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FILED
San Francisco County Superior Court

JUL 30 2019

CLERK OF THE COURT

BY: [Signature]
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA CGC - 19 - 577 904

11 ARTURO DEVESA

12 Plaintiff,

13 v.

14 STANFORD UNIVERSITY; THE BOARD
OF TRUSTEES OF THE LELAND
15 STANFORD JUNIOR UNIVERSITY;
DEBRA ZUMWALT; STANFORD
16 MANAGEMENT COMPANY; ROBERT
WALLACE; RANDY LIVINGSTON; MARC
17 TESSIER-LAVIGNE; SUZANNE
FLETCHER; SUSAN WEINSTEIN;
18 SABRINA LIANG; FELIX J. BAKER;
MARY T. BARRA; BRET E. COMOLLI;
19 ROANN COSTIN; MICHELLE R.
CLAYMAN; DIPANJAN DEB; HENRY A
20 FERNANDEZ; ANGELA S. FILO; RUTH
PORAT; SAKURAKO D. FISHER;
21 FRADLEY A. GEIER; JAMES D. HALPER;
RONALD B. JOHNSON; MARC E. JONES;
22 TONIA G. KARR; CAROL C. LAM;
CHRISTY MACLEAR; KENNETH E.
23 OLIVIER; CARRIE W. PENNER;
LAURENE POWELL JOBS; JEFFREY S
24 RAIKES; MINDY B ROGERS; VICTORIA
B. ROGERS; KAVITARK RAM SHRIRAM;
25 RONALD P. SPOGLI; JEFFREY E.
STONES; GENE T SYKES; JERRY YANG;
26 CHARLES D. YOUNG; STARTX;
CAMERON TEITELMAN;
27 AND DOES 1-50, INCLUSIVE

28 Defendants.

Case No. 19-CV-347760

Related Case No. CGC-18-565596 (San
Francisco County Sup. Court)

**NOTICE OF MOTION TO TRANSFER
AND CONSOLIDATE ACTIONS**

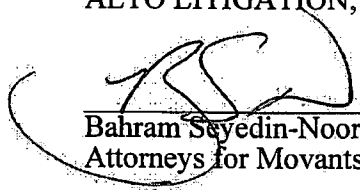
1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on June 25, 2019, at 9:30 AM, or as soon thereafter as this
3 matter may be heard in Department 302 of the San Francisco County Superior Court, located at
4 400 McAllister Street, San Francisco, CA 94102, Plaintiffs and Cross-Defendants Caixa Capital
5 Risc, Magic Stone Alternative Investments, Regent Capital Venture Ltd., Stanford-StartX Fund,
6 LLC, and Startcaps Ventures, as well as The Leland Stanford Jr. University, Stanford
7 Management Company, Sabrina Liang, Randy Livingston, Marc Tessier-Lavigne, Robert
8 Wallace and Susan Weinstein, all of which are Plaintiffs and/or Cross-Defendants in the case
9 captioned *Stanford-StartX Fund, LLC v. Medwhat.com, Inc.*, Case No. CGC-18-565996 currently
10 pending in San Francisco Superior Court (hereafter "the San Francisco Action"), will move the
11 Court in the San Francisco Action for an order (i) transferring this action, *Devesa v. Stanford*
12 *University*, Case No. 19-CV-347760 (the "Santa Clara Action") to San Francisco Superior, and
13 (ii) consolidating the Santa Clara Action with the San Francisco Action.

14 Attached as **Exhibit 1** hereto is a copy of the Notice of Motion and Motion to Transfer
15 and Consolidate Actions; Memorandum of Points and Authorities in Support of Motion to
16 Transfer and Consolidate Actions; Declaration of Bryan Ketrosier in Support of Motion to
17 Transfer and Consolidate Actions; and [Proposed] Order Granting Motion to Transfer and
18 Consolidate Actions.

19
20 Dated: May 30, 2019

ALTO LITIGATION, PC

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22 
23 Bahram Seyedin-Noor
24 Attorneys for Movants
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7 Attorneys for Defendant
STANFORD UNIVERSITY

FILED
San Francisco County Superior Court

JUL 30 2019

CLERK OF THE COURT

BY: 

Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA CGC - 19 - 577904

11 ARTURO DEVESA

12 Plaintiff,

13 v.

14 STANFORD UNIVERSITY; THE BOARD
OF TRUSTEES OF THE LELAND
15 STANFORD JUNIOR UNIVERSITY;
DEBRA ZUMWALT; STANFORD
16 MANAGEMENT COMPANY; ROBERT
WALLACE; RANDY LIVINGSTON; MARC
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26 CHARLES D. YOUNG; STARTX;
CAMERON TEITELMAN;
27 AND DOES 1-50, INCLUSIVE

28 Defendants.

Case No. 19-CV-347760

Related Case No. CGC-18-565596 (San
Francisco County Sup. Court)

**EXHIBIT 1 TO NOTICE OF MOTION
TO TRANSFER AND CONSOLIDATE
ACTIONS**

EXHIBIT 1

1 ALTO LITIGATION, PC
Bahram Seyedin-Noor (Bar No. 203244)
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7 Attorneys for Plaintiffs and Cross-Defendants,
CAIXA CAPITAL RISC; MAGIC STONE
8 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES, and Cross-Defendants THE LELAND
10 STANFORD JR. UNIVERSITY; STANFORD
MANAGEMENT COMPANY; SABRINA
11 LIANG; RANDY LIVINGSTON; MARC
TESSIER-LAVIGNE; ROBERT WALLACE,
12 and SUSAN WEINSTEIN

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SAN FRANCISCO**

15 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
16 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
17 STARTCAPS VENTURES,

18 Plaintiffs,

19 v.

20 MEDWHAT.COM INC.; ARTURO
21 DEVESA; AND DOES 1 THROUGH 50,
22 INCLUSIVE,

23 Defendants.

24 MEDWHAT.COM, INC. AND ARTURO
25 DEVESA,

26 Cross-Complainants,

27 v.

28 STANFORD-STARTX FUND, LLC;
LELAND STANFORD JUNIOR

Case No.: CGC-18-565596

Related Case No. 19-CV-347760 (Santa
Clara County Sup. Court)

**PLAINTIFFS' AND CROSS-
DEFENDANTS' NOTICE OF MOTION
AND MOTION TO TRANSFER AND
CONSOLIDATE ACTIONS**

Hearing Date: June 25, 2019

Hearing Time: 9:30 AM

Reservation No.: 05290625-08
05290625-09

Dept.: 302

Date Action Filed: April 9, 2018

Judge: Hon. Ethan P. Schulman

Trial Date: None set.

1 UNIVERSITY; STANFORD
2 MANAGEMENT COMPANY; CAIXA
3 CAPITAL RISC; MAGIC STONE
4 ALTERNATIVE INVESTMENTS; REGENT
5 CAPITAL VENTURE, LTD.; STARTCAP
6 VENTURES; INCWELL, INC.; ROBERT
7 WALLACE; SUSAN WEINSTEIN; RANDY
8 LIVINGSTON; SUZANNE FLETCHER;
9 MARC TESSIER-LAVIGNE; SABRINA
10 LIANG; FRANCISCO JAVIER GONZALEZ
11 MANZANO; BELTRAN VIVES
12 MONTOBBIO; XAVIER ALVAREZ;
13 JENNY ZENG; LILY YANG; IGNACIO
14 VILELA; TOM LA SORDA; SIMON BOAG;
15 RICARDO PAZ IGLESIAS; REDA JABER;
16 AND DOES 1-50, INCLUSIVE,

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Cross-Defendants.

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

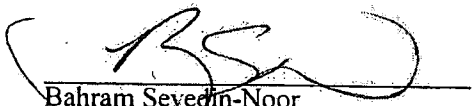
2 **PLEASE TAKE NOTICE** that on June 25, 2019, at 9:30 AM, or as soon thereafter as
3 this matter may be heard in Department 302 of the above-entitled Court, located at 400
4 McAllister Street, San Francisco, CA 94102, Plaintiffs and Cross-Defendants Caixa Capital
5 Risc, Magic Stone Alternative Investments, Regent Capital Venture Ltd., Stanford-StartX Fund,
6 LLC, and Startcaps Ventures (collectively, "Plaintiffs"), as well as Cross-Defendants The
7 Leland Stanford Jr. University ("Stanford"), Stanford Management Company, Sabrina Liang,
8 Randy Livingston, Marc Tessier-Lavigne, Robert Wallace and Susan Weinstein (together with
9 Plaintiffs, "Movants"), will, and hereby do, move the Court for an order *transferring to this*
10 *Court* the action entitled *Devesa v. Stanford University*, Case No. 19-CV-347760, now pending
11 in the Superior Court of Santa Clara County (the "Santa Clara Case") and consolidating that
12 action with instant case.

