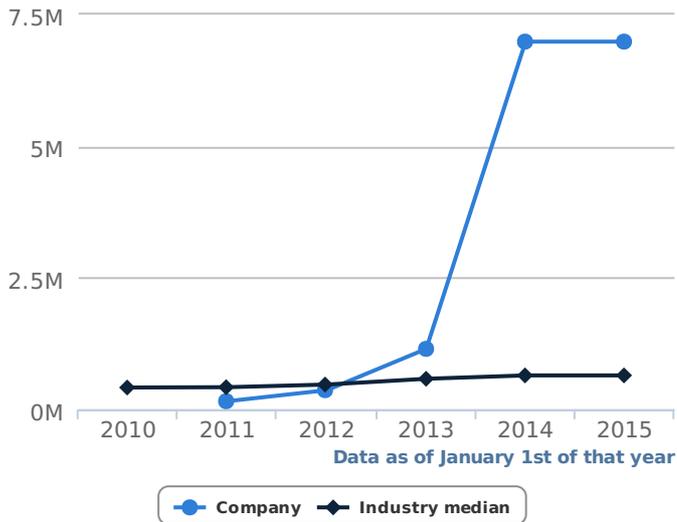
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Trends in Total Assets Indicators

Retirement plan net assets are an indicator of how much and for how long the company and its employees have been contributing to their retirement plan. Larger, more established companies tend to have greater retirement plan net assets; thus, this amount indicates how established the company is, as well as its total assets. Dividing retirement plan net assets by the number of employees eligible for a retirement plan adjusts for the size of the company.

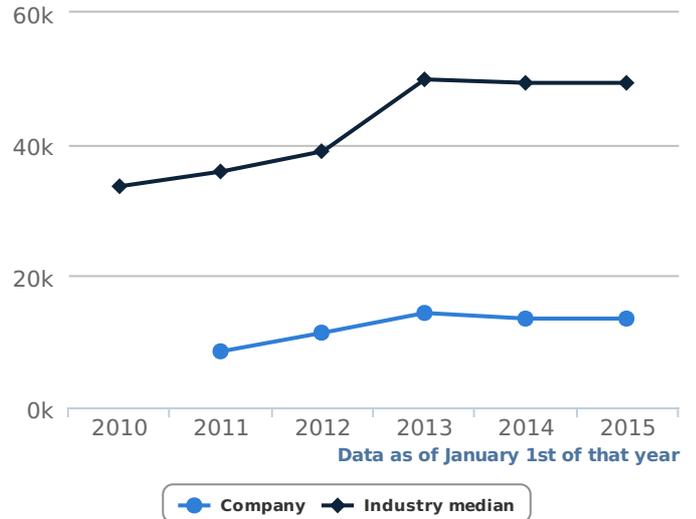
Retirement plan net assets (\$) ⁽²⁴⁾

Indicator of total assets



Retirement plan net assets per current and former employee participating in a retirement plan (\$) ⁽²⁴⁾

Indicator of assets per employee



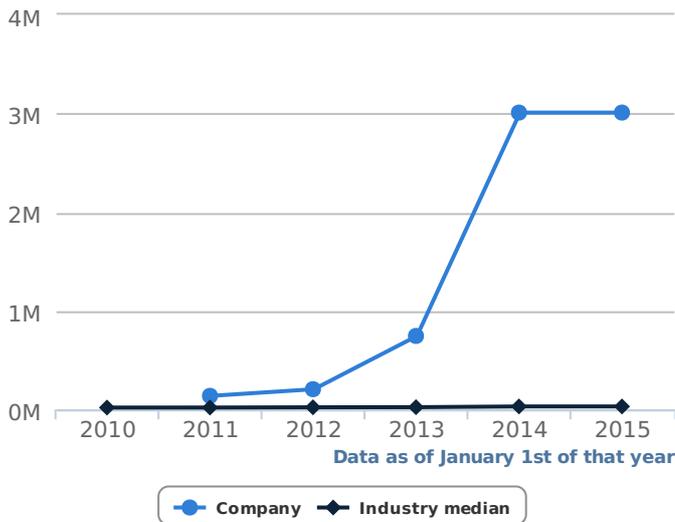
Trends in Payroll Indicators

Employee contributions to retirement plans may include, for example, when a company's employees save for retirement through a 401(k). In general, employee contributions may be correlated with the company's payroll in that they are often a fixed percentage of the employee's salary. Dividing this amount by the number of employees eligible for a retirement plan adjusts for the size of the company.

When the company accounts for a larger portion of total contributions than is the case for the industry median, this indicates the company is likely to be more financially healthy than the industry norm. Please note that for companies that file a simplified EZ form, their contributions to retirement plans (if any) are classified as being performed by the company.

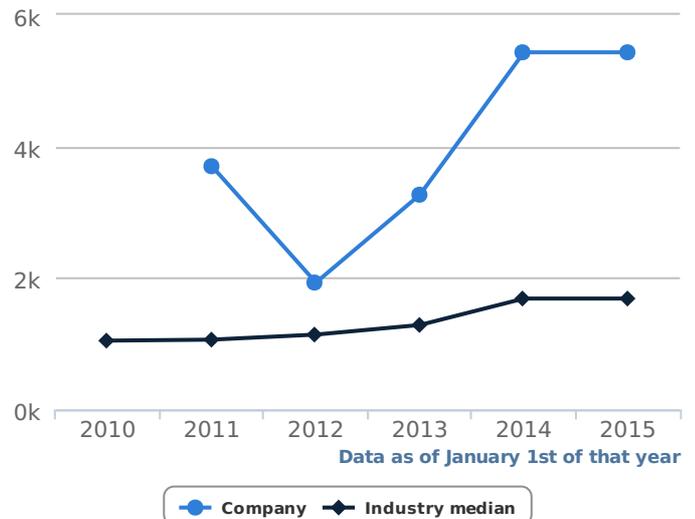
Employee contributions to retirement plans (\$) ⁽²²⁾

Indicator of total payroll



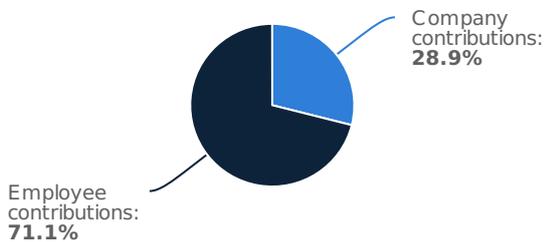
Employee contributions per current employee eligible for a retirement plan (\$) ⁽²²⁾

Indicator of payroll per employee



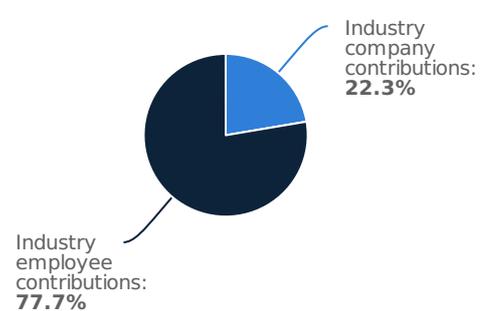
Company versus employee contributions to retirement plans, most recent year (%)

Indicator of the company's financial health



Industry median of company versus employee contributions to retirement plans, most recent year (%)

Indicator of the industry's financial health



✓ **The percentage of company contributions exceeds the industry median.** Company contributions versus employee contributions to retirement plans exceed the industry median in the most recent year. This indicates the company is likely to be more profitable than the industry norm.



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Revenue Indicators ⁽²³⁾

	Company	Company percentile in industry	Company rank in industry	Company percentile in U.S.	Company rank in U.S.
Employee plus company contributions to retirement plans	\$4,234,186	99th	#9	99th	#8,732
Growth rate (3-Year CAGR) of employee plus company contributions	+175%▲	99th	#15	99th	#10,170
Employee plus company contributions per current employee eligible for a retirement plan	\$7,643	88th	#138	73rd	#264,506
Growth rate (3-Year CAGR) of employee plus company contributions per employee	+58%▲	94th	#63	94th	#55,605

Profitability Indicators ⁽²³⁾

	Company	Company percentile in industry	Company rank in industry	Company percentile in U.S.	Company rank in U.S.
Company contributions to retirement plans	\$1,225,710	99th	#9	99th	#12,678
Growth rate (3-Year CAGR) of company contributions	+100%▲	98th	#21	98th	#17,753
Company contributions per current employee eligible for a retirement plan	\$2,212	87th	#157	70th	#302,277
Growth rate (3-Year CAGR) of company contributions per employee	+100%▲	98th	#19	98th	#16,352



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Employment Indicators ⁽²³⁾

	Company	Company percentile in industry	Company rank in industry	Company percentile in U.S.	Company rank in U.S.
Current employees in the U.S. in a welfare and/or retirement benefit plan ⁽²⁴⁾	926	99th	#16	99th	#10,603
Growth rate (3-Year CAGR) of employment	+106%▲	99th	#10	99th	#5,735
Current employees in the U.S. eligible for a retirement plan ⁽²⁵⁾	554	99th	#17	99th	#13,670
Current employees in the U.S. in a welfare benefit plan ⁽²⁶⁾	926	74th	#11	86th	#7,828
Current and former employees in the U.S. in a retirement plan ⁽²⁷⁾	518	99th	#17	99th	#13,818

Total Assets & Payroll Indicators ⁽²³⁾

	Company	Company percentile in industry	Company rank in industry	Company percentile in U.S.	Company rank in U.S.
Employee contributions to retirement plans	\$3,008,476	99th	#10	99th	#7,039
Employee contributions per current employee eligible for a retirement plan	\$5,430	93rd	#85	87th	#132,637
Retirement plan net assets	\$6,987,345	97th	#35	94th	#55,689
Retirement plan net assets per current and former employee participating in a retirement plan	\$13,489	25th	#866	20th	#783,437



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BQ Profitability Score Indicators

BQ Profitability Score, unfavorable indicators	Company	Percent of companies in the industry with this feature
Company closed all plans	NO	5%

BQ Profitability Score, favorable indicators	Company	Percent of companies in the industry with this feature
Retirement plan, defined contribution plan	YES	97%
Retirement plan, defined benefit plan	NO	4%
Retirement plan, profit-sharing	YES	88%
Retirement plan, 401(k)	YES	80%
Retirement plan, stock bonus option	NO	0%
Health plan	YES	3%
Dental plan	YES	3%
Vision plan	YES	2%
Life insurance plan	YES	3%
Long term disability plan	YES	2%
Company has contributed to a retirement plan, most recent year	YES	49%
Company has contributed to a retirement plan, one year prior	YES	55%
Company has contributed to a retirement plan, two years prior	NO	61%
Company has contributed to a retirement plan, three years prior	NO	65%



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BQ Profitability Score, percentile in industry indicators	Company percentile in industry
Growth Score	97th
Company contributions to retirement plans, most recent year	99th
Company contributions to retirement plans, one year prior	99th
Company contributions to retirement plans, two years prior	39th
Company contributions to retirement plans, three years prior	35th
Employee contributions to retirement plans, most recent year	99th
Employee contributions to retirement plans, one year prior	99th
Employee contributions to retirement plans, two years prior	98th
Employee contributions to retirement plans, three years prior	94th
Company contributions per current employee eligible for a retirement plan, most recent year	87th
Company contributions per current employee eligible for a retirement plan, one year prior	85th
Company contributions per current employee eligible for a retirement plan, two years prior	39th
Company contributions per current employee eligible for a retirement plan, three years prior	35th
Employee contributions per current employee eligible for a retirement plan, most recent year	93rd
Employee contributions per current employee eligible for a retirement plan, one year prior	91st
Employee contributions per current employee eligible for a retirement plan, two years prior	81st
Employee contributions per current employee eligible for a retirement plan, three years prior	59th



