

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES SECURITIES)	
AND EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-cv-659-JMS-MJD
)	
TOBIN J. SENEFELD, ET AL.,)	
)	
Defendants,)	

PLAINTIFF’S TRIAL WITNESS LIST

Plaintiff United States Securities and Exchange Commission (“the SEC”), pursuant to the Court’s Final Pretrial Conference Order of September 25, 2017 [Filing No. 415], and for its list of trial witnesses, states as follows:

The SEC will call the following witnesses during its case-in-chief:

1. **Joe E. Dotzlaf** will testify about his relationship with Veros Partners, Inc. (“Veros”), his communications with Matthew Haab and other Veros representatives, and his investments in certain private farm loan offerings, including the 2012 Kirbach and Crossroads farm loans, Veros Farm Loan Holdings (“VFLH”), and FarmGrowCap. He will also testify about his understanding of the private farm loan investments, the intended uses of the funds he invested, the representations made to him about the performance of those investments, and the importance of those representations to his investment decisions. Mr. Dotzlaf’s testimony will be consistent with his Declaration of April 16, 2015.

2. **Shawn Gustafson** will testify about his relationship with Tobin Senefeld, and his role and responsibilities with FarmGrowCap, PinCap LLC (“PinCap”) and Pin Financial LLC.

He will also testify about knowledge and understanding of certain private farm loan offerings including 2012 Kirbach and Crossroads, VFLH, the 2014 PinCap Bridge Loan, and FarmGrowCap. Mr. Gustafson also will testify about the performance of the various farm loan offerings, the use of investor funds to pay investors in previous offerings, and the “rollover” of investor contributions to a subsequent offering. Finally, Mr. Gustafson will testify about his interactions and communications with Matthew Haab, Jeffery Risinger, and Tobin Senefeld. Mr. Gustafson’s testimony will be consistent with his Declaration of February 5, 2016.

3. **Matthew D. Haab** will testify about his role with Veros, VFLH, FarmGrowCap, and PinCap. Mr. Haab will testify about his disclosures to, and communications with, the investors and potential investors in certain private investments, including the 2012 Kirbach and Crossroad farm loans, VFLH, a 2014 PinCap Bridge Loan, and FarmGrowCap, as well as with the SEC’s compliance examiners in 2014. Mr. Haab also will testify about his relationship and communications with Jeffery Risinger, Shawn Gustafson, and Tobin Senefeld, and the responsibilities each had with respect to the 2012 farm loan investments, VFLH, the 2014 PinCap Bridge Loan, FarmGrowCap, and PinCap. Mr. Haab further will testify about the performance of the various farm loan offerings, the use of investor funds to pay investors in previous offerings, and the “rollover” of investor contributions to a subsequent offering. Finally, Mr. Haab will testify about the compensation or payments that he and the other defendants received in connection with the farm loan offerings. Mr. Haab’s testimony is expected to be consistent with his investigative testimony, as well as with his Declaration of April 27, 2016.

4. **Sandra Harlow** will testify about her relationship with Veros, her communications with Matthew Haab and other Veros representatives, and her investments in certain private farm loan offerings. She will also testify about her understanding of the private

farm loan investments, the intended uses of the funds she invested, the representations made to her about the performance of those investments, and the importance of those representations to her investment decisions.

5. **Craig L. McShane** will testify as a summary witness and describe the contents of voluminous bank records, financial documents and other evidence in this case, including the financial and bank account records for VFLH, FarmGrowCap and PinCap. In addition, Mr. McShane will testify regarding the compensation or payments which Senefeld and other defendants received from VFLH, FarmGrowCap or PinCap. Mr. McShane's testimony will be consistent with Declarations of April 30, 2015, December 21, 2016 and September 27, 2017.

6. **Jeffery B. Risinger** will testify about his relationship with Matthew Haab, Shawn Gustafson, and Tobin Senefeld, and the role that each person had with respect to VFLH, FarmGrowCap, PinCap and Pin Financial. Mr. Risinger also will testify about the structure and operations of certain private farm loan investments, including the 2012 Kirbach and Crossroads farm loans, VFLH, the 2014 PinCap Bridge Loan and FarmGrowCap. Mr. Risinger will testify about his role in drafting agreements and disclosure documents for the foregoing private investments, including the disclosure regarding Tobin Senefeld's 1999 SEC settlement, and the Defendants' communications with investors or potential investors. Mr. Risinger further will testify about the performance of the various farm loan offerings, the use of investor funds to pay investors in previous offerings, and the "rollover" of investor contributions to a subsequent offering. Finally, Mr. Risinger will testify about the compensation or payments that he and the other defendants received in connection with the farm loan offerings. Mr. Risinger's testimony is expected to be consistent with his investigative testimony, as well as with his Declaration of April 27, 2016.

7. Finally, the SEC *may* call **Tobin J. Senefeld**, as an adverse witness, to testify about his relationship with Matthew Haab, Jeffery Risinger, Shawn Gustafson, VFLH, FarmGrowCap, PinCap, and Pin Financial. Mr. Senefeld also may be asked to testify about his activities and responsibilities in connection with certain private farm loan investments, including the 2012 Kirbach and Crossroads farm loans, VFLH, the 2014 PinCap Bridge Loan, and FarmGrowCap. Mr. Senefeld may also be asked to testify about certain communications with investors or potential investors in those private investments, and his communications with certain farmers who received loans from Veros clients and other investors. Finally, Mr. Senefeld may also testify about the compensation or payments which he received in connection with his work for VFLH, FarmGrowCap, PinCap and Pin Financial.

The SEC reserves the right to call any witness on Defendant's witness list in its case-in-chief. The SEC also reserves its right to call rebuttal witnesses, as needed.

Dated: September 29, 2017.

Respectfully submitted,

/s/Robert M. Moyer

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2017, I emailed a copy of the foregoing Plaintiff's Trial Witness List to Tobin Senefeld, and filed a copy of the same via CM/ECF, which will notify all counsel of record.

/s/Robert M. Moya
Robert M. Moya