13 This motion is made pursuant to Code of Civil Procedure Sections 403, 404.1, 1048 and
14 California Rule of Court Rule 3.500 on the grounds that issues of law and fact relating to
15 several parties' alleged fraud, trade secret misappropriation, and defamation/trade libel are
16 common to both actions, and consolidation of these actions is appropriate, applying the
17 standards set forth in Code of Civ. Proc. section 404.1.

18 This Motion is based upon this Notice of Motion, the supporting Memorandum of Points
19 and Authorities, the supporting Declaration of Bryan Ketrosier and the exhibits attached thereto,
20 the [Proposed] Order, and the records and files in this action.

21
22 Dated: May 29, 2019

ALTO LITIGATION, PC

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25 Bahram Seyedin-Noor
26 Attorneys for Movants
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CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES, and Cross-Defendants THE LELAND
10 STANFORD JR. UNIVERSITY; STANFORD
MANAGEMENT COMPANY; SABRINA
11 LIANG; RANDY LIVINGSTON; MARC
TESSIER-LAVIGNE; ROBERT WALLACE,
12 and SUSAN WEINSTEIN

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SAN FRANCISCO**

15 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
16 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
17 STARTCAPS VENTURES,

18 Plaintiffs,

19 v.

20 MEDWHAT.COM INC.; ARTURO
21 DEVESA; AND DOES 1 THROUGH 50,
22 INCLUSIVE,

23 Defendants.

24 MEDWHAT.COM, INC. AND ARTURO
25 DEVESA,

26 Cross-Complainants,

27 v.

28 STANFORD-STARTX FUND, LLC;
LELAND STANFORD JUNIOR

Case No.: CGC-18-565596

Related Case No. 19-CV-347760 (Santa
Clara County Sup. Court)

**PLAINTIFFS' AND CROSS-
DEFENDANTS' MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT OF MOTION TO TRANSFER
AND CONSOLIDATE ACTIONS**

Hearing Date: June 25, 2019

Hearing Time: 9:30 AM

Reservation No.: 05290625-08
05290625-09

Dept.: 302

Date Action Filed: April 9, 2018

Judge: Hon. Ethan P. Schulman

Trial Date: None set.

1 UNIVERSITY; STANFORD
2 MANAGEMENT COMPANY; CAIXA
3 CAPITAL RISC; MAGIC STONE
4 ALTERNATIVE INVESTMENTS; REGENT
5 CAPITAL VENTURE, LTD.; STARTCAP
6 VENTURES; INCWELL, INC.; ROBERT
7 WALLACE; SUSAN WEINSTEIN; RANDY
8 LIVINGSTON; SUZANNE FLETCHER;
9 MARC TESSIER-LAVIGNE; SABRINA
10 LIANG; FRANCISCO JAVIER GONZALEZ
11 MANZANO; BELTRAN VIVES
12 MONTOBBIO; XAVIER ALVAREZ;
13 JENNY ZENG; LILY YANG; IGNACIO
14 VILELA; TOM LA SORDA; SIMON BOAG;
15 RICARDO PAZ IGLESIAS; REDA JABER;
16 AND DOES 1-50, INCLUSIVE,

Cross-Defendants.

1 Plaintiffs Caixa Capital Risc, Magic Stone Alternative Investments, Regent Capital
2 Venture Ltd., Stanford-StartX Fund, LLC, and Startcaps Ventures (collectively, "Plaintiffs"), as
3 well as Cross-Defendants Marc Tessier-Lavigne, Susan Weinstein, The Leland Stanford Jr.
4 University ("Stanford"), Stanford Management Company, Sabrina Liang, Robert Wallace, and
5 Randy Livingston (together with Plaintiffs, "Movants") respectfully request that this Court
6 transfer and consolidate with this action, the action recently filed by Defendant Arturo Devesa
7 in Santa Clara County Superior Court, *Devesa v. Stanford University*, Case No. 19-CV-347760.

8 **I. INTRODUCTION**

9 Plaintiffs filed this lawsuit against Defendant Medwhat.com, Inc. ("Medwhat") and its
10 founder, Defendant Arturo Devesa ("Mr. Devesa"), to recover approximately \$1 million in
11 investment funds that Mr. Devesa and Medwhat misappropriated from Plaintiffs.

12 On June 20, 2018, Medwhat filed a tactical "cross-complaint" against not just Plaintiffs,
13 but more than a dozen individuals and entities affiliated with Plaintiffs. Mr. Devesa and
14 Medwhat subsequently filed a First Amended Cross-Complaint ("FACC") and, in the face of a
15 demurrer (later sustained), an unauthorized Second Amended Cross-Complaint ("SACC").
16 After Defendants' counsel withdrew from this case—and faced with a demurrer and motion for
17 sanctions on the SACC—Mr. Devesa filed not one, but two separate (and again, unauthorized)
18 iterations of a Third Amended Cross-Complaint, which he proceeded to attempt to serve on
19 dozens of new putative cross-defendants, including nearly thirty members of Stanford's Board
20 of Trustees.

21 On May 7, 2019, Mr. Devesa appeared by telephone at an *ex parte* hearing in this matter
22 in which the Court (Hon. Judge Schulman presiding) admonished Mr. Devesa not to serve
23 represented parties directly and not to serve the TACC at all prior to the upcoming hearing on
24 Movants' demurrer to the SACC (now set for June 7). As the Court put it: "I'm going to trust
25 you [Mr. Devesa] when you tell me you're not going to contact anybody before" the demurrer
26 hearing.

27 Unfortunately, rather than heed the Court's directive, *Mr. Devesa filed a duplicative*
28 *and substantially identical Complaint in Santa Clara County Superior Court last week*

1 captioned *Devesa v. Stanford University*, Case No. 19-CV-347760 (the “Santa Clara Action”),
2 in a clear attempt to forum shop around this Court’s anticipated ruling on his cross-claims.
3 Thereafter, Mr. Devesa promptly proceeded to try and serve the same Cross-Defendants (now
4 styled as “defendants”) directly, despite the Court’s admonition that he not do so.

5 The complaint in the Santa Clara Action is a reboot of the Third Amended Cross-
6 Complaint that Mr. Devesa *twice* submitted to the Court in this action earlier this month (and
7 without leave to file). Indeed, all of the claims asserted by Mr. Devesa in the Santa Clara
8 Action already have been asserted by him in one or more of the cross-complaints that Mr.
9 Devesa has filed (or attempted to file) in the instant action. Specifically:

- 10 • On July 3, 2018, Mr. Devesa filed the FACC in this case which, like the Santa
11 Clara Action, asserted claims for securities fraud, unfair competition, wire fraud,
and breach of fiduciary duty against many of the same parties.
- 12 • On December 14, 2018, Mr. Devesa filed the SACC in this case which, like the
13 Santa Clara Action, asserts a breach of contract claim, defamation claim, and
trade secret claim against even more of the same parties.
- 14 • On May 1, 2019, Mr. Devesa attempted to file an unauthorized Third Amended
15 Cross-Complaint (“TACC 1”) that asserts *all* of the causes of action asserted in
the Santa Clara Action against the same parties (and more).
- 16 • On May 8, 2019, Mr. Devesa filed a second Third Amended Cross-Complaint
17 (“TACC 2”) that again asserts *all* of the causes of action asserted in the Santa
Clara Action against the same parties (and more).

18 The claims asserted in the Santa Clara Action thus have either already been addressed on
19 demurrer in the instant case, or will be resolved at the upcoming June 7, 2019 hearing in this
20 case on Movants’ demurrers to the SACC—which briefing also addresses the failure of TACC 1
21 and TACC 2 to state a claim.

22 This is precisely the type of situation for which the transfer and consolidation
23 procedures set forth in California Code of Civ. Proc. § 403 were made. Because common
24 factual and legal issues abound between the San Francisco Action and Santa Clara Action, and
25 the ends of justice will be served by this Court hearing both actions, the Santa Clara Action
26 should be transferred to this Court and consolidated with the San Francisco Action.

1 **II. FACTUAL BACKGROUND**

2 **A. The Present Action**

3 **The Plaintiff Parties.** Plaintiffs are five entities that collectively invested nearly a
4 million dollars in Medwhat before discovering that Medwhat and its Chief Executive Office,
5 Mr. Devesa, were scamming them. Medwhat was established to create and commercialize a
6 mobile device application (named Medwhat) to answer medical and health questions through an
7 automated “virtual assistant” that would rely on cutting-edge artificial intelligence and machine
8 learning. Complaint (“SF Compl.”) ¶ 13. In order to raise capital to develop its app, Medwhat
9 turned to private investors, including Plaintiffs. *Id.* ¶¶ 16-18.

10 **Plaintiffs’ Claims.** Plaintiffs purchased convertible promissory notes from Medwhat
11 (“Notes”). *Id.* ¶¶ 17-19. Under the Notes, Plaintiffs were entitled to receive accrued interest
12 upon maturity and held certain rights in the event that Medwhat defaulted or failed to perform
13 under the terms of the Notes. *Id.* ¶ 21. Convertible promissory notes can convert to equity if
14 certain contractually-specified events happen. Under the terms of these particular Notes, they
15 would only convert into equity in the event of ““Qualified Financing,”” which the Notes defined
16 as a ““transaction or series of transactions pursuant to which [Medwhat] issues and sells shares
17 of its Preferred Stock for aggregate gross proceeds of at least [\$1,500,000].”” SF Compl. ¶ 28
18 (quoting Note section 6). Plaintiffs contend that never happened.