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BQ Profitability Score, percentile in U.S indicators	Company percentile in U.S.
Growth Score	98th
Company contributions to retirement plans, most recent year	99th
Company contributions to retirement plans, one year prior	99th
Company contributions to retirement plans, two years prior	29th
Company contributions to retirement plans, three years prior	27th
Employee contributions to retirement plans, most recent year	99th
Employee contributions to retirement plans, one year prior	99th
Employee contributions to retirement plans, two years prior	97th
Employee contributions to retirement plans, three years prior	90th
Company contributions per current employee eligible for a retirement plan, most recent year	70th
Company contributions per current employee eligible for a retirement plan, one year prior	65th
Company contributions per current employee eligible for a retirement plan, two years prior	29th
Company contributions per current employee eligible for a retirement plan, three years prior	27th
Employee contributions per current employee eligible for a retirement plan, most recent year	87th
Employee contributions per current employee eligible for a retirement plan, one year prior	85th
Employee contributions per current employee eligible for a retirement plan, two years prior	72nd
Employee contributions per current employee eligible for a retirement plan, three years prior	57th



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BQ Risk Score Indicators ⁽⁵⁾

BQ Risk Score, unfavorable indicators	Company	Percent of companies in the industry with this feature
Failure to make timely payments in a retirement plan, most recent year	YES	3%
Failure to make timely payments in a retirement plan, one year prior	YES	4%
Failure to make timely payments in a retirement plan, two years prior	NO	4%
Failure to make timely payments in a retirement plan, three years prior	NO	4%
Failure to make timely payments in a welfare plan, most recent year	NO	0%
Failure to make timely payments in a welfare plan, one year prior	NO	0%
Failure to make timely payments in a welfare plan, two years prior	NO	0%
Failure to make timely payments in a welfare plan, three years prior	NO	0%
Failure to provide a welfare benefit, most recent year	NO	0%
Failure to provide a welfare benefit, one year prior	NO	0%
Failure to provide a welfare benefit, two years prior	NO	0%
Failure to provide a welfare benefit, three years prior	NO	0%
Failure to provide a retirement benefit, most recent year	NO	0%
Failure to provide a retirement benefit, one year prior	NO	0%
Failure to provide a retirement benefit, two years prior	NO	0%
Failure to provide a retirement benefit, three years prior	NO	0%
Delinquent filer voluntary compliance (DFVC) member, most recent year	NO	0%
Delinquent filer voluntary compliance (DFVC) member, one year prior	NO	0%
Delinquent filer voluntary compliance (DFVC) member, two years prior	NO	0%
Delinquent filer voluntary compliance (DFVC) member, three years prior	NO	0%
Amended filing, most recent year	YES	5%
Amended filing, one year prior	YES	6%
Amended filing, two years prior	NO	7%
Amended filing, three years prior	NO	7%
Company has a retirement plan with profit sharing but no employer contribution, most recent year	NO	44%
Company has a retirement plan with profit sharing but no employer contribution, one year prior	NO	41%
Company has a retirement plan with profit sharing but no employer contribution, two years prior	YES	35%
Company has a retirement plan with profit sharing but no employer contribution, three years prior	YES	32%
Company has a retirement plan with a negative employer contribution, most recent year	NO	0%
Company has a retirement plan with a negative employer contribution, one year prior	NO	0%
Company has a retirement plan with a negative employer contribution, two years prior	NO	0%



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BQ Risk Score, unfavorable indicators	Company	Percent of companies in the industry with this feature
Company has a retirement plan with a negative employer contribution, three years prior	NO	0%
Company elected to terminate a defined contribution retirement plan, most recent year	NO	26%
Company elected to terminate a defined contribution retirement plan, one year prior	NO	8%
Company elected to terminate a defined contribution retirement plan, two years prior	NO	3%
Company elected to terminate a defined contribution retirement plan, three years prior	NO	1%
Company closed a defined contribution retirement plan, most recent year	NO	27%
Company closed a defined contribution retirement plan, one year prior	NO	0%
Company closed a defined contribution retirement plan, two years prior	NO	0%
Company closed a defined contribution retirement plan, three years prior	NO	0%



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Tel: 510-497-0364, Email: Info@BizQualify.com Website: <http://www.BizQualify.com>

BQ Risk Score, favorable indicators	Company	Percent of companies in the industry with this feature
Company has contributed to a retirement plan, most recent year	YES	49%
Company has contributed to a retirement plan, one year prior	YES	55%
Company has contributed to a retirement plan, two years prior	NO	61%
Company has contributed to a retirement plan, three years prior	NO	65%
Retirement plan, defined contribution plan, most recent year	YES	97%
Retirement plan, defined contribution plan, one year prior	YES	97%
Retirement plan, defined contribution plan, two years prior	YES	97%
Retirement plan, defined contribution plan, three years prior	YES	97%
Retirement plan, defined benefit plan, most recent year	NO	4%
Retirement plan, defined benefit plan, one year prior	NO	4%
Retirement plan, defined benefit plan, two years prior	NO	4%
Retirement plan, defined benefit plan, three years prior	NO	4%
Retirement plan, profit-sharing, most recent year	YES	88%
Retirement plan, profit-sharing, one year prior	YES	90%
Retirement plan, profit-sharing, two years prior	YES	89%
Retirement plan, profit-sharing, three years prior	YES	90%
Retirement plan, target benefit plan, most recent year	NO	0%
Retirement plan, target benefit plan, one year prior	NO	0%
Retirement plan, target benefit plan, two years prior	NO	0%
Retirement plan, target benefit plan, three years prior	NO	0%
Retirement plan, money purchase retirement plan, most recent year	NO	0%
Retirement plan, money purchase retirement plan, one year prior	NO	0%
Retirement plan, money purchase retirement plan, two years prior	NO	0%
Retirement plan, money purchase retirement plan, three years prior	NO	0%
Retirement plan, 401(k), most recent year	YES	80%
Retirement plan, 401(k), one year prior	YES	82%
Retirement plan, 401(k), two years prior	YES	82%
Retirement plan, 401(k), three years prior	YES	83%
Retirement plan, stock bonus option, most recent year	NO	0%
Retirement plan, stock bonus option, one year prior	NO	0%
Retirement plan, stock bonus option, two years prior	NO	0%
Retirement plan, stock bonus option, three years prior	NO	1%
Health plan, most recent year	YES	3%
Health plan, one year prior	YES	3%
Health plan, two years prior	N/A	4%
Health plan, three years prior	N/A	5%
Dental plan, most recent year	YES	3%



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BQ Risk Score, favorable indicators	Company	Percent of companies in the industry with this feature
Dental plan, one year prior	YES	3%
Dental plan, two years prior	N/A	3%
Dental plan, three years prior	N/A	4%
Vision plan, most recent year	YES	2%
Vision plan, one year prior	YES	2%
Vision plan, two years prior	N/A	2%
Vision plan, three years prior	N/A	3%
Life insurance plan, most recent year	YES	3%
Life insurance plan, one year prior	YES	3%
Life insurance plan, two years prior	N/A	3%
Life insurance plan, three years prior	N/A	4%
Long term disability plan, most recent year	YES	2%
Long term disability plan, one year prior	YES	2%
Long term disability plan, two years prior	N/A	3%
Long term disability plan, three years prior	N/A	3%
Temporary disability plan, most recent year	YES	2%
Temporary disability plan, one year prior	YES	2%
Temporary disability plan, two years prior	N/A	2%
Temporary disability plan, three years prior	N/A	2%
Supplemental unemployment plan, most recent year	N/A	0%
Supplemental unemployment plan, one year prior	N/A	0%
Supplemental unemployment plan, two years prior	N/A	0%
Supplemental unemployment plan, three years prior	N/A	0%
Death benefits plan, most recent year	N/A	1%
Death benefits plan, one year prior	N/A	1%
Death benefits plan, two years prior	N/A	1%
Death benefits plan, three years prior	N/A	2%
Prepaid legal plan, most recent year	N/A	0%
Prepaid legal plan, one year prior	N/A	0%
Prepaid legal plan, two years prior	N/A	0%
Prepaid legal plan, three years prior	N/A	0%
Scholarship plan, most recent year	N/A	0%
Scholarship plan, one year prior	N/A	0%
Scholarship plan, two years prior	N/A	0%
Scholarship plan, three years prior	N/A	0%
Severance pay plan, most recent year	N/A	0%
Severance pay plan, one year prior	N/A	0%



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BQ Risk Score, favorable indicators	Company	Percent of companies in the industry with this feature
Severance pay plan, two years prior	N/A	0%
Severance pay plan, three years prior	N/A	0%
Apprenticeship and training plan, most recent year	N/A	0%
Apprenticeship and training plan, one year prior	N/A	0%
Apprenticeship and training plan, two years prior	N/A	0%
Apprenticeship and training plan, three years prior	N/A	0%
Retirement plan is insured via fidelity bond, most recent year	YES	65%
Retirement plan is insured via fidelity bond, one year prior	YES	69%
Retirement plan is insured via fidelity bond, two years prior	YES	71%
Retirement plan is insured via fidelity bond, three years prior	YES	72%



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BQ Risk Score, percentile in industry indicators	Company percentile in industry
Retirement plan net assets per current and former employee participating in a retirement plan, most recent year	25th
Retirement plan net assets per current and former employee participating in a retirement plan, one year prior	19th
Retirement plan net assets per current and former employee participating in a retirement plan, two years prior	21st
Retirement plan net assets per current and former employee participating in a retirement plan, three years prior	14th
Company contributions per current employee eligible for a retirement plan, most recent year	87th
Company contributions per current employee eligible for a retirement plan, one year prior	85th
Company contributions per current employee eligible for a retirement plan, two years prior	39th
Company contributions per current employee eligible for a retirement plan, three years prior	35th
Employee contributions per current employee eligible for a retirement plan, most recent year	93rd
Employee contributions per current employee eligible for a retirement plan, one year prior	91st
Employee contributions per current employee eligible for a retirement plan, two years prior	81st
Employee contributions per current employee eligible for a retirement plan, three years prior	59th
Current employees in a welfare and/or retirement plan, most recent year	99th
Current employees in a welfare and/or retirement plan, one year prior	98th
Current employees in a welfare and/or retirement plan, two years prior	96th
Current employees in a welfare and/or retirement plan, three years prior	93rd



