

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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

Plaintiff U.S. Securities and Exchange Commission (“the SEC”), hereby designates the following deposition testimony which it may offer into evidence at trial:

From the Deposition of Tobin J. Senefeld, on February 24, 2016

Page 17, line 22 – Page, 19, line 8

Q Mr. Senefeld, do you have an e-mail address that is tobin@farmgrowcap.com?

A I used to.

Q For what time period did you have that e-mail account?

A 2013, I believe, through 2000 -- first part of 2015.

Q Okay. Do you have an e-mail address that is tobin@senefeld.me?

A Yes.

Q And for what time period did you have that e-mail address?

A 2013 through currently, I still have it.

Q Do you have an e-mail address that -- do or did --that is tobin@ccgindy.com?

A I used to.

Q For what time period did you have that e-mail?

A I don't recall. It was before 2012, but I don't have it anymore.

Q When did you no longer have that e-mail?

A I don't recall the exact date.

Q Year?

A I don't recall.

Q Did you have any other e-mail addresses from 2012 to the present?

A I had PIN Financial.

Q Was that tobin@pinfinancial.com?

A Correct.

Q Any others?

A No.

Q And for what time period did you have the tobin@pinfinancial.com e-mail account?

A I still have it. So I think it was 2012 or '13.

Q To the present?

A Yes. Well, I haven't been able to pay it, so I don't know if it's still in existence. Yeah, I think it is. I think it is.

Page 51, lines 1 - 3

Q For the 2012 loan, the 2012 operating loan to Kirbach, did they repay it on time?

A No, they did not. No, they did not.

Page 52, line 15 – Page 53, line 5

Q And when did Kirbach fully repay the 2012 loan?

A I don't know for sure. I tried to negotiate a loan with a bank, Jersey State Bank, to help him with his operations and pay off his 2012 outstanding, but I don't know when -- how much that was and when, to be honest with you.

Q And when did you have these negotiations with Jersey State Bank?

A 2013.

Q So by the end of 2013, had Kirbach fully repaid the 2012 operating loan?

A I'm trying to think. I don't believe so.

Q Okay. So at that time in 2013, you knew that Kirbach had not fully repaid the loan he had received in 2012?

A Yes.

Page 85, lines 16 – 19

Q You're a licensed broker; correct?

A I have a securities license.

Q Which securities license do you have?

A Too many. I have a 7, a 79, a 63, and a 24.

Page 92, line 7 – Page 93, line 16

Q At the time you were provided with a draft of the 2013 private placement memorandum, did you believe that you had any responsibility to make sure that it did not contain misrepresentations?

A I didn't write the document. I don't think I had a responsibility. I don't believe I had a responsibility to make sure that Risinger had done his job correctly in all of the disclosures and all of the statements that he put into it.

Q At the time you were provided with a draft of the 2013 private placement memorandum, did you believe that you had any responsibility to make sure that it contained no material omissions?

MS. KERRIDGE: Asked and answered.

You can respond yes or no.

A No.

Q As you are sitting here today, do you believe you had any responsibility to make sure that the information contained in the 2013 PPM was accurate?

A I didn't draft the document, I'm not a lawyer. I don't know -- I don't believe that I had a responsibility to make sure that that document was accurate and fully disclosable.

Q As you are sitting here today, do you believe you had any responsibility to make sure that the 2013 PPM did not contain any misrepresentations?

MS. KERRIDGE: Asked and answered. You can respond yes or no.

A No.

Q As you are sitting here today, do you believe that you had any responsibility to make sure that no material information was omitted from the 2013 PPM?

MS. KERRIDGE: You can answer yes or no.

A No.

Page 109, lines 13 – 18

Q So that was the question. In 1998, were you charged with willfully violating antifraud provisions of federal securities laws?

A Yes, ma'am.

Q In 1999, did you settle those charges?

A Yes, ma'am.

Page 118, lines 13 – 20

Q Did the findings find that you had personally engaged in that behavior, also?

A The findings state that, correct.

Q And is that included in the redline that's on VEROS027671?

A That is not included.

Q So is the redline accurate?

A If you -- no, they don't seem to be accurate.

Dated: September 29, 2017.

Respectfully submitted,

/s/Robert M. Moye

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2017, I served Defendant Tobin Senefeld with a copy of the foregoing Plaintiff's Deposition Designations, by email and U.S. Mail, and filed the same via CM/ECF, which will notify all counsel of record.

/s/Robert M. Moye

Robert M. Moye