19 **The Complaint.** Plaintiffs filed the Complaint in this action on April 9, 2018. The
20 Complaint asserts claims for breach of contract, unfair competition and unjust enrichment
21 arising out of Medwhat’s failure to honor its obligations under the Notes (SF Compl. ¶¶ 51-61;
22 77-85), securities fraud and fraud against Medwhat and Devesa arising out of their false
23 representations to the Fund that they had received a \$3.2 million investment from Regent (*id.* ¶¶
24 62-76), and a claim for accounting (*id.* ¶¶ 86-87).

25 **The Cross-Complaint.** On June 20, 2018, Medwhat filed its initial Cross-Complaint,
26 naming as Cross-Defendants the five Plaintiffs and fifteen others, most of whom are individual
27 officers, employees and/or partners of Plaintiffs or affiliates of Plaintiffs, such as Dr. Marc
28 Tessier-Lavigne, the President of Stanford University. The Cross-Complaint asserted claims for

1 breach of contract, breach of fiduciary duty, securities and wire fraud, unfair business practices,
2 trade libel, violation of California's Uniform Trade Secrets Act, and Blackmail (under the
3 California Penal Code). On July 3, 2018, Medwhat filed a First Amended Cross-Complaint,
4 this time with Mr. Devesa as a second Cross-Complainant, asserting the same eight causes of
5 action set forth in the original Cross-Complaint.

6 On August 21, 2018, then-served and represented Movants demurred to the FACC.
7 Medwhat and Devesa did not oppose the demurrer. Instead, and without leave of this Court,
8 they purported to file a "Second Amended Cross-Complaint . . . in Lieu of Opposition to
9 Demurrer to [FACC]."¹ On September 20, 2018, the Court sustained the demurrer but granted
10 Medwhat and Mr. Devesa leave to amend. On December 14, 2018, Cross-Complainants finally
11 filed their SACC, after prior attempts apparently were stymied by various mistakes and/or
12 clerical issues. The SACC added Mr. Livingston—Stanford University's Chief Financial
13 Officer—as a Cross-Defendant.

14 **Demurrers to the SACC.** On March 8, 2019, Cross-Defendants Caixa, Magic Stone,
15 Regent, Fund, Startcaps, Marc Tessier-Lavigne and Susan Weinstein filed a demurrer to the
16 SACC. The demurrer initially was set for hearing on April 8, 2019.

17 **Withdrawal of Devesa's Counsel.** On March 28, 2019, John Schreiber, counsel for
18 Defendants, filed a Motion to be Relieved as Counsel, which motion was granted on April 4,
19 2019. The parties simultaneously agreed to continue the April 8, 2019 hearing to May 1, 2019,
20 to allow Defendants time to find new counsel. Mr. Devesa has represented himself in propria
21 persona since April 4, 2019; Medwhat has been without counsel.

22 **Mr. Devesa Requests and Receives a Second Continuance.** After Mr. Schreiber's
23 withdrawal from the case, Mr. Devesa requested to put off the demurrer hearing for a second
24 time. Movants agreed to a second extension, and the Court accordingly continued the May 1,
25 2019 hearing to May 24, 2019.²

26
27 ¹ According to the Court's online Register of Actions, this submission was never accepted by
the Clerk, and hence, was not actually "filed."

28 ² Mr. Livingston also filed a demurrer to the SACC in the interim, noticed for the May 24, 2019
date.

1 **The TACCs.** On May 1, 2019, without leave of Court, Mr. Devesa submitted to the
2 Court a “Third Amended Cross-Complaint Submitted in Lieu of Opposition to Demurer [sic]
3 and Sanctions to Second Amended Cross-Complaint” (“TACC 1”), purportedly on behalf of not
4 just himself, but also Medwhat, “UHS, S.L.” and “Fernando Macho.” On May 8, 2019, Mr.
5 Devesa—again without leave of Court—submitted another “Third Amended Cross-Complaint”
6 (“TACC 2”). Although TACC 2 does not name Medwhat, UHS, S.L. or Mr. Macho as cross-
7 complainants in the caption, it still identifies them as cross-complainants in the body of the
8 document and purports to assert claims on their behalf.

9 Of relevance to the instant motion, the TACCs add thirty new cross-defendants,
10 including twenty-eight members of Stanford’s Board of Trustees (“Trustees”) not previously
11 named. In addition to adding new cross-defendants, the TACC also purports to revive some
12 claims that had been asserted in the FACC (*i.e.*, for securities fraud, unfair competition, wire
13 fraud, and breach of fiduciary duty), rehashes claims raised in the SACC (*i.e.*, for breach of
14 contract, defamation and trade secret), and asserts some new claims (*i.e.*, for “tax fraud and
15 money laundering,” abuse of process, and insider trading).

16 **Mr. Devesa Requests and Receives a Third Continuance.** On Friday, May 17, 2019,
17 Mr. Devesa informed Movants that he would be “filing an ex parte request to continue hearing
18 on May 24th to June 24th as MedWhat still hasn’t found a lawyer and I still don’t have
19 professional representation while I’m being pro per.” Declaration of Bryan Ketrosier (“Ketrosier
20 Decl.”) Ex. A. The Court granted Mr. Devesa’s request in part, continuing the demurrer hearing
21 for a third time, to June 7, 2019.

22 **B. The Santa Clara Action**

23 On May 20, 2019—the day before he appeared *ex parte* in this Court to request a third
24 continuance of the hearing on Movants’ demurrers—Mr. Devesa filed the Santa Clara Action.
25 *See* Ketrosier Decl. Ex. E. All of the claims asserted by Mr. Devesa in the Santa Clara Action
26 have been asserted by him in one or more amended complaints he has filed (or attempted to file)
27 in the San Francisco Action:

- 28 • On July 3, 2018, Mr. Devesa filed the FACC in this case which, like the Santa

1 Clara Action, asserted claims for securities fraud, unfair competition, wire fraud,
2 and breach of fiduciary duty against many of the same parties.

- 3 • On December 14, 2018, Mr. Devesa filed the SACC in this case which, like the
4 Santa Clara Action, asserts a breach of contract claim, defamation claim, and
5 trade secret claim against even more of the same parties.
- 6 • On May 1, 2019, Mr. Devesa attempted to file an unauthorized Third Amended
7 Cross-Complaint ("TACC 1") that asserts *all* of the causes of action asserted in
8 the Santa Clara Action against the same parties (and more).
- 9 • On May 8, 2019, Mr. Devesa filed a second Third Amended Cross-Complaint
10 ("TACC 2") that again asserts *all* of the causes of action asserted in the Santa
11 Clara Action against the same parties (and more).

12 **III. ARGUMENT**

13 **A. Legal Standard**

14 Pursuant to Code of Civil Procedure section 403,³ a judge "may, on motion, transfer an
15 action . . . from another court to that judge's court for coordination with an action involving a
16 common question of fact or law . . ." provided that the standards for coordination set forth in
17 Code of Civ. Proc. § 404.1 are met and the cases are not complex. *See* Code of Civ. Proc. §
18 403. Section 404.1 provides that coordination is appropriate where "the ends of justice" will be
19 served by a single judge hearing both actions taking into account the following factors: (1)
20 whether the common question of fact or law is predominating and significant to the litigation;
21 (2) the convenience of parties, witnesses, and counsel; (3) the relative development of the
22 actions and the work product of counsel; (4) the efficient utilization of judicial facilities and
23 manpower; (5) the calendar of the courts; (6) the disadvantages of duplicative and inconsistent
24 rulings, orders, or judgments; and (7) the likelihood of settlement of the actions without further
25 litigation should coordination be denied. The court to which a case is transferred may order the
26 cases consolidated for trial pursuant to Section 1048 without any further motion or hearing.⁴
27 Code of Civ. Proc. § 403. *See also* P.J. L. Smalley Edmon & J. Curtis E.A. Karnow, *THE*

28 ³ Pursuant to Cal. Rule of Court Rule 3.500, a party that intends to file a motion to transfer and
consolidate must first make a good-faith effort to obtain agreement of all parties to each case to
the proposed transfer and consolidation. Movants complied with that requirement prior to filing
this motion. *Ketroser Decl.* ¶ 5.

⁴ The purpose of consolidation is to promote trial convenience and economy. *See Mueller v. J.
C. Penney Co.*, 173 Cal. App. 3d 713, 722 (1985).

1 RUTTER GROUP CALIFORNIA PRACTICE GUIDE: CIVIL PROCEDURE BEFORE TRIAL, 2E(1)
2 at 12:345 (June 2018 update) (“Where cases having ‘common questions’ are pending
3 in *different* courts, either court may order ‘noncomplex’ cases transferred to
4 and consolidated with cases pending before the court . . .”) (emphasis in original); Cal. Rule
5 Court Rule 3.500 (“Transfer and consolidation of noncomplex common-issue actions filed in
6 different courts”).