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BQ Risk Score, percentile in U.S indicators	Company percentile in U.S.
Retirement plan net assets per current and former employee participating in a retirement plan, most recent year	20th
Retirement plan net assets per current and former employee participating in a retirement plan, one year prior	13th
Retirement plan net assets per current and former employee participating in a retirement plan, two years prior	13th
Retirement plan net assets per current and former employee participating in a retirement plan, three years prior	10th
Company contributions per current employee eligible for a retirement plan, most recent year	70th
Company contributions per current employee eligible for a retirement plan, one year prior	65th
Company contributions per current employee eligible for a retirement plan, two years prior	29th
Company contributions per current employee eligible for a retirement plan, three years prior	27th
Employee contributions per current employee eligible for a retirement plan, most recent year	87th
Employee contributions per current employee eligible for a retirement plan, one year prior	85th
Employee contributions per current employee eligible for a retirement plan, two years prior	72nd
Employee contributions per current employee eligible for a retirement plan, three years prior	57th
Current employees in a welfare and/or retirement plan, most recent year	99th
Current employees in a welfare and/or retirement plan, one year prior	98th
Current employees in a welfare and/or retirement plan, two years prior	96th
Current employees in a welfare and/or retirement plan, three years prior	91st

BQ Risk Score, age & size indicators	Company	Company percentile in industry
Age of company's oldest retirement plan (years)	5	18th
Age of company's oldest welfare plan (years)	3	11th
Current employees in a welfare and/or retirement plan	926	99th
Months since latest plan filing	1	97th

Footnotes

- (1) A company is classified as public if it is traded on the NYSE or NASDAQ stock exchanges.
- (2) The industry classification is the one reported by the company in its most recent Form 5500 filing. The industry classification scheme is the one used by the IRS and Department of Labor in Form 5500 filings.
- (3) The BQ Growth Score is based on annual and 3-year CAGR growth rates of employment, revenue, and profitability indicators. It ranges from 1 to 1,000. A score greater than 500 means the company is generally growing, while a score less than 500 means the company is generally shrinking.
- (4) The BQ Profitability is an overall assessment of how profitable the company is likely to be. It ranges from 0 to 1,000 and has a national median of about 500. It is based on over 50 verifiable metrics.
- (5) This is an overall assessment of the financial risk associated with the company based on over 100 verifiable metrics, including (but not limited to) how well the company satisfies regulatory obligations to the IRS and the quality of its employee benefit plans.
- (6) Revenue and EBITDA are estimated based on industry averages of revenue and EBITDA per employee for comparable public companies. EBITDA is an indicator of profitability, equal to net income with interest, taxes, depreciation, and amortization added back in.
- (7) This is the current number of employees eligible for a retirement and/or welfare benefit plan, such as a 401(k) or health insurance. This often excludes recent hires, administrative staff, contractors, and part-time employees. For these reasons, our measure of employment is often lower than reported by the companies themselves.
- (8) This is the number of years the company has been offering employee benefit plans. This is typically fewer years than the overall age of the firm.
- (9) This is an estimate from Amazon of this website's popularity compared against all other websites in the world.
- (10) This is an estimate from Amazon of this website's popularity compared against all other websites in the U.S.
- (11) An Employer Identification Number (EIN) is also known as a Federal Tax Identification Number, and is used to identify a business entity.
- (12) For smaller companies, this is usually a principal; for larger companies, this is usually an HR executive.
- (13) The address is based on the company's headquarters.
- (14) The phone number is based on the company's headquarters.
- (15) A sub-sector is at a more general level than an industry, but less general than a sector. The industry classification scheme is the one used by the IRS and Department of Labor for ERISA filings.
- (16) A sector is at a more general level than a sub-sector, which in turn is at a more general level than an industry. The industry classification scheme is the one used by the IRS and Department of Labor for ERISA filings.
- (17) These tables contain the most recent year of data for the company, its industry, and the US.
- (18) A company is listed in our database as having a welfare benefit plan for its employees only if it filed a Form 5500 for that plan.
- (19) A defined contribution (retirement) plan is one for which the employee must make contributions in order to accrue benefits upon retirement, such as a 401(k) plan.
- (20) A defined benefit (retirement) plan is one for which your retirement upon retirement is based on your tenure with the company, paying a certain amount each month after retirement.
- (21) A "small company" is a company for which all filings are Form 5500-EZ, as opposed to Form 5500 or 5500-SF. Such companies tend to be small, usually having 1-2 employees, and are commonly sole proprietorships. However, there are exceptions; for example, large law firms sometimes file Form 5500-EZ.
- (22) Companies sometimes close retirement and/or welfare benefit plans because they are consolidating plans for practical, legal and/or organizational purposes. At other times, they close a plan due to weak financial health.
- (23) This table contain the most recent year of data for the company, its industry, and the US.
- (24) This is the maximum between the number of current employees eligible to participate in a retirement plan and the number of current employees participating in a welfare plan. A retirement plan includes defined contribution plans, like a 401(k), and defined benefit plans, which provide retirement income based on factors like tenure with the firm. A welfare benefit plan may include, for example, health, dental, and vision insurance.
- (25) This is the number of current employees eligible to participate in a retirement plan. Note that they are not necessarily actually participating in a retirement plan. A retirement plan includes defined contribution plans, like a 401(k), and defined benefit plans, which provide retirement income based on factors like tenure with the



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firm.

(26) This is the number of current employees participating in a welfare benefit plan. A welfare benefit plan may include, for example, health, dental, and vision insurance. In general, only companies with more than 100 participants in a welfare benefit plan file a Form 5500 for their welfare benefit plan; thus, the industry median tends to be more than 100.

(27) This is the number of current and former employees participating in a retirement plan. A retirement plan includes defined contribution plans, like a 401(k), and defined benefit plans, which provide retirement income based on factors like tenure with the firm.

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EXHIBIT C

From: joseplehn@gmail.com on behalf of Jose M. Plehn-Dujowich
<jplehn@haas.berkeley.edu>
Sent: Monday, February 20, 2017 10:30 PM
To: Ningrui Zhang
Subject: Re: Alexa site comparison

Indeed, I have not seen a systematic simple way of accessing everything we need from Alexa or WHOIS in bulk the way we need it. The manual collection process seems to be the only reliable, comprehensive method. Please send an email to everyone about this.

On Mon, Feb 20, 2017 at 6:30 PM, Ningrui Zhang <ningruiz@berkeley.edu> wrote:
Dear Professor Jose,

Some students were asking me if there is anyway to expedite the data collection for Alexa and Whois. I didn't find solution to Whois, but I think this might be possible for Alexa.

There is a feature of site traffic comparisons for multiple sites on Alexa:
<http://try.alex.com/marketing-stack/competitive-intelligence-tools>

The feature of comparing site ranks requires the basic plan (\$9/month) here:
<http://try.alex.com/marketing-stack/competitive-intelligence-tools>

The plan allows individuals to search for statistics of 10 different sites at the same time. But it only shows Global rank and country rank, not the category and category rank. And I'm not sure if different students can access the same account at the same time.

Please let me know what you think about site comparison.

Best,
Ningrui

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Ningrui Zhang, B.A., Statistics
Assistant Director, Global Financial Data Project
Haas School of Business
University of California, Berkeley | Class of 2017
Berkeley, CA 94704
Email: ningruiz@berkeley.edu
Cell: [\(510\) 861-5699](tel:(510)861-5699)

--

Jose M. Plehn-Dujowich, Ph.D.
Executive Director, Global Financial Data Project (GFDP)
Haas School of Business
University of California, Berkeley
Berkeley, CA 94720

Email: jplehn@haas.berkeley.edu

Cell: 716-430-7597

<http://facultybio.haas.berkeley.edu/faculty-list/plehndujowich-jose/>

<http://accounting.haas.berkeley.edu/cfrm/global-financial-data.html>

EXHIBIT D

GLOBAL FINANCIAL DATA PROJECT

Learn & Perform Real Business Research

- ✓ Prepare for a career or graduate program in finance, accounting, business, or economics (e.g., MFE, MBA, MA, PhD);
- ✓ Applicable to students majoring in business, finance, accounting, economics, math, statistics, or computer science;
- ✓ Learn how to create professional presentations and reports suited for research and business purposes;
- ✓ Learn how to collect data using software and algorithms; and analyze the data to make meaningful inferences;
- ✓ Learn how to perform quality independent research.

Program Overview

The Global Financial Data Project (GFDP) is an online educational research program taught by Berkeley Haas and UCLA Anderson students and faculty. The GFDP is founded and directed by Prof. Jose M. Plehn-Dujowich.

The project aims to estimate the financial health of private companies around the world. Private companies do not report financial statements to outsiders as all public companies are required to do. A public company is one that sells shares of ownership to the general public through a regulated financial exchange, such as NYSE or NASDAQ; in doing so, regulatory filings including financial statements are submitted to outsiders for their review.

There are over 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private. Consider China, for example. There are about 40 million companies in China, while only 3,000 are public. Therefore, tracking the financial performance of private companies is crucial to understanding the Chinese economy.



January 20, 2017 Deadline

Start date: February 3, 2017

End date: April 14, 2017

100% Online Program:

- ✓ 6 hours per week (3 hours of online instruction & 3 hours of research) for 10 weeks.
- ✓ All online sessions take place evening & weekend hours, and sessions are recorded.
- ✓ No grading.
- ✓ Teaching & research is performed online under the direct supervision of the Executive Director.

What You Earn

- ✓ **Certificate of completion**
May be referenced in job & university applications.
- ✓ **Letter of recommendation**
Written personally by the Executive Director.

Global Financial Data Project

<http://www.anderson.ucla.edu/centers/fink-center-for-finance-and-investments/global-financial-data-project>

<http://accounting.haas.berkeley.edu/cfm/global-financial-data.html>

Program Phases

Phase I: LEARNING

Receive instruction and training from the Executive Director on how to perform research based on U.S. analysis of companies and industries. These methods are then adapted for other countries and regions.

Phase II: DATA COLLECTION

Collect data for the industry and region of your choice (e.g., e-commerce in Shenzhen, China; pharmaceuticals in Boston, MA). Most students choose an industry based on their personal interest and where they would like to work or obtain an internship.

Phase III: DATA ANALYSIS

Analyze the data collected by the entire global team to uncover patterns and trends. Use specialized software and techniques to do so. Write a professional report with your team.

Phase IV: PRESENTATIONS

Present your findings to the entire global team for feedback and assessment.

The Research Approach

Companies to Investigate

Because it is impractical to identify the performance of every single company globally, a statistical procedure was designed to track their financial performance based on a sampling methodology that leverages machine learning algorithms and natural language processing. The Research Team's main function is to collect and evaluate financial indicators and fundamental firmographics for the 10,000 companies.

Research Methods

-) Read news articles and government filings to infer the financial health, employment, and revenue of companies;
-) Use cutting-edge software tools to track private & public companies;
-) Read corporate websites and official government agency registries to verify the legal identities of companies;
-) Audit the work performed by other members of the Research Team so as to ensure accuracy in the data being collected and estimated;
-) Focus on companies in a particular city or region in your native or current country, leveraging your personal knowledge of the area;
-) Present your findings to the Research Team for evaluation;
-) Run machine learning and natural language processing algorithms to analyze the extracted data.

To Apply

<https://globalfinancialhaas.wufoo.com/forms/global-financial-data-project-application/>

General inquiries: gfdp@haas.berkeley.edu or gfdp@anderson.ucla.edu

Course Fee

\$2,413

Course fee provides:

- ✓ Online instruction from faculty.
- ✓ Instructional support from expert research assistants.
- ✓ Access to financial data.
- ✓ Web scrapers & servers to collect & host the data.
- ✓ Software to analyze the data & collaborate.

Requirements

- ✓ You can be any year college student or recent graduate.
- ✓ International background is preferred: leverage your knowledge to investigate companies from your country or region.
- ✓ No prior knowledge of finance or accounting is assumed. You will be taught what you need to know.
- ✓ Researchers can be inside or outside the U.S. (e.g., in China).

Global Financial Data Project

<http://www.anderson.ucla.edu/centers/fink-center-for-finance-and-investments/global-financial-data-project>

<http://accounting.haas.berkeley.edu/cfm/global-financial-data.html>

About the Executive Director

Jose M. Plehn-Dujowich, Ph.D.

Jose is a Finance Professor at the UCLA Anderson School of Management, and the Faculty & Executive Director of the Laurence & Lori Fink Center for Finance & Investments, which is the leading center at UCLA Anderson integrating research and education in finance with industry practice. The Fink Center was made possible by a generous endowment from Larry Fink, the Chairman & CEO of BlackRock. BlackRock is the largest asset manager in the world, overseeing in excess of \$5 trillion.

Prior to joining UCLA, Jose was an Accounting Professor at the Haas School of Business, University of California at Berkeley, and the Executive Director of the Center for Financial Reporting & Management (CFRM), the accounting research center at Haas. Jose is also the Founder of the Berkeley Charter of Professional Accountancy (BCPA), the accounting program at Haas.

Jose is the recipient of the 2015 Notable Contribution to the Accounting Literature Award, which is granted annually by the American Accounting Association (AAA) and the American Institute of CPAs (AICPA). Jose has published widely in leading accounting, economics, and management journals, including *The Accounting Review*, *International Journal of Industrial Organization*, *Review of Economic Dynamics*, *Journal of Economic Dynamics and Control*, and *Economics Letters*.

Jose earned a Ph.D. in Economics from the University of Chicago and B.S. degrees in Economics and Management Science from the Massachusetts Institute of Technology (MIT).

<http://www.anderson.ucla.edu/centers/fink-center-for-finance-and-investments/about-us/bio-jose>

Key Contacts

Jose M. Plehn-Dujowich, Executive Director

jose.plehn-dujowich@anderson.ucla.edu

jplehn@haas.berkeley.edu

WeChat ID: jplehn

Jose is the founder & lead instructor of the program

Ningrui Zhang, Assistant Director (fluent in Mandarin)

ningruiz@berkeley.edu

WeChat ID: MargaretZhang94

Ningrui oversees statistics research, programming & data analysis

Danwei Chen, Managing Director (speaks Mandarin)

danwei.chen@anderson.ucla.edu

WeChat ID: danwei_chen

Danwei oversees finance research & administration



Prof. Jose M. Plehn-Dujowich

Past Research Team Members Include:

Ruize M.
Rutgers University
Statistics

Wyatt E.
Kenyon College
Liberal Arts

Sheng T.
UC Berkeley
Computer Science

Renjie P.
Fudan University
Mathematics

Xu F.
Zhejiang University
Finance

Hyejin H.
UCLA
Business Economics

Junfa Z.
Ohio State
Data Analytics

Bingchen L.
University of International Business
and Economics
Accounting

Global Financial Data Project

<http://www.anderson.ucla.edu/centers/fink-center-for-finance-and-investments/global-financial-data-project>

<http://accounting.haas.berkeley.edu/cfrm/global-financial-data.html>

EXHIBIT E

From: joseplehn@gmail.com on behalf of Jose M. Plehn-Dujowich
<jplehn@haas.berkeley.edu>
Sent: Sunday, July 17, 2016 9:56 PM
To: undisclosed-recipients:
Subject: Congratulations! You have been accepted into the Berkeley Haas Global Financial Data Project

Hello,

This email is to certify that you have been admitted into the Berkeley Haas Global Financial Data Project. Congratulations!

Some practical things to plan for:

- (1) You will receive an email from our data partner BizQualify for you to pay the registration fee of \$2,413.
- (2) Once you have paid the fee to BizQualify, they will send you an email to setup your login access to their data systems.
- (3) We will meet on July 25 at 7 - 9pm at a room in Haas to be announced later. This will be our first meeting to get things started. If you cannot attend this meeting, I will meet with you separately to go over these items.

We will cover at the meeting:

- (a) I will show you how to use the BizQualify systems. You must have your login access working by then. So you must pay the fee to BizQualify before then.
- (b) I will show you how to use Asana systems. You can start to become familiar with it on asana.com. This will be our communications and project planning tool. All updates and tasks will be posted on Asana, and you will update your research on Asana.
- (c) We will form teams of 3 - 4 students. Each team will have a Team Leader. Teams will be formed based on the languages they speak, the countries they are interested in researching, and their experience with statistics and programming.
- (d) We will discuss the timing of the project and meeting schedules.

Best,
Jose

--

Jose M. Plehn-Dujowich, Ph.D.
Executive Director, Center for Financial Reporting & Management (CFRM)
Program Director, Berkeley Charter of Professional Accountancy (BCPA)
Faculty Building F426
Haas School of Business

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Email: jplehn@haas.berkeley.edu
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Cell: [716-430-7597](tel:716-430-7597)
<http://accounting.haas.berkeley.edu/>

From: joseplehn@gmail.com on behalf of Jose M. Plehn-Dujowich
<jplehn@haas.berkeley.edu>
Sent: Sunday, July 10, 2016 8:30 PM
To: undisclosed-recipients:
Subject: New summer research program from Berkeley Haas
Attachments: Global Financial Data Project_flyer_July 2016.pdf

Dear student,

You are receiving this email because you registered to take a summer introductory accounting or finance course at Berkeley Haas.

We are launching a new research program this summer called the *Global Financial Data Project*. The program is designed to provide you with experience performing real business research geared towards the practice of consulting, finance, accounting, and economics. Attached is a flyer.

The project will study private companies around the world so as to infer their financial health. Students with an international background are preferred. We will leverage your local country knowledge and language to perform the research. You will have access to unique data and resources to perform the research.

You may apply here:

<https://globalfinancialhaas.wufoo.com/forms/global-financial-data-project/>

Please feel free to contact me directly if you have any questions regarding the program. For those of you that use WeChat, you may contact me using the ID jplehn.

Best,
Jose

--

Jose M. Plehn-Dujowich, Ph.D.
Executive Director, Center for Financial Reporting & Management (CFRM)
Program Director, Berkeley Charter of Professional Accountancy (BCPA)
Faculty Building F426
Haas School of Business
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Email: jplehn@haas.berkeley.edu
Office: 510-642-5372
Cell: 716-430-7597
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EXHIBIT F

International Student Recruitment Agreement

This agreement is made the 31st day of August, 2016, by and between WholeRen, LLC. (Agent), whose principal place of business is 4620 Henry Street, 2nd Floor, Pittsburgh PA 15213, and Center for Financial Reporting & Management (School), Faculty Building F426, Haas School of Business, University of California, Berkeley, Berkeley, CA 94720, USA.

WHEREAS, School offers the Global Financial Data Project.

WHEREAS, under certain terms and conditions, School desires to engage Agent, and Agent desires to accept the engagement as an independent contractor to recruit international students.

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged by School and Agent, including the mutual covenants and undertakings set forth in this Agreement, School and Agent agree as follows:

1. Appointment

School appoints Agent, and Agent accepts the appointment, as a non-exclusive agent to recruit students in its sole discretion. Except as is otherwise set forth in this Agreement, Agent shall determine the methods of operation in which Agent will perform the services.

2. Marketing Territorial

Agent shall recruit students both from China and United States for the duration of this Agreement.

3. Duration of Agreement

This Agreement is valid for 6 months from the date of the signing Agreement.

4. Duties of School

- a. School shall provide full and updated information about the educational programs and fully support Agent's marketing efforts.
- b. School shall provide prompt assistance to students in completing their application process, tutoring and guardianship services.

5. Duties of Agent

- a. Agent shall promote School's program to targeted students in both China and United States.
- b. Agent shall provide full and truthful information of School to any students or parents who request such information.
- c. Agent shall generally bear the expenses incurred in connection with the student recruitment, unless otherwise agreed by School and Agent.

6. Compensation

School agrees to pay Agent a commission 10% of the project registration fee for each student Agents sends directly to the Center for Financial Reporting and Management's Global Financial Data Project. This compensation is offered to support the company's expenses related to marketing, promotion and student consultation. The compensation will be settled by the end of registration period.

7. Confidential Information

Agent specifically acknowledges the business necessity of School to protect all non-public information relation to School's operations, services, procedures, trade secrets and information related to academic programs, development, accounting and marketing.

8. Independent Contractor

Agent is an independent contractor and shall not be deemed an employee of School or any purpose.

9. Extension of Agreement

This Agreement may be extended by mutual agreement. Any such extensions of this Agreement shall be in writing signed by duly authorized representatives of School and Agent.

10. Termination of Agreement

Either School or Agent may terminate this Agreement by providing the other party sixty (60) days written notice of intent to terminate.

11. Severability and Enforcement

In the event that any provision of this Agreement shall be determined to be invalid or unenforceable for any reason, in whole or in part, the remaining provisions of this Agreement shall be unaffected thereby and shall remain in full force and effect to the fullest extent permitted by law, and such invalid or unenforceable provision shall be reformed to the fullest extent possible to conform to the intent of the parties as reflected in the balance of this Agreement.

12. Entire Agreement

This Agreement constitutes the entire agreement between School and Agent, and supersedes all previous written or oral agreements between the parties. Any modification or waiver of the terms of this Agreement shall be in writing and signed by duly authorized representatives of School and Agent.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this Agreement in duplicate original counterparts, on the date of signing.

Center for Financial Reporting and Management
University of California Berkeley

WholeRen, LLC.

Jose M. Plehn-Dujowich

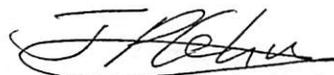
Name

Executive Director

Title

September 2, 2016

Date



Andrew Chen

Name

CEO, WholeRen

Title

9/4/2016

Date



EXHIBIT G

University of California at Berkeley

BerkeleyHaas

Accounting
@Berkeley

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AND MANAGEMENT

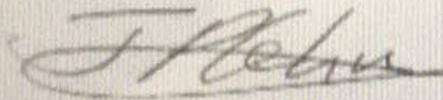
Jane Doe

successfully completed the

Global Financial Data Project

Haas School of Business

Center for Financial Reporting & Management



Jose Plehn-Dujowich, Ph.D.
Executive Director & Accounting Professor
Center for Financial Reporting & Management
Haas School of Business
University of California, Berkeley

July 30, 2016

EXHIBIT H

New summer research program from Berkeley Haas

"Jose M. Plehn-Dujowich" <jplehn@haas.berkeley.edu>

收件人: undisclosed-recipients;;

时 间: 2016-7-11 11:30:21

附 件: [Global Financial Data Project_flyer_July 2016.pdf](#)

[下载附件](#)

Dear student,

You are receiving this email because you registered to take a summer introductory accounting or finance course at Berkeley Haas.

We are launching a new research program this summer called the *Global Financial Data Project*. The program is designed to provide you with experience performing real business research geared towards the practice of consulting, finance, accounting, and economics. Attached is a flyer.