7 **B. Alone and Together, the Section 404.1 Factors Warrant Transfer and**
8 **Consolidation**

9 **1. Common Questions of Law and Fact Predominate**

10 The San Francisco Action and Santa Clara Action do not merely share “a common
11 question of law or fact”; such common questions predominate. All eleven of the causes of
12 action asserted in the Santa Clara Action are also asserted in the TACCs. Specifically, Mr.
13 Devesa asserts claims (or Counter-Claims) for (1) “tax fraud and money laundering,” (2) breach
14 of contract, (3) securities fraud, (4) trade libel, (5) fraud, (6) misappropriation of trade secrets,
15 (7) unfair competition, (8) wire fraud, (9) breach of fiduciary duty, (10) abuse of process, and
16 (11) insider trading. In both actions, Mr. Devesa seeks to assert these claims against Stanford,
17 SMC, the President of Stanford, and twenty-eight other Stanford Trustees. Three of these
18 claims are also asserted in the SACC (breach of contract claim, defamation claim and trade
19 secret misappropriation); four were asserted in the FACC (securities fraud, unfair competition,
20 wire fraud, and breach of fiduciary duty).

21 The Santa Clara Action also shares common questions of fact and law with Plaintiffs’
22 own claims in the instant action. For example, Plaintiffs allege in the San Francisco Action that
23 Medwhat breached its obligation to pay amounts due on the Notes (SF Compl. ¶¶ 51-61; 77-85),
24 while Mr. Devesa alleges in the Santa Clara Action that he has no obligation to pay amounts
25 due on the Notes because they were converted to preferred shares (SC Compl. ¶¶ 291-308).
26 Further, Plaintiffs allege in their Complaint that Mr. Devesa and Medwhat committed securities
27 fraud by falsely representing that Plaintiff Regent Capital Ventures, Ltd. (“Regent”) had funded
28 a \$3.2 million investment in Medwhat’s Series A. SF Compl. ¶¶ 63-67. Similarly, Mr. Devesa

1 alleges in his newly-filed action that Stanford, SMC and the Stanford Trustees committed trade
2 libel by falsely disseminating information about Regents' supposed investment in Medwhat's
3 Series A. *See* SC Compl. ¶¶ 309-16.⁵

4 **2. Convenience of the Parties, Witnesses and Counsel Would Be Served**
5 **by Transfer and Consolidation**

6 Party and Court efficiency both will be served by transfer. For example, Movants' May
7 17, 2019 reply brief in support of their demurrer explained why Mr. Devesa's TACCs fail to
8 state a valid claim, and the Santa Clara Action complaint fails for the same reasons. The same
9 court (this Court) should rule on the validity of both pleadings.

10 In the unlikely event a claim in Devesa's complaint survived demurrer, there would be
11 substantial overlap in witnesses and documentary evidence as both actions deal with events
12 related to Plaintiffs' investments in Medwhat. Ketrosier Decl. ¶ 7. Transfer and consolidation
13 would allow the parties to avoid duplicative discovery demands and responses, protect
14 witnesses from being subject to multiple depositions, and allow for creation of a common
15 depository of relevant documents accessible by computer. *Id.*

16 **3. Both Actions Are in Their Early Stages**

17 The relative development of the actions provides further justification for transfer and
18 consolidation at this time. While Plaintiffs served discovery requests on Defendants in this
19 action in February, neither Defendant has provided any responses (a motion to compel is
20 pending), nor has either Defendant served any requests of their own to date. Ketrosier Decl. ¶ 8.
21 Depositions have yet to begin. *Id.* And the Santa Clara Action was only filed last week. *Id.* ¶
22 12. Transfer and consolidation now would thus minimize the chance of conflicting rulings and
23 maximize efficiency gain.

24 **4. Consolidation Would Promote Judicial Economy by Saving Time**
25 **and Resources for the Court**

26 As noted above, Mr. Devesa's complaint in the Santa Clara Action repeats the same

27 ⁵ Neither the San Francisco Action nor the Santa Clara Action are complex. This action has
28 been litigated for more than a year and has never been designated as a complex case. Ketrosier
Decl. ¶ 6. As discussed herein, the Santa Clara Action involves the same issues. *Id.*

1 claims he is asserting in the San Francisco Action, and thus is subject to the same challenges on
2 demurrer. Consolidation would dramatically reduce the burden of having a new Court
3 familiarize itself with the many defects in Mr. Devesa's pleading, while simultaneously
4 promoting justice through prompt, consistent resolution of his claims. *Id* ¶ 9.

5 **5. There Is No Material Difference in the Courts' Calendars to Impede**
6 **Transfer and Consolidation**

7 This is not a case in which an extreme disparity in court calendars would override the
8 propriety of transfer and consolidation. While both the San Francisco County and Santa Clara
9 County courts are unquestionably busy, according to the Judicial Council of California's most
10 recent report on California Statewide Caseload Trends, the two courts rank similarly in a list of
11 California superior court caseloads. Ketrosier Decl. Ex. C at 106-07 (San Francisco County and
12 Santa Clara County ranked 38th and 48th out of 57 in terms of caseload—where the 1st ranked
13 county had the most cases filed per "judicial position").

14 **6. Transfer and Consolidation Would Guard Against Duplicative and**
15 **Inconsistent Rulings**

16 Both within the San Francisco Action and across the two different actions, Mr. Devesa
17 has demonstrated a strong tendency to assert the same flawed causes of action time and time
18 again even after they have been rejected by the Court. Transfer and consolidation will avoid
19 duplicative or inconsistent rulings on the same issues.

20 **7. Transfer and Consolidation Would Promote Settlement**

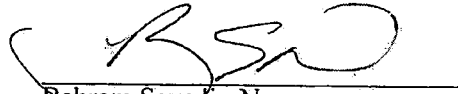
21 While Movants do not expect Mr. Devesa's claims to survive the pleading stage in either
22 action, consolidation would encourage settlement. Mr. Devesa presently appears to believe that
23 he can simply amend his claims *ad infinitum* and, barring that, simply file a new action asserting
24 the same claims already rejected by another court. Transfer and consolidation would remove
25 this barrier to global resolution.

1 **III. CONCLUSION**

2 For the foregoing reasons, Movants respectfully request that the Court order that the
3 Santa Clara Action be transferred to San Francisco County and consolidated with the San
4 Francisco Action.

5
6 Dated: May 29, 2019

ALTO LITIGATION, PC

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8 
9 Bahram Seyedin-Noor
Attorneys for Movants

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7 Attorneys for Plaintiffs and Cross-Defendants,
CAIXA CAPITAL RISC; MAGIC STONE
8 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES, and Cross-Defendants THE LELAND
10 STANFORD JR. UNIVERSITY; STANFORD
MANAGEMENT COMPANY; SABRINA
11 LIANG; RANDY LIVINGSTON; MARC
TESSIER-LAVIGNE; ROBERT WALLACE,
12 and SUSAN WEINSTEIN

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF SAN FRANCISCO**

15 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
16 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
17 STARTCAPS VENTURES,

18 Plaintiffs,

19 v.

20 MEDWHAT.COM INC.; ARTURO
21 DEVESA; AND DOES 1 THROUGH 50,
22 INCLUSIVE,

23 Defendants.

Case No.: CGC-18-565596

Related Case No. 19-CV-347760 (Santa
Clara County Sup. Court)

**DECLARATION OF BRYAN
KETROSER IN SUPPORT OF MOTION
TO TRANSFER AND CONSOLIDATE
ACTIONS**

Hearing Date: June 25, 2019

Hearing Time: 9:30 AM

Reservation No.: 05290625-08
05290625-09

Dept.: 302

1 MEDWHAT.COM, INC. AND ARTURO
2 DEVESA,

3 Cross-Complainants,

4 v.

5 STANFORD-STARTX FUND, LLC;
6 LELAND STANFORD JUNIOR
7 UNIVERSITY; STANFORD
8 MANAGEMENT COMPANY; CAIXA
9 CAPITAL RISC; MAGIC STONE
10 ALTERNATIVE INVESTMENTS; REGENT
11 CAPITAL VENTURE, LTD.; STARTCAP
12 VENTURES; INCWELL, INC.; ROBERT
13 WALLACE; SUSAN WEINSTEIN; RANDY
14 LIVINGSTON; SUZANNE FLETCHER;
15 MARC TESSIER-LAVIGNE; SABRINA
16 LIANG; FRANCISCO JAVIER GONZALEZ
17 MANZANO; BELTRAN VIVES
18 MONTOBBIO; XAVIER ALVAREZ;
19 JENNY ZENG; LILY YANG; IGNACIO
20 VILELA; TOM LA SORDA; SIMON BOAG;
21 RICARDO PAZ IGLESIAS; REDA JABER;
22 AND DOES 1-50, INCLUSIVE,

23 Cross-Defendants.

Date Action Filed: April 9, 2018

Judge: Hon. Ethan P. Schulman

Trial Date: None set.

1 I, Bryan Ketrosor, declare as follows:

2 1. I am an attorney for Plaintiffs and Cross-Defendants Caixa Capital Risc
3 ("Caixa"), Magic Stone Alternative Investments ("Magic Stone"), Regent Capital Venture Ltd.
4 ("Regent"), Stanford-StartX Fund, LLC ("Fund"), and Startcaps Ventures ("Startcaps")
5 (collectively, "Plaintiffs"), as well as Cross-Defendants The Leland Stanford Junior University
6 ("Stanford"), Stanford Management Company, Sabrina Liang, Robert Wallace, Randy
7 Livingston, Marc Tessier-Lavigne and Susan Weinstein (together with Plaintiffs, "Movants"),
8 in this action. I have personal knowledge as to each fact set forth below and could competently
9 testify to such facts if sworn as a witness.

10 2. I submit this Declaration in support of Movants' Motion to Transfer and
11 Consolidate Actions.

12 3. On March 8, 2019, Caixa, Magic Stone, Regent, Fund, Startcaps, Marc Tessier-
13 Lavigne and Susan Weinstein filed a demurrer to the Second Amended Cross-Complaint
14 ("SACC") filed by Cross-Complainants Medwhat.com, Inc. ("Medwhat") and Arturo Devesa
15 ("Mr. Devesa") in this action. The demurrer initially was set for hearing on April 8, 2019, but
16 at Mr. Devesa's request, the parties twice agreed to continue the hearing—first to May 1 and
17 then to May 24. On Friday, May 17, 2019, Mr. Devesa informed our law firm that he would be
18 "filing an ex parte request to continue hearing on May 24th to June 24th as MedWhat still
19 hasn't found a lawyer and I still don't have professional representation while I'm being pro
20 per." Attached as **Exhibit A** is a true and correct copy of the email Mr. Devesa sent me on May
21 17, 2019, in this regard.

22 4. On May 20, 2019, the day before Mr. Devesa appeared *ex parte* in this Court to
23 request a third continuance of the hearing on Movants' demurrers, Mr. Devesa filed a new
24 lawsuit captioned *Devesa v. Stanford University*, Case No. 19-CV-347760, in Santa Clara
25 Superior Court (the "Santa Clara Action"). Movants seek to transfer the Santa Clara Action to
26 San Francisco County Superior Court for consolidation with this action (the "San Francisco
27 Action").
28

1 5. On May 28, 2019, my colleague Bahram Seyedin-Noor sent Mr. Devesa and
2 counsel for Suzanne Fletcher (a party to both this action and the Santa Clara Action) an email
3 explaining the grounds for transfer and consolidation and requesting their agreement to the
4 transfer and consolidation. A true and correct copy of that email is attached as **Exhibit B**
5 hereto. While Ms. Fletcher's counsel agreed to stipulate to transfer of the Santa Clara Action to
6 this Court and consolidation with the San Francisco Action, Mr. Devesa did not agree to the
7 requested transfer and consolidation.

8 6. Neither the San Francisco Action nor the Santa Clara Action are complex
9 actions. This action has been litigated for more than a year and has never been designated as a
10 complex case, and the Santa Clara Action involves the same issues.

11 7. For many of the same reasons that Movants believe that the demurrer to the
12 SACC should be sustained, Movants also believe that Mr. Devesa's complaint in the Santa
13 Clara Action will not survive demurrer. However, in the unlikely event a claim in Mr. Devesa's
14 complaint survived demurrer, there would be substantial overlap in witnesses and documentary
15 evidence as both actions deal with events related to Plaintiffs' investments in Medwhat.
16 Transfer and consolidation would allow the parties to avoid duplicative discovery demands and
17 responses, protect witnesses from being subject to multiple depositions, and allow for creation
18 of a common depository of relevant documents accessible by computer.

19 8. While Plaintiffs served discovery requests on Defendants in this action in
20 February, neither Defendant has provided any responses (a motion to compel is pending), nor
21 has either Defendant served any requests of their own to date. Depositions have yet to begin.

22 9. Consolidation would dramatically reduce the burden of having a new court
23 familiarize itself with the many defects in Mr. Devesa's pleading, while simultaneously
24 promoting justice through more prompt, consistent resolution of the viability of his claims.

25 10. Attached as **Exhibit C** is a true and correct copy of excerpts from the 2018 Court
26 Statistics Report, Statewide Caseload Trends, 2007-2008 through 2016-17, published by the
27 Judicial Council of California.

1 11. I have notified all counsel of their obligation to disclose to the court any
2 information they have concerning any other motions requesting transfer of any case that would
3 be affected by the granting of Movants' motion. Attached as **Exhibit D** is a true and correct
4 copy of my May 29, 2019 email to Mr. Devesa and Ms. Fletcher's counsel in this case and the
5 Santa Clara Action providing that notification. I am aware of no such matters.

6 12. Attached as **Exhibit E** is a true and correct copy of the complaint filed by Mr.
7 Devesa on May 20, 2019 in the Santa Clara Action.

8
9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct and that this declaration was executed in San Francisco, California.

11
12 Dated: May 29, 2019

By: 

Bryan Ketros

EXHIBIT A

Subject: Re: Stanford StartX Fund, et al. v. Medwhat.com Inc.; San Francisco Superior Court Case No. CGC-18-565596
Date: Friday, May 17, 2019 at 5:53:29 AM Pacific Daylight Time
From: Arturo Devesa
To: James Jaeger
CC: Nathalie Fayad, Bahram Seyedin-Noor, Bryan Ketrosor
Attachments: image001.jpg

I'm redoing the application continuance application as ex parte.

I'm notifying you that I'm filing an ex parte request to continue hearing on May 24th to June 24th as MedWhat still hasn't found a lawyer and I still don't have professional representation while I'm being pro per.

I see you already opposed my request to continue, I never received an email from notifying me you were going to oppose to the continuance. Either way, I assume you also oppose it as ex parte.

Best,

Arturo



Arturo Devesa
CEO & Founder

MedWhat.com, Inc.
www.medwhat.com

The content of this message is MedWhat privileged, confidential and protected from disclosure. If you are not the intended recipient and have received this message in error, any use or distribution is prohibited. Please notify me immediately by reply e-mail and delete this message from your computer system.

On Tue, May 14, 2019 at 6:05 PM James Jaeger <jim@altolit.com> wrote:

Counsel and Mr. Devesa,

Please find attached hereto documents that have been filed with the Court and served on you today.

Please contact Bryan Ketrosor of this office should you have any questions in this regard.

Jim Jaeger

Senior Paralegal

Direct +1 415 779 2586, Ext. 107 | Cell +1 707 332 6768 | Fax +1 415 306 8744

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EXHIBIT B

Subject: Motion to Transfer and Consolidate Lawsuits
Date: Tuesday, May 28, 2019 at 4:13:28 PM Pacific Daylight Time
From: Bahram Seyedin-Noor
To: Arturo Devesa, Nathalie Fayad, Marc R. Lewis
CC: Bryan Ketrosier, James Jaeger
Priority: High
Attachments: image001.jpg

Dear Counsel and Mr. Devesa,

Given the clear overlap between the pending San Francisco lawsuit and the duplicative complaint Mr. Devesa filed on May 20 in Santa Clara Superior Court, our clients intend to move to transfer the Santa Clara lawsuit to the San Francisco County Superior Court, and to consolidate the Santa Clara County action with the action currently pending in San Francisco.

Please let us know by 10 a.m. tomorrow (Wednesday) whether you agree to the proposed transfer and consolidation, or whether you oppose.

Thank you.

Bahram Seyedin-Noor

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||

EXHIBIT C



2018 COURT STATISTICS REPORT
Statewide Caseload Trends
2007-2008 Through 2016-2017



JUDICIAL COUNCIL
OF CALIFORNIA

2018 COURT STATISTICS REPORT

Statewide Caseload Trends

2007-2008 Through 2016-2017



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Temporary Analyst II

PREFACE

Court Statistics Report

The *Court Statistics Report* (CSR) is published annually by the Judicial Council of California and is designed to fulfill the provisions of article VI, section 6 of the California Constitution, which requires the Judicial Council to survey the condition and business of the California Courts. The CSR combines 10-year statewide summaries of Superior Court filings and dispositions with similar workload indicators for the California Supreme Court and Courts of Appeal. The 2018 CSR also provides more detailed information on filings and dispositions in the individual Superior Courts for the most recent fiscal year for which data are available, 2016–2017.

Caseload Data and Court Workload

California's court system is one of the largest in the world and serves a population of more than 39 million people—about 12 percent of the total U.S. population—and more than 2,000 judicial officers and approximately 18,000 Judicial Branch employees statewide address the full range of cases heard each year. The vast majority of cases in the California Courts begin in one of the 58 superior, or trial, courts, which reside in each of the state's 58 counties. With more than 500 court buildings throughout the state, these courts hear both civil and criminal cases as well as family, probate, mental health, juvenile, and traffic cases.