The project will study private companies around the world so as to infer their financial health. Students with an international background are preferred. We will leverage your local country knowledge and language to perform the research. You will have access to unique data and resources to perform the research.

You may apply here:

<https://globalfinancialhaas.wufoo.com/forms/global-financial-data-project/>

Please feel free to contact me directly if you have any questions regarding the program. For those of you that use WeChat, you may contact me using the ID jplehn.

Best,
Jose

--

Jose M. Plehn-Dujowich, Ph.D.
Executive Director, Center for Financial Reporting & Management (CFRM)
Program Director, Berkeley Charter of Professional Accountancy (BCPA)
Faculty Building F426
Haas School of Business
University of California, Berkeley
Berkeley, CA 94720
Email: jplehn@haas.berkeley.edu
Office: 510-642-5372
Cell: 716-430-7597
<http://accounting.haas.berkeley.edu/>

EXHIBIT I



Haas Research Opportunity for Fall 2016 - See attached flyer

[Khia Serneo](#)

Haas Professor, Jose M. Plehn-Dujowich, Ph.D is conducting a large research project that involves studying private companies around the world. The project is expanding for fall 2016 and is looking for econ majors to apply. **Review the attached flyer for complete details.**

Background

The project aims to estimate the financial health of private companies around the world. Private companies do not report financial statements to outsiders - only public companies do. A public company is one that sells shares to the general public through a regulated financial exchange, such as NYSE or NASDAQ; in doing so, regulatory filings are submitted to outsiders for their review that include financial statements. It is estimated that there are 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private.

To Apply

- Registration Fee: \$2,413 (paid by student). Fee provides access to unique technology, software & data from our partners.
- DEADLINE: August 15th
- Online Application: <https://globalfinancialhaas.wufoo.com/forms/global-financial-data-project-fall-2016/>

Requirements

- You can be any year college student or recent graduate: the work is adjusted in difficulty based on your experience.
- International background is preferred: leverage your knowledge to investigate companies from your country or region.
- No prior knowledge of finance or accounting is assumed. You will be taught what you need to know to perform the research.
- Open to U.S. and international students

This announcement is closed for comments

[Global Financial Data Project_flyer_Fall 2016.pdf](#)





Gary Vartanian <gary.vartanian@gmail.com>

Econ-Counseling: Global Financial Data Project

COUNSELOR, UNDERGRADUATE <noreply@moodle2.sscnet.ucla.edu>
Reply-To: "COUNSELOR, UNDERGRADUATE" <ug-counselor@econ.ucla.edu>
To: "VARTANIAN, GARY LEON" <gary.vartanian@gmail.com>

Fri, Jan 6, 2017 at 3:02 PM

[Econ-Counseling](#) » [Forums](#) » [Econ-Alert](#) » [Global Financial Data Project](#)



Global Financial Data Project
by **COUNSELOR, UNDERGRADUATE** - Friday, January 6, 2017, 2:43 PM

 [Global Financial Data Project_flyer_Spring 2017_v4 \(1\).pdf](#)

The Global Financial Data Project is a program from UC Berkeley Haas and UCLA Anderson.

The project aims to estimate the financial health of private companies around the world. Private companies do not report financial statements to outsiders as all public companies are required to do. A public company is one that sells shares of ownership to the general public through a regulated financial exchange, such as NYSE or NASDAQ; in doing so, regulatory filings including financial statements are submitted to outsiders for their review.

For general inquiries, please contact gfdp@haas.berkeley.edu or gfdp@anderson.ucla.edu.

To learn more about the project, please visit:

<http://www.anderson.ucla.edu/centers/fink-center-for-finance-and-investments/global-financial-data-project>

<http://accounting.haas.berkeley.edu/cfm/global-financial-data.html>

You may download a brochure about the project here:

<https://drive.google.com/open?id=0Bz2SB0kk1eUiM0NGZDhCb253cTA>

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EXHIBIT J

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Global Financial Data Project**1. Goals of the Global Financial Data Project**

This project is appropriate for students interested in business, economics, accounting, or finance, aiming to estimate the financial health of private companies around the world, spanning all industries of the economy. Private companies do not need to report financial statements to outsiders - only public companies do. A public company is one that sells shares to the general public through a regulated financial exchange, such as NYSE or NASDAQ; in doing so, regulatory filings are submitted to outsiders for their review that include financial statements. It is estimated that there are 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private.

For example, consider China. There are approximately 40 million companies in China, while only about 3,000 are public. Therefore, tracking the financial performance of private companies is crucial to understand the Chinese economy.

Because it is impractical to individually identify the performance of each company globally, a statistical procedure was designed to track their financial performance based on a sampling methodology that leverages machine learning algorithms and natural language processing. Specifically, the project shall precisely assess the financial health of a sample of approximately 10,000 private companies, and then use that knowledge to estimate the financial health of all remaining 200 million businesses. The Research Team's main function is to collect and evaluate financial indicators and fundamental firmographics for the sample of 10,000 companies.

The Global Financial Data Project entails utilizing the following research methods:

- Analyze large datasets from government and non-governmental websites
- Model and track the corporate structure of businesses via government filings and online research
- Estimate the employment and revenue associated with a business
- Scrape unstructured information from corporate websites, subject to copyright approval
- Run machine learning and natural language processing algorithms to analyze the extracted data, train the algorithms, and then apply the algorithms to approximately 200 million companies

Overall, the project aims to make inferences about the financial health of companies based on web metrics and verifiable government filings and news articles. Specifically, the Research Team will pursue the following initiatives:

- Read news articles and government filings to infer the employment and revenue of companies
 - Only 100% verifiable information will be accepted: if there is ambiguity or uncertainty as to the veracity of the information, then it will be not be accepted.
- Read corporate websites and official government agency registries to verify the legal company name, address, phone number, and email contact information for the companies
- Audit the work performed by other members of the Research Team so as to ensure accuracy in the data being collected and estimated
- Each Research Team member will focus on companies in a particular city or region in their native country, leveraging their personal knowledge of the area

2. Operations of the Global Financial Data Project

- The Research Team has designated student Team Leaders.
 - The Team Leaders are the main point of contact and liaison between the Research Team and the Executive Director of the Project.
- The Research Team is granted access to unique datasets, knowledge, and resources to perform their work.
- The Global Financial Data Project deliverables by the Research Team include:
 - Bi-weekly status meetings with the Executive Director of the Project.
 - Data and information to be produced and ingested into databases maintained by the designated Data Vendor Partner.
 - Presentation in English from each member of the Research Team.
 - Bi-weekly status meetings with the Executive Director of the Project.
 - Final written report in English to be delivered by each member of the Research Team.

3. Educational Component of the Global Financial Data Project

The members of the Research Team will learn the following as part of the project:

- How to make presentations and write reports in a professional manner suitable in research and business settings.
- The fundamentals of financial and managerial accounting, corporate finance, and investment analysis so that they may better evaluate the content and quality of information they are gathering.
- How to assess the veracity of information being reported in news articles and government filings.
- How to identify appropriate sources of information from commercial and government websites and publications.
- How to cross-check information across multiple sources to determine the most credible source.

4. Certificate of Completion and Letter of Recommendation

The Executive Director of the Project performs the following duties:

- Assess, track, and evaluate the performance of each member of the Research Team. Performance is measured by
 - o Observable effort
 - o Dedication and commitment to the project
 - o Professionalism
 - o Resourcefulness at finding novel solutions to dynamic problems
 - o Written and verbal communication skills
 - o Ability to follow complicated instructions.
- Issue a **Certificate of Completion**. The Certificate of Completion may be referenced in job and university related applications, as well as mentioned in a resume and online profiles such as LinkedIn.
- Write a confidential **letter of recommendation** on behalf of students that perform well in the program which may be used towards applications to university academic programs and potential employers.

For more information, please contact Prof. Jose M. Plehn-Dujowich at jplehn@haas.berkeley.edu.



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EXHIBIT K

**Home > Centers > Fink Center for Finance & Investments > Projects
- Global Financial Data Project**

Perform Real Business Research to Solve a Real Business Problem

UCLA Anderson finance and accounting faculty rank among the best in the world, and are highly regarded for their groundbreaking work. Their theoretical and empirical research have far-reaching and profound implications for stock markets, the public and private sectors, and the American and global economies. Examples include but are not limited to: insights into trading strategies based on analysts' recommendations; rethinking employee involvement in defined contribution plans; and how information asymmetry affects stock prices in large markets like the U.S. For students with an interest in accounting, we offer an undergraduate minor, a number of MBA accounting electives and a Ph.D. in accounting. For students with an interest in finance, we offer a variety of undergraduate and MBA finance electives and a Ph.D. in finance.

IMPORTANT DATES

**Admissions Deadline:
January 20, 2017**

Admissions on a rolling basis

[Click Here to Apply](#)**Program Dates**

Start date: February 3, 2017

End date: April 14, 2017

General Inquires? Please email gfdp@haas.berkeley.edu or gfdp@anderson.ucla.edu.

For further information, please refer to the [GFDP Flyer](#).

PROGRAM BASICS

- » 100% Online Program
- » Research takes 5 - 10 hours per week (including online instruction).
- » All online sessions take place evening & weekend hours, and sessions are recorded.
- » No grading. The goal is to perform research.
- » Research is performed online using special software under the direct supervision of the Executive Director.

WHAT YOU WILL LEARN

- » Prepare for a career or graduate program in finance, accounting, business, or economics (e.g., MFE, MBA, MA, PhD);
- » Applicable to students majoring in business, finance, accounting, economics, math, statistics, or computer science;
- » Learn how to create professional presentations and reports suited for research and business purposes;
- » Learn how to collect data using software and algorithms; and analyze the data to make meaningful inferences;
- » Learn how to perform quality independent research.

WHAT YOU EARN

- » Certificate of completion. May be referenced in job & university applications.
- » Letter of recommendation. Written personally by the Executive Director. Can be written in time for graduate school applications.

Course Participation

Course participation provides:

- » Online instruction from faculty.
- » Instructional support.
- » Access to unique financial databases.
- » Web scrapers & servers to collect & host the data.
- » Software to analyze the data & collaborate.

Requirements

- » You can be any year college student or recent graduate.
- » International background is preferred: leverage your knowledge to investigate companies from your country or region.
- » No prior knowledge of finance or accounting is assumed. You will be taught what you need to know.
- » You can be inside or outside the U.S. (e.g., in China).

Program Overview

The Global Financial Data Project (GFDP) is an online educational research program taught by Berkeley Haas and UCLA Anderson students and faculty. The GFDP is founded and directed by Prof. Jose M. Plehn-Dujowich.

The project aims to estimate the financial health of private companies around the world. Private companies do not report financial statements to outsiders as all public companies are required to do. A public company is one that sells shares of ownership to the general public through a regulated financial exchange, such as

NYSE or NASDAQ; in doing so, regulatory filings including financial statements are submitted to outsiders for their review.

There are over 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private. Consider China, for example. There are about 40 million companies in China, while only 3,000 are public. Therefore, tracking the financial performance of private companies is crucial to understanding the Chinese economy.

Program Phases

Phase I: Learning

Receive instruction and training from the Executive Director on how to perform research based on U.S. analysis of companies and industries. These methods are then adapted for other countries and regions.