The data published in the *Court Statistics Report* is used by the Judicial Branch in policy development, program evaluation, performance management, and in workload analysis to measure judicial and court staff resource needs in California. Because different types of cases require different amounts of judicial and staff resources, a weighted caseload approach is the standard method, nationwide, to estimate the workload and resource needs of the courts. Weighted caseload distinguishes between different categories of filings so that the resources required to process a felony case, for example, are recognized as being much greater than the resources required to process a traffic infraction. As the mix or composition of cases change over time, a weighted caseload approach is needed to assess the impact of caseload trends on court workload. The Judicial Council has adopted caseweights for two workload models used by the Judicial Branch—the Judicial Workload Assessment and the Resource Assessment Study (RAS) model.

With the introduction of a new budget development and allocation process for the trial courts in 2013, the data published in the *Court Statistics Report* is being used by the Judicial Branch for a critically important new purpose. The Judicial Council adopted the Workload-based Allocation and Funding Methodology, or WAFM, which uses the Resource Assessment Model (RAS) and other workload factors in a new budget development process that alters baseline funding for most trial courts based on court workload.

Summary of 2018 Court Statistics Report

A summary of the caseload data in the 2018 CSR for the California Supreme Court, Courts of Appeal, and Superior Courts for fiscal year 2016–2017 are as follows:

Supreme Court

- The Supreme Court issued 92 written opinions during the year.
- Filings totaled 7,317, and dispositions totaled 7,262.
- Automatic appeals arising out of judgments of death totaled 14 cases, and the court disposed of 20 such appeals by written opinion.

- The Supreme Court ordered 5 Court of Appeal opinions depublished in this fiscal year.

Courts of Appeal

- Total contested matters for the Courts of Appeal totaled 18,717 made up of 12,313 records of appeal and 6,404 original proceedings.
- Dispositions in the Courts of Appeal totaled 20,824. Of these dispositions, 15,343 were appeals, and 6,279 were original proceedings.
- Dispositions of appeals by written opinion totaled 9,295, appeals disposed of without written opinion totaled 3,921, and appeals disposed of without a record filed totaled 2,127. Dispositions of original proceedings by written opinion totaled 373, and original proceedings disposed of without written opinion totaled 5,906.
- Statewide, 9 percent of Court of Appeal majority opinions were published.

Superior Courts

In FY 2016-17, over 5.8 million cases were filed statewide in the Superior Courts. The CSR organizes all the cases filed in the courts in four main case categories—Civil; Criminal; Family and Juvenile; Probate, Mental Health, Appeals, Habeas. The case filing totals for the individual case types reported by the courts for FY 2016-17 are as follows:

Civil: The civil case category is made up of unlimited civil, limited civil, and small claims matters. Civil unlimited cases are matters where the petitioner is seeking more than \$25,000. There were 210,028 unlimited civil cases filed in the courts. Limited civil filings are cases where the petitioner is seeking \$25,000 or less. Limited civil cases totaled 400,599 statewide. Small claims filings are cases where the petitioner is seeking \$10,000 or less and is not represented by counsel. A total of 163,575 small claims cases were filed statewide.

Criminal: The criminal case category is made up of felonies, misdemeanors, and infractions. The filing totals for the individual case types are as follows: felony filings represented 189,013 cases, misdemeanor filings totaled 766,782 cases, and infraction filings accounted for 3,562,687 cases.

Family and Juvenile: Marital filings (dissolutions, legal separations and nullities) accounted for 134,756 cases and other family law filings (e.g. paternity, child support) totaled 240,773 cases. Juvenile delinquency filings totaled 32,806 cases and juvenile dependency filings totaled 41,701 cases.

Probate, Mental Health, Appeals, and Habeas: The filing totals for the individual case types are as follows: probate filings totaled 49,152 cases; mental health filings totaled 35,316 cases; civil and criminal appeal filings totaled 3,926 cases; and criminal habeas corpus filings totaled 6,511 cases.

The decline in total statewide filings over the past year is mostly driven by limited jurisdiction case type—misdemeanors and infractions in the criminal case category. These limited jurisdiction cases tend to be, on average, much less complex and resource-intensive for courts than unlimited jurisdiction cases such as felonies, civil torts, family and juvenile, probate, and mental health. Several of the most complex types of cases, such as Personal Injury/Property Damage/Wrongful Death (PI/PD/WD), Probate, and Mental Health, had an increase in filings from the previous year.

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APPENDIX G — County Tables

Caseloads and Judicial Positions, by County Fiscal Year 2016–17

Superior Courts Table 1

County	Authorized Judicial positions as of 06/30/17 (A)	Judicial position equivalents 2016–17 (B)	Filings			Dispositions		
			Total (C)	Per judicial position (D)	Rank (E)	Total (F)	Per judicial position equivalent (G)	Rank (H)
STATEWIDE	2,004.1	2,030.0	5,837,625	2,913		4,768,103	2,349	
Alameda	85.0	84.6	235,748	2,774	30	215,718	2,548	21
Alpine	2.3	2.3	1,660	722	56	1,477	642	50
Amador	2.3	3.1	7,423	3,227	16	7,119	2,277	28
Butte	13.0	14.4	31,450	2,419	45	29,216	2,024	35
Calaveras	2.3	2.8	6,051	2,631	39	5,614	1,996	37
Colusa	2.3	2.4	7,072	3,075	18	5,833	2,471	22
Contra Costa	42.0	45.8	113,548	2,704	32	(i) 107,105	(i) 2,339	
Del Norte	2.8	3.2	6,905	2,466	44	10,964	3,406	8
El Dorado	9.0	10.7	17,604	1,956	49	16,508	1,542	42
Fresno	49.0	53.2	138,676	2,830	28	132,508	2,490	18
Glenn	2.3	2.5	7,855	3,415	15	7,949	3,214	10
Humboldt	8.0	9.2	22,748	2,844	27	21,700	2,363	24
Imperial	11.3	11.8	59,887	5,300	2	61,694	5,216	1
Inyo	2.3	2.6	13,744	5,976	1	10,995	4,160	2
Kern	43.0	43.9	188,064	4,374	5	169,769	3,870	4
Kings	8.6	9.7	27,709	3,222	17	20,703	2,125	31
Lake	4.7	5.6	11,897	2,531	43	11,891	2,109	32
Lassen	2.3	3.4	6,126	2,663	35	5,569	1,641	41
Los Angeles	585.3	573.0	1,533,378	2,620	40	1,576,509	2,751	16
Madera	9.3	10.1	24,754	2,662	36	26,126	2,584	19
Marin	12.7	12.6	37,972	2,990	21	35,696	2,842	14
Mariposa	2.3	2.5	3,204	1,393	53	2,790	1,121	47
Mendocino	8.4	8.5	22,465	2,674	33	11,454	1,349	44
Merced	12.0	12.9	47,323	3,944	6	36,164	2,796	15
Modoc	2.3	2.4	1,970	857	55	1,792	734	49
Mono	2.3	2.3	8,516	3,703	12	8,278	3,543	6
Monterey	21.2	22.3	56,513	2,666	34	51,795	2,328	26
Napa	8.0	8.9	19,066	2,383	46	18,645	2,107	33
Nevada	7.6	8.1	17,492	2,302	47	16,447	2,022	36
Orange	144.0	153.0	414,758	2,880	25	(i) 71,227	(i) 465	
Placer	14.5	16.6	39,586	2,730	31	(i) 7,246	(i) 435	
Plumas	2.3	2.5	3,820	1,661	52	2,942	1,163	46
Riverside	76.0	89.8	351,135	4,620	3	354,098	3,943	3
Sacramento	72.5	75.6	284,627	3,926	7	(i) 91,273	(i) 1,208	
San Benito	2.3	2.6	9,005	3,915	8	8,736	3,341	9
San Bernardino	86.0	89.1	335,511	3,901	9	(i) 50,105	(i) 562	
San Diego	154.0	157.3	451,517	2,932	22	403,462	2,565	20
San Francisco	55.9	59.1	147,139	2,632	38	121,552	2,058	34
San Joaquin	33.5	36.3	97,175	2,901	24	84,995	2,344	25
San Luis Obispo	15.0	15.4	52,520	3,501	14	44,810	2,908	13
San Mateo	33.0	34.0	122,827	3,722	10	106,454	3,127	12
Santa Barbara	24.0	25.1	73,671	3,070	19	67,891	2,706	17
Santa Clara	84.0	87.7	184,225	2,193	48	172,573	1,968	38
Santa Cruz	13.5	13.9	39,251	2,907	23	33,855	2,439	27