Phase II: Data Collection

Collect data for the industry and region of your choice (e.g., e-commerce in Shenzhen, China; pharmaceuticals in Boston, MA). Most students choose an industry based on their personal interest and where they would like to work or obtain an internship.

Phase III: Data Analysis

Analyze the data collected by the entire global team to uncover patterns and trends. Use specialized software and techniques to do so. Write a professional report with your team.

Phase IV: Presentations

Present your findings to the entire global team for feedback and assessment.

The Research Approach

Companies to Investigate

Because it is impractical to identify the performance of each company globally, a statistical procedure was designed to track their financial performance based on a sampling methodology that leverages machine learning algorithms and natural language processing. Specifically, the project shall precisely assess the financial health of a sample of approximately 10,000 private companies, and then use that knowledge to estimate the financial health of all remaining 200 million businesses. The Research Team's main function is to collect and evaluate financial indicators and fundamental firmographics for the 10,000 companies.

Research Methods

- » Read news articles and government filings to infer the financial health, employment, and revenue of companies;
- » Use cutting-edge software tools to track private & public companies;
- » Read corporate websites and official government agency registries to verify the legal identities of companies;
- » Audit the work performed by other members of the Research Team so as to ensure accuracy in the data being collected and estimated;
- » Focus on companies in a particular city or region in your native country, leveraging your personal knowledge of the area;
- » Present your findings to the Research Team for evaluation;
- » Run machine learning and natural language processing algorithms to analyze the extracted data, train the algorithms, and then apply the algorithms to approximately 200 million companies.

About the Executive Director



Jose M. Plehn-Dujowich, Ph.D.

Jose is a Finance Professor at the UCLA Anderson School of Management, and the Faculty & Executive Director of the Laurence & Lori Fink Center for Finance & Investments, which is the leading center at UCLA Anderson integrating research and education in finance with industry practice. The Fink Center was made possible by a generous endowment from Larry Fink, the Chairman & CEO of Blackrock.

Prior to joining UCLA, Jose was an Accounting Professor at the Haas School of Business, University of California at Berkeley, and the Executive Director of the Center for Financial Reporting & Management (CFRM), the accounting research center at Haas. Jose is also the Founder of the Berkeley Charter of Professional Accountancy (BCPA), the accounting program at Haas.

Jose is the recipient of the 2015 Notable Contribution to the Accounting Literature Award, which is granted annually by the American Accounting Association (AAA) and the American Institute of CPAs (AICPA). The award was granted for his research into cost structure and demand uncertainty. Jose has



Jose M. Plehn-Dujowich,
Ph.D.

Questions?

You may contact directly the Executive Director **Jose M. Plehn-Dujowich**

Other Key Contacts

Ningrui Zhang, Assistant Director

published widely in leading accounting, economics, and management journals, including The Accounting Review, International Journal of Industrial Organization, Review of Economic Dynamics, Journal of Economic Dynamics and Control, and Economics Letters.

Jose earned a Ph.D. in Economics from the University of Chicago and B.S. degrees in Economics and Management Science from the Massachusetts Institute of Technology (MIT).

Ningrui oversees statistics research, programming & data analysis.

Danwei Chen, Managing Director

Danwei oversees finance research & administration.

Past Research Members Include

Ruize M., Rutgers University, Statistics

Wyatt E., Kenyon College, Liberal Arts

Sheng T., UC Berkeley, Computer Science

Renjie P., Fudan University, Mathematics

Xu F., Zhejiang University, Finance

Hyejin H., UCLA, Business Economics

Junfa Z., Ohio State, Data Analytics

Bingchen L., University of International Business and Economics, Accounting

 **EVENTS**

 **FELLOWS**

 **FACULTY**

EXHIBIT L



GFDP EVIDENCE <gfdp.evidence@gmail.com>

Fwd: UCLA and UC Berkeley: Global Financial Data Project

Linhan Hu <hulinhan2013@tamu.edu>
To: gfdp.evidence@gmail.com

Fri, Jun 30, 2017 at 7:27 PM

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

From: **Donna Hoffman** <donna@math.tamu.edu>
Date: Mon, Dec 19, 2016 at 3:55 PM
Subject: UCLA and UC Berkeley: Global Financial Data Project
To: sc-apms-mj-ug@lists.tamu.edu, sc-mathprospects@listserv.tamu.edu, sc-math-mj-ug@lists.tamu.edu

Majors,
Please see message below and attachment for more info on projects mentioned in subject of this email.

Thanks,
Donna
=====
Dear Student,

My name is Danwei Chen and I am the Managing Director of an online educational research program co-sponsored by UC Berkeley and UCLA called Global Financial Data Project. We are currently recruiting students for the next round of the program to begin in February 2017. We are greatly interested in having this opportunity passed on to the students of your department.

The program is intended to use academic research tools and statistical methods to estimate the financial health of private companies worldwide, across all industries and locations. It is led and taught by Executive Director Jose Plehn-Dujowich, Ph.D., a current faculty member of the Finance department at the UCLA Anderson School of Management, and past faculty at UC Berkeley. This program is approximately 2.5 months long and will give students real-world exposure to applying statistics to financial research. The four phases of the program include learning, data collection, data analysis, and presentation. It is well suited for students looking for a career or graduate program in economics, business, statistics, finance, or accounting. Successful participants will receive a certificate of completion and a recommendation letter written by the Executive Director.

Attached, please find a 3-page flyer with in-depth details on the program and the application procedure. Please feel free to email me with any questions.

Best,

Danwei Chen

danwei.chen@anderson.ucla.edu

/Assistant, Fink Center for Finance & Investments/
/Managing Director, Global Financial Data Project/
cid:image001.png@01CE5C8C.839E75A0
UCLA Anderson School of Management
110 Westwood Plaza, Suite C424
Los Angeles, CA 90095
(310) 825-3867

<http://www.anderson.ucla.edu/centers/fink> <

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EXHIBIT M



CENTER FOR
FINANCIAL REPORTING
AND MANAGEMENT

INVOICE

BILL TO

Ivan Ronceria

INVOICE # 83532

DATE 10/17/2016

ACTIVITY	AMOUNT
Global Financial Data Project Data access, technology servers, software	2,413.00

Congratulations! You have been admitted into the program, and you can now register to join the Research Team. You will be part of a high quality selective team of researchers from around the world studying private companies. This will be a great experience for you.

PAYMENT
BALANCE DUE

2,413.00
\$0.00

By registering for the program, you agree to the following:

- (1) The Research Team agrees to abide by all rules and regulations requested verbally and in writing by the Executive Director.
- (2) The Research Team agrees to abide by all U.S., California, and international laws, rules, and regulations during the course of the performance of this project.
- (3) The Executive Director reserves the right to expel any member of the Research Team if his/her performance and/or behavior is deemed unacceptable.
- (4) The registration fee is non-refundable.

PAID

EXHIBIT P



POWERLYTICS
POWERFUL DATA, SMARTER DECISIONS

July 28, 2018

To Whom It May Concern:

This letter is to certify that **QIAN LI** was a successful member of the Research Team participating in the *Global Financial Data Project*. The project estimated the financial health of private companies around the world spanning all industries of the economy. Private companies do not need to report financial statements to outsiders - only public companies do. It is estimated that there are 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private. Because it is impractical to individually identify the performance of each company globally, a statistical procedure was designed to track their financial performance. The Research Team's main function was to collect and evaluate financial indicators and fundamental firmographics for a sample of 10,000 companies.

QIAN LI was part of a Research Team that performed the following tasks:

- Read news articles and government filings to infer the employment and revenue of companies;
- Read corporate websites and official government agency registries to verify the legal company name, address, phone number, and email contact information for the companies;
- Audited the work performed by other members of the Research Team so as to ensure accuracy in the data being collected and estimated.

QIAN LI achieved the following as part of the project:

- Learned how to make presentations and write reports in a professional manner suitable in research and business settings;



POWERLYTICS

POWERFUL DATA, SMARTER DECISIONS

- Learned the fundamentals of financial accounting, financial statements analysis, managerial accounting, corporate finance, natural language processing, and venture capital & entrepreneurship;
- Learned how to assess the veracity of information being reported in news articles and government filings;
- Learned how to identify appropriate sources of information from commercial and government websites and publications;
- Learned how to cross-check information across multiple sources to determine the most credible source.

The experience and knowledge that **QIAN LI** received in the project will be instrumental in her future academic and professional endeavors, especially those with applications in business, economics, accounting, and finance. Having successfully completed our research program, I highly recommend **QIAN LI** in her future endeavors.

Sincerely,

Jose M. Plehn-Dujowich, Ph.D.
Executive Director, Global Financial Data Project
Chairman, Powerlytics



CENTER FOR
FINANCIAL REPORTING
AND MANAGEMENT



July 29, 2018

To Whom It May Concern:

This letter is to certify that **ANYU LI** was a successful member of the Research Team participating in the *Global Financial Data Project* at the Haas School of Business. The project estimated the financial health of private companies around the world spanning all industries of the economy. Private companies do not need to report financial statements to outsiders - only public companies do. It is estimated that there are 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private. Because it is impractical to individually identify the performance of each company globally, a statistical procedure was designed to track their financial performance. The Research Team's main function was to collect and evaluate financial indicators and fundamental firmographics for a sample of 10,000 companies.

ANYU LI was part of a Research Team that performed the following tasks:

- Read news articles and government filings to infer the employment and revenue of companies;
- Read corporate websites and official government agency registries to verify the legal company name, address, phone number, and email contact information for the companies;
- Audited the work performed by other members of the Research Team so as to ensure accuracy in the data being collected and estimated.

ANYU LI achieved the following as part of the project:

- Learned how to make presentations and write reports in a professional manner suitable in research and business settings;

Jose M. Plehn-Dujowich, Ph.D.
Executive Director & Accounting Professor
Center for Financial Reporting and Management (CFRM)
Program Director
Berkeley Charter of Professional Accountancy (BCPA)
Faculty Building F426
Haas School of Business
University of California, Berkeley
Berkeley, CA 94720

Email: jplehn@haas.berkeley.edu
Office: 510-642-5372
Cell: 716-430-7597
<http://accounting.haas.berkeley.edu>



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AND MANAGEMENT



- Learned the fundamentals of financial accounting, financial statements analysis, managerial accounting, corporate finance, natural language processing, and venture capital & entrepreneurship;
- Learned how to assess the veracity of information being reported in news articles and government filings;
- Learned how to identify appropriate sources of information from commercial and government websites and publications;
- Learned how to cross-check information across multiple sources to determine the most credible source.

The experience and knowledge that **ANYU LI** received in the project will be instrumental in her future academic and professional endeavors, especially those with applications in business, economics, accounting, and finance. Having successfully completed our research program, I highly recommend **ANYU LI** in her future endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Plehn-Dujowich".

Jose M. Plehn-Dujowich, Ph.D.

Executive Director, Global Financial Data Project

Jose M. Plehn-Dujowich, Ph.D.
Executive Director & Accounting Professor
Center for Financial Reporting and Management (CFRM)
Program Director
Berkeley Charter of Professional Accountancy (BCPA)
Faculty Building F426
Haas School of Business
University of California, Berkeley
Berkeley, CA 94720

Email: jplehn@haas.berkeley.edu
Office: 510-642-5372
Cell: 716-430-7597
<http://accounting.haas.berkeley.edu>

March 3, 2017

To Whom It May Concern:

This letter is to certify that **DIYI LI** was a successful member of the Research Team participating in the *Global Financial Data Project*. The project estimated the financial health of private companies around the world spanning all industries of the economy. Private companies do not need to report financial statements to outsiders - only public companies do. It is estimated that there are 200 million companies globally, but little is known about most of them from a financial standpoint since the vast majority are private. Because it is impractical to individually identify the performance of each company globally, a statistical procedure was designed to track their financial performance. The Research Team's main function was to collect and evaluate financial indicators and fundamental firmographics for a sample of 10,000 companies.

Under my instruction, **DIYI LI** collected U.S. and Chinese company's financial data and website ranking information. She then performed processing activities and statistical analysis of the data. She found that the correlation among various factors of interest vary by industry, which was a surprising finding. She then wrote a report summarizing her findings, which demonstrated well her communication and presentation skills. I was impressed with her work and find that she has strong potential to perform quality research.

DIYI LI was part of a Research Team that performed the following tasks:

- Read news articles and government filings to infer the employment and revenue of companies;
- Read corporate websites and official government agency registries to verify the legal company name, address, phone number, and email contact information for the companies;
- Audited the work performed by other members of the Research Team so as to ensure accuracy in the data being collected and estimated.

Jose M. Plehn-Dujowich, Ph.D.
Faculty & Executive Director
Laurence and Lori Fink Center for Finance & Investments
110 Westwood Plaza, Suite C.424, Box 951481
Los Angeles, CA 90095-1481

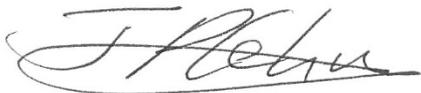
Email: jose.plehn-dujowich@anderson.ucla.edu
Office: (310) 825-0329
Cell: (716) 430-7597
<http://www.anderson.ucla.edu/centers/fink>

DIYI LI achieved the following as part of the project:

- Learned how to make presentations and write reports in a professional manner suitable in research and business settings;
- Learned the fundamentals of financial accounting, financial statements analysis, managerial accounting, corporate finance, natural language processing, and venture capital & entrepreneurship;
- Learned how to assess the veracity of information being reported in news articles and government filings;
- Learned how to identify appropriate sources of information from commercial and government websites and publications;
- Learned how to cross-check information across multiple sources to determine the most credible source.

The experience and knowledge that **DIYI LI** received in the project will be instrumental in her future academic and professional endeavors, especially those with applications in business, economics, accounting, and finance. Having successfully completed our research program, I highly recommend **DIYI LI** in her future endeavors.

Sincerely,



Jose M. Plehn-Dujowich, Ph.D.

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Executive Director, Global Financial Data Project

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EXHIBIT O

Goal: find the relationship between companies' financial indicators and website traffic

1. Select 100 companies with 50-1000 employees on BQ Prospect, export the form

- use filter on Prospect to select the range of number of employees
- if you are interested in one industry, find 100 companies in that industry
- if you are interested in more than one industry, find a total of 100 companies
- when you first export the form, there may be more than 100 companies, then use any method to randomly select 100; if less than 100 companies, increase the range of # of employees

On alexa.com: use the company website found in the column of bq website

2. add 3 columns in the form: alexa global ranking/ alexa country ranking / alexa country (Ex. United States)

3. record category ranking

- click on the last subset of category, find the rank of company in the list
- if not categorized: record NA

On whois.com: use the company website found in the column of bq website

4. add 3 columns: website creation date/ website registrant/ website privacy protection

- if registrant organization appears to be strange, or the name of the organization is a privacy protection technology company (do research), then record "yes" in website privacy protection, and put NA in website registrant; otherwise, write down the registrant organization and "no" in website privacy protection

Other matters to consider:

5. category system of alexa is based on demoz.com, do research on demoz if you are interested in it

6. sometimes bq website is not reliable; first check the authenticity of website before alexa and whois; if website is not correct, add a **correct website** column

7. if company is dead, delete the row

8. while looking at a company, it might belong to another company: so collect data for the **parent company** (no difference between parent or subsidiary), add corresponding column

make sure that you collect correct info for the correct company/ website

Deadline: Wednesday midnight (U.S. pacific)

EXHIBIT P

UCLAAnderson
SCHOOL of MANAGEMENT

March 15, 2017

Jose Plehn-Dujowich
[REDACTED]

Re: Investigatory Leave

Dear Jose,

In accordance with Personnel Policies for Staff Members (PPSM) Policy 63, this letter is to notify you that you are being placed on paid investigatory leave from your position as Executive Director in the Fink Center for Finance & Investments at UCLA Anderson commencing today, March 15, 2017 and ending on approximately March 31, 2017. You will be contacted if the leave period needs to be extended. The reason you are being placed on leave is to allow the Department time to review allegations of misuse of University assets.

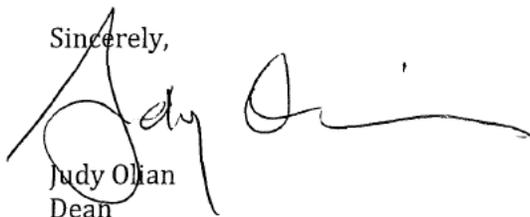
We will be scheduling a meeting with you in order to discuss the circumstances leading to your being placed on investigatory leave. Please make sure we have your current telephone number and address so that we can contact you to schedule this meeting. You must remain available and fully participate with this investigation.

During this period, you should not contact any members of the Fink Center Board or any others in the UCLA Anderson community.

If you need to come to the Department for any other reason during the period of investigatory leave, please make arrangements to do so in advance by contacting Elena Marentes at (310) 825-8796.

Upon completion of the investigation, a determination will be made and you will be notified of the results in writing.

Sincerely,


Judy Olian
Dean

Cc: Sara Haider, Employee Relations Consultant
Personnel file

EXHIBIT Q



Gary Vartanian <gary.vartanian@gmail.com>

GFDP project withhold

Ningrui Zhang <ningruiz@berkeley.edu>

Thu, May 4, 2017 at 6:08 PM

To: wan.152@osu.edu, Jessica Y Fu <jessicayingfu@berkeley.edu>, Yunda Hao <haoyunda16@163.com>, YooJeong Han <yoojeonghan@ucla.edu>, Renjie Pan <renjiepanxdf@163.com>, ch2uicu <ch2uicu@126.com>, Yechuan Zhang <yechuan.zhang@oriel.ox.ac.uk>, ARCHER KIANG <wfkang@berkeley.edu>, brainlei1309 <brainlei1309@163.com>, SHENG TAN <isaiahtan@berkeley.edu>, Helena Xiao <Helena.xl.xiao@gmail.com>, Dai Yaqi <yqi.dai@outlook.com>, wangsy0202 <wangsy0202@yeah.net>, Edwin Ramirez <edalrami@ucsc.edu>, shubei xu <xshbei81k@163.com>, zhangchina1995 <zhangchina1995@163.com>, KAIWEN PANG <kevin.pang@berkeley.edu>, renych2an <renych2an@163.com>, Lin Lin <linstaysreal@hotmail.com>, ":)Gero" <981017417@qq.com>, Bingchen Lu 卢秉辰 <lbc9412@163.com>, zhu.1606@osu.edu, 陈雪焯 <13622284180@163.com>, khenlf <khenlf@126.com>, 王帆 <524906245@qq.com>, 杨天龙 <longwer@vip.qq.com>, BRIAN WANG WANG <wangzhicong@berkeley.edu>, 周 超凡 <zyf_uibe@hotmail.com>, 杨小蝶 <2338351200@qq.com>, SHAOJIN WEI <shaojin_wei@berkeley.edu>, 郑天予 <sherryzheng260@foxmail.com>, jiyuchen1996 <jiyuchen1996@163.com>, IRIS HU <iris.hu@berkeley.edu>, Xiaoying Tang <xt23@nau.edu>, 孙小清 <sunxiaqingchloe@gmail.com>, 陈家坤 vicky <chenjiakun95@163.com>, Ivan Ronceria <ivan.ronceria@knights.ucf.edu>, 澍 <873677045@qq.com>, EVELYN ZHAI <ezhai@berkeley.edu>, Tao Wang <twang@averoinc.com>, Jeff <358965200@qq.com>, TINGWEI WANG <davidtw@berkeley.edu>, Yingxin Zhong <pphtea@hotmail.com>, yix2long <yix2long@126.com>, YUAN LI <yuanli@berkeley.edu>, Yusong Wang <3036165651@qq.com>, aria li <li.aria@yahoo.com>, Zhiyan Li <missleetsyin@gmail.com>, 曹大颖 <dayingcao0812@gmail.com>, Silly Song <14307110048@fudan.edu.cn>, 陈嘉辰 <15620878139@163.com>, LENKA SHI <lenka.s@berkeley.edu>, Shen Wang <m.w.wang1992@gmail.com>, Chuanhui_Liu <chuanhui.liu@qq.com>, Evey Huang <jiaxinh.evey@gmail.com>, zhao.1516@osu.edu, Yuzi Yang <yangyuzi0730@gmail.com>, James Ernst <ernstj@kenyon.edu>, XUYU ZHANG <xuyu_zhang@berkeley.edu>, Celia <chenycf@163.com>, Woo Yeon Cho <wy1990@berkeley.edu>, Sheryl <736212153@qq.com>, Yexin Wan <yexinwan@gmail.com>, 杜昕阳 <18982028281@163.com>, fu.399@osu.edu, Cindy Wei <449217496@qq.com>, 樾 蜀山 <zefuh@hotmail.com>, Li Dai <lidai@my.smccd.edu>, Jingze He <jingzehe@yahoo.com>, Shirley Zhang <shili.zhang206@gmail.com>, Kaiwen Xu <kxu01@email.wm.edu>, Zinan Zhang <zzhang01@email.wm.edu>, 程洁 <1074448613@qq.com>, 郭 依慧 <gyh_hyo@hotmail.com>, Jun Wang <junwang@my.smccd.edu>, Caviar <yuyan143@foxmail.com>, Hongyu Wang <whydaniel1993@gmail.com>, junhong teng <orchiococcus@gmail.com>, Zhaohan Zhang <u5650419@anu.edu.au>, horo luo <fatehoro@gmail.com>, Remus Leung <619037565@qq.com>, "Yang, Kun" <kuy3@pitt.edu>, Rachel Yin <rachelyin421@gmail.com>, yinx0309@163.com, 王重阳 <649154930@qq.com>, 222 <ln_zhz@163.com>, Jingru Hu 胡静如 <jingruhu@foxmail.com>, 小破 <935464383@qq.com>, 陈颖祥 <chenyx225@mail2.sysu.edu.cn>, 吴彦涵 <461945538@qq.com>, 劲爆PK <672543852@qq.com>, 雷涵 <2582031777@qq.com>, 479401038@qq.com, 李 沐遥 <Muyao.L@outlook.com>, 朱家健 <474475913@qq.com>, Linhan Hu <hulinhan2013@tamu.edu>, Pokhin So <pokhins@gmail.com>, 乐子 <yuiodfgh@qq.com>, estelle05 <estelle05@163.com>, Alexander Elstrodt <elstrodt@ucla.edu>, "Li, Yilin" <li.6586@buckeyemail.osu.edu>, Yaru Liu <yarusophia.liu@mail.utoronto.ca>, Zhaoran Hou <zhaoran.hou@mail.utoronto.ca>, Haoyan Zhang <Justinzhang1995@gmail.com>, Justin Schmerler <jschmerler@ucla.edu>, Qinglu Peng <lulupeng@pku.edu.cn>, wang.8549@osu.edu, SHANREN PAN <span@ucla.edu>, Aaron Tebeau Altman <aaronaltman@email.arizona.edu>, jonathanpo.lai@mail.utoronto.ca, Yiran Jia private <yjia757@gmail.com>, ivytran@g.ucla.edu, Liting Cen <cenliting0420@hotmail.com>, Gary Vartanian <gary.vartanian@gmail.com>, Vanessa Hu <vanessaqhu@gmail.com>, zliao <zliao@ruc.edu.cn>, Vivian Lai <vivianlai7195@gmail.com>, Jiatong Han <hanqinjiaozi@gmail.com>, Chang Liu <changli3@illinois.edu>, 周阳 <466348042@qq.com>, yzhng215@illinois.edu, Andy Chen <andyc0428@gmail.com>, Jiahao Zhu <jzhu72@illinois.edu>, ma.1222@osu.edu, hmiyawaki@g.ucla.edu, Harris Ding <zding@berkeley.edu>, Yanni Du <yannidu1003@hotmail.com>, 刘 逸凡 <lyfftcliu06@hotmail.com>, lixinyuayu@163.com, Gipson Bachman <gipson.bachman@gmail.com>, yanbozeng2015@g.ucla.edu, ywang478@illinois.edu, Shuyu Zhou <syzhou410@gmail.com>, Shiyun Wang '18 <swang1@colgate.edu>, Ding Evan <dingevan010@hotmail.com>, 杜佳聪 Jiacong Du <1310120106@pku.edu.cn>, 刘拯 <353467310@qq.com>, rmbindra@ucdavis.edu, 1009881439@qq.com, davidli93@hotmail.com, Shuo Niu <s_niu@uncg.edu>, Andrea's Edward <1758673686@qq.com>, 1421584799@qq.com, ?love小淮? <1143856084@qq.com>, qianhui liu <liuqianhui216@gmail.com>, Vincent <1397615243@qq.com>, Tommy Tang <tommy.tang.1220@gmail.com>, Zhan Cai <cz941223@163.com>, S F <s08feng@gmail.com>, 怵毒 <705003276@qq.com>, Benson <bensonh@protonmail.com>,

Daniel Vaysburd <dvaysburd@ucla.edu>, 王玲丹 <linda_wang6014@163.com>, 俞雁菲 <3130101570@zju.edu.cn>, 。 <v79101620@163.com>, 章亦玮 <zhyw9633@126.com>, lizeyuanaiesec@gmail.com

Dear students,

I'm sorry that due to some unforeseen situations, our project has to be withheld. During the past few weeks, Professor Jose was out of contact. I'm not sure the reason for his quitting, and I cannot reach him either. In this case, I'd like to send a personal note to all of you that we will discontinue our project at absence of Professor Jose; only if he shows up will we restart the project.

I understand that most of you hope to get either a recommendation letter or a certificate of completion; so do I. Since Professor Jose cannot be reached either through email or phone for a long time, I'm afraid that he may not be able to provide you further assistance in this respect. However, if you'd like to receive the certification of completion in PDF form, please email me your **full name** and **group number**, and I will email it to you after the final week.

In addition, if you are interested in applying to U.S. universities in the future, feel free to ask me any question, either through email or WeChat. Hope I can help you with your future endeavors.

Best,
Ningrui

EXHIBIT R



Gary Vartanian <gary.vartanian@gmail.com>

Faculty member: Jose Plehn-Dujowich: STATUS

3 messages

Gary Vartanian <gary.vartanian@gmail.com>

Thu, May 4, 2017 at 8:40 PM

To: "fink.center@anderson.ucla.edu" <fink.center@anderson.ucla.edu>

Hello Fink Center,

Please forgive for this blunt nature, but I am reaching out to check the status of one of your faculty members: Jose Plehn-Dujowich. I wish to inquire if he is alright. He has not been responding to many of his students messages and we wish to know if he is safe and well.

Please let me know of his status,

Gary

--

Gary Vartanian

UCLA Undergraduate | Class of 2017

Economics & Statistics Major | Global Studies Minor

Gomez, Alexandra <alexandra.gomez@anderson.ucla.edu>

Fri, May 5, 2017 at 9:35 AM

To: "gary.vartanian@gmail.com" <gary.vartanian@gmail.com>

Cc: Fink Center <fink.center@anderson.ucla.edu>

Hi Gary,

Thank you for your email. Jose is no longer with the UCLA Anderson School of Management and the Fink Center for Finance & Investments and the Global Financial Data Project has been discontinued. Unfortunately, I don't have other information to provide. I apologize I can't be or more help.

Best,

Alexandra

Assistant Director

Fink Center for Finance & Investments

Sent from my iPhone

On May 5, 2017, at 9:23 AM, Fink Center <fink.center@anderson.ucla.edu> wrote:

From: Gary Vartanian [<mailto:gary.vartanian@gmail.com>]

Sent: Thursday, May 4, 2017 8:40 PM

To: Fink Center <fink.center@anderson.ucla.edu>

Subject: Faculty member: Jose Plehn-Dujowich: STATUS

[Quoted text hidden]

Fink Center <fink.center@anderson.ucla.edu>
To: "gary.vartanian@gmail.com" <gary.vartanian@gmail.com>
Cc: Fink Center <fink.center@anderson.ucla.edu>

Fri, May 5, 2017 at 11:28 AM

Hi Gary,

The GFDP program is not authorized by UCLA nor the UCLA Fink Center. Jose is no longer with the university. You will need to take up any questions or issues directly with Jose. This is not a UCLA program.

Best,

The Fink Center

From: Gomez, Alexandra
Sent: Friday, May 5, 2017 9:35 AM
To: gary.vartanian@gmail.com
Cc: Fink Center <fink.center@anderson.ucla.edu>
Subject: Re: Faculty member: Jose Plehn-Dujowich: STATUS

[Quoted text hidden]

EXHIBIT S



Gary Vartanian <gary.vartanian@gmail.com>

Jose Plehn-Dujowich: Contact information

Gary Vartanian <gary.vartanian@gmail.com>
To: Fink Center <fink.center@anderson.ucla.edu>
Cc: Fink Center <fink.center@anderson.ucla.edu>

Fri, May 5, 2017 at 11:40 AM

Thank you for the reply.

Did he leave any contact information with you, so that me and the other students can reach him at?

On Fri, May 5, 2017 at 11:28 AM Fink Center <fink.center@anderson.ucla.edu> wrote:

Hi Gary,

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Best,

Alexandra

Assistant Director

Fink Center for Finance & Investments

Sent from my iPhone

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Sent: Thursday, May 4, 2017 8:40 PM

To: Fink Center <fink.center@anderson.ucla.edu>

Subject: Faculty member: Jose Plehn-Dujowich: STATUS

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Please forgive for this blunt nature, but I am reaching out to check the status of one of your faculty members: Jose Plehn-Dujowich. I wish to inquire if he is alright. He has not been responding to many of his students messages and we wish to know if he is safe and well.

Please let me know of his status,

Gary

--

Gary Vartanian

UCLA Undergraduate | Class of 2017

Economics & Statistics Major | Global Studies Minor

--

Gary Vartanian
UCLA Undergraduate | Class of 2017
Economics & Statistics Major | Global Studies Minor

EXHIBIT T



Gary Vartanian <gary.vartanian@gmail.com>

Further information on GFDP

1 message

Ningrui Zhang <ningruiz@berkeley.edu>
Bcc: gary.vartanian@gmail.com

Fri, May 5, 2017 at 2:36 AM

Dear students,

I'd like to clarify a few things about the email regarding "GFDP withheld" I sent out earlier. I understand that this incident took place quite suddenly, and I feel sorry about causing you any confusion and anxiety.

The project has to be withheld because Professor Jose hasn't been responding and updating the course schedule in a while, which is out of expectation. I was acquainted with Professor Jose during summer 2016 when he was teaching an accounting class at Haas; and I was his student. As far as I know, Professor Jose moved to LA with his entire family near end of 2016, and thus he became a faulty member at UCLA instead of UC Berkeley. Then during March, UCLA Anderson has officially stopped endorsing the project and Professor Jose is no longer associated with UCLA; but I was not told the reason behind this. And I am also not sure whether he has returned to Berkeley or if he is still affiliated with Berkeley in any way. I still believe there's a decent reason for him to not show up; and I will try my best to contact Jose and school officials, and will let you know as soon as I got any message from him.

For those of you who wish to get partial refund of the project, I apologize that I couldn't provide any assistance. During the project, I was solely responsible of helping you with statistics-related questions; and I was never informed about any financial issues of the project, neither do I know the whereabouts of all the fees and payments. Besides, I also paid the same amount of fee as you did to participate in the project.

And if you wish to receive recommendation letter from Professor Jose, please note that since the letter needs to be sent electronically from his personal email and he hasn't replied emails in a few weeks, I cannot guarantee that he will be able to send you the letter. However, the certificate of completion and a well done personal statement will be good enough to amaze admission officers. So I'd suggest you focus on what you could do right now, which is to think about how to write your personal statement before the application season.

In addition, thanks for those who have sent me your name and group number. I will email you the certificate of completion next week after final exams.

Best,
Ningrui

EXHIBIT U



Gary Vartanian <gary.vartanian@gmail.com>

GFDP Group 4: back in action

Jose M. Plehn-Dujowich <jplehn@haas.berkeley.edu>

Fri, May 5, 2017 at 4:41 PM

To: Ningrui Zhang <ningruiz@berkeley.edu>

Bcc: gary.vartanian@gmail.com

Hi everyone,

Apologies for being out of touch for some time. I have been traveling extensively the last few weeks, and got very busy with an important personal transition. I am leaving the UC system to join MIT. I will have more details very soon, but am very excited about this transition. I did my undergraduate studies at MIT, so I am really looking forward to being at my alma mater. I expect things to be finalized this summer.

We will kick off our next set of analysis with a meeting on Friday May 12 at 6pm US pacific (Saturday May 13 at 9am China time):

<https://global.gotomeeting.com/join/768991477>

We will record the session as usual. We will discuss in part a new exciting dataset from AppAnnie:

<https://www.appannie.com/en/>

You can search it for free at the top right. This company tracks ALL APPS GLOBALLY, both on iPhone and Android. So they have true global coverage (US, China, etc.). They track, among other things, app usage and traffic. There is no other dataset like it, other than Amazon's Alexa. The problem with Alexa is that it is only for websites. As we all know, in countries like China (and increasingly in the U.S.), most people perform activities on smartphone apps rather than on desktops.

I will send some more emails early next week with more details on next steps.

Best,
Jose

--

Jose M. Plehn-Dujowich, Ph.D.
Executive Director, Global Financial Data Project (GFDP)
Email: jplehn@haas.berkeley.edu
Cell: 716-430-7597