APPENDIX G — County Tables

Caseloads and Judicial Positions, by County Fiscal Year 2016–17

Superior Courts Table 1

County	Authorized Judicial positions as of 06/30/17 (A)	Judicial position equivalents 2016–17 (B)	Filings			Dispositions		
			Total (C)	Per judicial position (D)	Rank (E)	Total (F)	Per judicial position equivalent (G)	Rank (H)
STATEWIDE	2,004.1	2,030.0	5,837,625	2,913		4,768,103	2,349	
Shasta	12.0	13.1	44,609	3,717	11	41,175	3,146	11
Sierra	2.3	2.2	718	312	57	544	251	51
Siskiyou	5.0	5.2	12,706	2,541	42	11,670	2,254	29
Solano	23.0	26.2	58,854	2,559	41	47,280	1,806	40
Sonoma	23.0	24.6	64,307	2,796	29	83,897	3,411	7
Stanislaus	24.0	25.0	68,518	2,855	26	(I) 61,566	(I) 2,460	
Sutter	5.3	5.6	(I) 14,801	(I) 2,793		(I) 12,696	(I) 2,256	
Tehama	4.3	5.4	15,712	3,629	13	9,697	1,810	39
Trinity	2.3	2.4	2,472	1,075	54	2,047	854	48
Tulare	23.0	25.7	69,303	3,013	20	62,808	2,448	23
Tuolumne	4.8	5.7	8,988	1,892	50	8,795	1,538	43
Ventura	33.0	37.2	151,077	4,578	4	140,970	3,786	5
Yolo	12.4	13.2	32,841	2,648	37	28,533	2,154	30
Yuba	5.3	5.6	9,132	1,713	51	7,178	1,285	45

Column Key:

- (A) Judicial positions include court commissioners and referees in addition to the number of judges authorized for the court. The 50 new judgeships authorized by Assembly Bill 159, effective January 2008, are still unfunded and are included in the statewide total but not shown in individual courts like in previous versions of the Court Statistics Report.
- (B) Reflects authorized judicial positions adjusted for vacancies, assistance rendered by the court to other courts, and assistance received by the court from assigned judges, temporary judges, commissioners, and referees.
- (D) C / A
- (G) F / B

Notes:

- (I) The court reported incomplete data in this category. Ranks not computed for courts with missing or incomplete data.

EXHIBIT D

Subject: Re: Motion to Transfer and Consolidate Lawsuits
Date: Wednesday, May 29, 2019 at 8:45:26 AM Pacific Daylight Time
From: Bryan Ketrosier
To: Arturo Devesa, Nathalie Fayad, Marc R. Lewis
CC: James Jaeger, Bahram Seyedin-Noor, Monica Eno
Attachments: image001.jpg, image002.jpg

Dear Counsel and Mr. Devesa,

One additional item to add to the below. Pursuant to Rule 3.500(c)(3) of the California Rules of Court, this email serves as notification to the parties in both actions of their obligation to disclose to the court any information they may have concerning any other motions requesting transfer of any case that would be affected by the granting of our clients' below-described motion. Speaking for our own clients, we are not aware of any such other motions.

Thank you,

Bryan Ketrosier

Direct +1 415 830 5897 | **Fax** +1 415 306 8744

4 Embarcadero Center, Suite 1400
San Francisco, CA 94111
www.altolit.com



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From: Bahram Seyedin-Noor <bahram@altolit.com>
Date: Tuesday, May 28, 2019 at 4:13 PM
To: Arturo Devesa <adevesa@medwhat.com>, Nathalie Fayad <nfayad@lewisllewelllyn.com>, "Marc R. Lewis" <MLewis@lewisllewelllyn.com>
Cc: Bryan Ketrosier <bryan@altolit.com>, James Jaeger <jim@altolit.com>
Subject: Motion to Transfer and Consolidate Lawsuits

Dear Counsel and Mr. Devesa,

Given the clear overlap between the pending San Francisco lawsuit and the duplicative complaint Mr. Devesa filed on May 20 in Santa Clara Superior Court, our clients intend to move to transfer the Santa

Clara lawsuit to the San Francisco County Superior Court, and to consolidate the Santa Clara County action with the action currently pending in San Francisco.

Please let us know by 10 a.m. tomorrow (Wednesday) whether you agree to the proposed transfer and consolidation, or whether you oppose.

Thank you.

Bahram Seyedin-Noor

Direct +1 415 868 5602

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||

EXHIBIT E

Copy To Be Conformed

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Arturo Devesa 3370 Opportunity Ave. Spring Hill, FL 34409 TELEPHONE NO. 650.391.3863 FAX NO. ATTORNEY FOR (Name) Pro Per		FOR COURT USE ONLY (ENDORSED) FILED MAY 20 2019 Clerk of the Court Superior Court of CA County of Santa Clara BY <u>Y. Lai</u> DEPUTY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 N. First Street MAILING ADDRESS: CITY AND ZIP CODE: San Jose, 95113 BRANCH NAME:		
CASE NAME: Arturo Devesa vs. Stanford University, et al		CASE NUMBER: 19CV347760 JUDGE: DEPT:
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

Check one box below for the case type that best describes this case: Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other P/R/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Assault (104) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other P/R/D/W/D (23) Non-P/R/D/W/D (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input checked="" type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-P/R/D/W/D tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court rules 3.400-3.403) <input type="checkbox"/> Antitrust/trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☒ Large number of separately represented parties. d. ☒ Large number of witnesses.
 b. ☒ Extensive motion practice raising difficult or novel issues that will be time consuming to resolve. e. ☒ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court.
 c. ☒ Substantial amount of documentary evidence. f. ☒ Substantial postjudgment judicial supervision.

3. Remedies sought (check all that apply): a. ☒ monetary. b. ☐ nonmonetary, declaratory or injunctive relief. c. ☒ punitive.

4. Number of causes of action (specify): Thirteen

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015).

Date: May 18th, 2019

Arturo Devesa

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court rule 3.220.) Failure to file may result in sanctions. File this cover sheet in addition to any cover sheet required by local court rule. If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding. Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740
 Cal. Standards of Judicial Administration, Std. 3.10
 www.courtinfo.ca.gov

By Fax

ARTURO DEVESA
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Spring Hill, FL 34609 Tel: (650) 391-3863
Email: ADEVESA@MEDWHAT.COM

Pro Per ARTURO DEVESA

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA**

(ENDORSED)

FILED

MAY 20 2019

Clerk of the Court
Superior Court of CA County of Santa Clara
BY Y. Lai DEPUTY

ARTURO DEVESA

Plaintiff,

vs.

STANFORD UNIVERSITY; THE
BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
UNIVERSITY; DEBRA ZUMWALT;
STANFORD MANAGEMENT
COMPANY; ROBERT WALLACE;
RANDY LIVINGSTON; MARC
TESSIER-LAVIGNE; SUZANNE
FLETCHER; SUSAN WEINSTEIN;
SABRINA LIANG; FELIX J. BAKER;
MARY T. BARRA; BRET E. COMOLLI;
ROANN COSTIN; MICHELLE R.
CLAYMAN; DIPANJAN DEB; HENRY
A FERNANDEZ; ANGELA S. FILO;
RUTH PORAT; SAKURAKO D.
FISHER; FRADLEY A. GEIER; JAMES
D. HALPER; RONALD B. JOHNSON;
MARC E. JONES; TONIA G. KARR;
CAROL C. LAM; CHRISTY
MACLEAR; KENNETH E. OLIVIER;
CARRIE W. PENNER; LAURENE
POWELL JOBS; JEFFREY S RAIKES;
MINDY B ROGERS; VICTORIA B
ROGERS; KAVITARK RAM
SHRIRAM; RONALD P. SPOGLI;
JEFFREY E. STONES; GENE T SYKES;
JERRY YANG; CHARLES D. YOUNG;
STARTX; CAMERON TEITELMAN;
AND DOES 1-50, INCLUSIVE

Defendants

Civil Case No. **19CV347760**

COMPLAINT FOR:

- 1) TAX FRAUD & MONEY
LAUNDERING (CAL. REV. & TAX
CODE § 23701, 26 USC 7201, 7206)
 - 2) BREACH OF CONTRACT
 - 3) SECURITIES FRAUD (CAL CORP.
CODE § 25400, 25401, 25501)
 - 4) INJURIOUS FALSEHOODS &
HARASSMENT
 - 5) FRAUD & DECEIT (CAL. CIV.
CODE § 1709, 17
 - 6) MISAPPROPRIATION OF TRADE
SECRETS (Uniform Trade Secrets Act)
 - 7) PERJURY
 - 8) UNFAIR COMPETITION (CAL BUS.
& PROF. CODE § 17200, ET SEQ.)
 - 9) WIRE FRAUD (18 US CODE § 1343)
 - 10) BREACH OF FIDUCIARY DUTY
 - 11) ABUSE OF PROCESS
 - 12) INSIDER TRADING (CAL CORP.
CODE § 25402)
- JURY TRIAL DEMANDED

By Fax

COMES NOW Plaintiff ARTURO DEVESA, Complaint against Defendants, including DOES 1-50, inclusive, Plaintiff alleges as follows:

PARTIES

1. Plaintiff ARTURO DEVESA (hereafter "DEVESA") is a data scientist and the CEO and Founder since 2012 of MEDWHAT.COM, INC, a Delaware company registered to do business as a foreign Corporation in the State of California. DEVESA was a prestigious research scholar at STANFORD UNIVERSITY Medical School and Hospital from 2016-2017 in medical artificial intelligence and has developed cutting-edge Artificial Deep Neural Networks technologies and Virtual Medical Assistants. See EXHIBIT Q. DEVESA was a teaching adjunct faculty professor in Information Technology and Statistics from 2008-2011 at Florida Atlantic University. DEVESA is a world-class artificial intelligence scientist and entrepreneur of exceptional ability having presented on behalf of MEDWHAT at multiple medical and technology conferences at Stanford University, Microsoft, French Telecom Orange, Florida Atlantic University, BNP Paribas in Paris, and many others as well as having done consulting work on artificial intelligence for Orange Telecom and Microsoft. DEVESA is the author of three patents with the United States Patent Trademark Office. DEVESA participated in the STARTX startup program in 2013. DEVESA's place of residence is Florida. DEVESA was told from 2014-2018 his company MEDWHAT was receiving investments from STANFORD-STARTX FUND Limited Liability Company and was always told the wired investments came from its investor STANFORD-STARTX FUND Limited Liability Company. DEVESA has suffered damages in excess of \$30,000,000, was lied to, used, manipulated, deceived, betrayed, and harassed by STANFORD UNIVERSITY, its President, Trustees, General Counsel, its employees, and Suzanne Fletcher, in order for STANFORD UNIVERSITY to hide the breaking of its tax-exemption, tax-fraud, and protection of illicit private equity venture capital operations via STANFORD-STARTX FUND LLC. DEVESA's company and career has been destroyed by Defendant's fraud, misrepresentations, illegal competition, injurious falsehoods and attempts to cover up fraud.

2. MEDWHAT.COM, INC. (hereafter "MEDWHAT") is a pioneer medical artificial intelligence tech corporation, valued at \$20,000,000 post-money valuation, duly organized under

the laws of the State of Delaware, and registered to do business as a foreign Corp in the State of California, whose principal place of business is 3370 Opportunity Avenue, Spring Hill, FL 34609. MEDWHAT is part of a \$13 billion healthcare cognitive computing market alongside IBM, Google, Microsoft, Intel according to Globe Newswire P&S Market Research. MEDWHAT was accepted into STARTX's entrepreneur program in 2013. MEDWHAT has 13 venture capital investors. MEDWHAT paid dividends to its investor STANFORD-STARTX FUND LLC in January 2018. MEDWHAT has been financially destroyed, and its reputation tarnished, by Defendant's fraud, misrepresentations, illegal competition, and injurious falsehoods. MEDWHAT's friendly investors and new investors refuse to invest additional capital once they found out STANFORD-STARTX FUND and STANFORD UNIVERSITY are involved in fraud.

3. Defendant STARTX (hereafter "STARTX") is an entrepreneur-friendly nonprofit educational startup accelerator for technology companies with founders with ties to Stanford University, based in Palo Alto, with a clear mission of empowering entrepreneurs, helping grow their tech startups, and helping them deal with investors in difficult situations. DEVESA and MEDWHAT were accepted into STARTX educational program in February 2013. STARTX is an investor in the Stanford-StartX Fund LLC. STARTX has over 600 technology companies in its portfolio.

4. STANFORD-STARTX FUND, LLC (hereafter "STANFORD-STARTX FUND") is a Delaware Limited Liability Company and a California Foreign Corporation, a shell corporation with no employees or offices, and has announced in January 22th, 2019 it is shutting down operations. STANFORD-STARTX FUND was a for-profit venture capital firm created by STARTX and STARTX's founder Cameron Teitelman, and formed as a separate legal "investment entity" for a joint-partnership between STARTX and non-profit LELAND STANFORD JUNIOR UNIVERSITY (hereafter "STANFORD UNIVERSITY"). The fund has made investments of over \$250,000,000 in 226 high-tech startups from 2013-2019, making co-investments with other venture capital firms such as AME CLOUD VENTURES, EMERSON COLLECTIVE, GOOGLE VENTURES, GOLDMAN SACHS, FORD MOTORS and other Silicon Valley private equity firms. STARTX's STANFORD-STARTX FUND LLC had a clear mission of helping world-class entrepreneurs like DEVESA to help them develop their companies and technologies. From 2013-2014, Cameron Teitelman, Pooja Garg, and John Melas-Kyriazi,

ran STANFORD-STARTX FUND. From 2015-2019 STANFORD-STARTX FUND LLC Manager and independent officer was Suzanne Fletcher and always advertised to MEDWHAT, DEVESA and the public as such. All of the dealings between DEVESA and STANFORD-STARTX FUND LLC were always done through Suzanne Fletcher. Fletcher was a celebrity in Silicon Valley, having numerous times being interviewed by Silicon Valley Business Journal reporter Cromwell Schubarth as the front person running the fund and the image of the fund's operation. Ms Fletcher, and Cameron Teitelman attended the NASDAQ IPO in NYC in October 4th, 2018 as the only representatives of STANFORD-STARTX FUND LLC for portfolio company KODIAK SCIENCES. In September 9th, 2018 it was discovered FLETCHER and STANFORD UNIVERSITY lied about FLETCHER's manager role, Fletcher was only an analyst, had no power to run the fund or make decisions, and that the STANFORD-STARTX FUND was a shell corporation illegally ran by STANFORD UNIVERSITY employees. After a separate cross-complaint was filed in January 2019 in San Francisco County Court for tax fraud against STANFORD UNIVERSITY revealed by DEVESA, STANFORD UNIVERSITY's Chief Financial Officer RANDY LIVINGSTON announced a week later on January 22nd 2019 he and STANFORD UNIVERSITY were shutting down operations and ceasing new investments by the STANFORD-STARTX FUND LLC. Both STANFORD UNIVERSITY and STARTX were investors in the STANFORD-STARTX FUND LLC and kept an arms distance length in public due to sensitive federal and state tax laws. However, it has been revealed in 2019 that STANFORD-STARTX FUND never had offices, no employees, nor bank accounts of its own and all STANFORD-STARTX FUND investments and wire transfers came fraudulently from a bank account under the name: THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, in effect a tax-exemption violation and tax fraud activity. The fund was a shell company ran out of STANFORD UNIVERSITY campus by STANFORD UNIVERSITY personnel and STANFORD MANAGEMENT COMPANY. STANFORD-STARTX FUND has been an investor in MEDWHAT since February 2014, making four convertible note investments it voted to convert into equity in 2015, and a subsequent equity investment of \$400,000 in January 24th, 2017 in exchange for preferred shares in MEDWHAT. However, bank records show STANFORD-STARTX FUND has never sent any capital to MEDWHAT. See EXHIBIT A. STANFORD-STARTX FUND LLC received dividends from Plaintiff's company MEDWHAT.

5. Defendant DEBRA ZUMWALT is the General Counsel and Vice President of STANFORD UNIVERSITY. Online records show ZUMWALT is an officer of for-profit venture capital firm STANFORD-STARTX FUND LLC, and a registered agent for STANFORD-STARTX FUND LLC in the State of Delaware Division of Corporations and California Division of Corporations, SEE EXHIBIT C. ZUMWALT incorporated STANFORD-STARTX FUND LLC in 2013. ZUMWALT broke Federal and State tax-exemption laws by mixing roles and being an officer of the commercial for-profit entity STANFORD-STARTX FUND LLC while being the General Counsel of a tax-exempt educational entity under California Revenue and Taxation Code (R&TC) Section 23701d while that same tax-exempt entity made wire transfers to MEDWHAT. ZUMWALT harassed DEVESA by filing to San Francisco County Court on May 6th, 2019 an ex parte application asking Judge for DEVESA to be prohibited to file ever a lawsuit against anybody in California - SEE EXHIBIT H - when DEVESA discovered tax fraud committed by ZUMWALT and STANFORD UNIVERSITY BOARD OF TRUSTEES in January 2019 and filed a cross-complaint on May 1st, 2019 in San Francisco Court. ZUMWALT's aggressive, illegal, gangster and thuggish demands in ex parte application to deny DEVESA access to the legal system was denied by SF court the following day. ZUMWALT is a director at NASDAQ listed companies Huron Consulting Inc. and Exponent Inc.

6. Defendant THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, also known as LELAND STANFORD JUNIOR UNIVERSITY, (hereafter "STANFORD UNIVERSITY") is a tax-exempt entity under section 501(c)3 of the Internal Revenue Code and from California state income tax as an educational institution under the Revenue and Taxation Code (R&TC) Section 23701d. STANFORD UNIVERSITY has broken multiple times its tax-exemption in California and at the Federal level as seen on EXHIBIT A. Board of Trustees officially receive no financial compensation for their duties as Trustees. According to the university President and the CFO, STANFORD UNIVERSITY does not endorse, and cannot appear to endorse, for-profit commercial entities. Plaintiff discovered STANFORD-STARTX FUND and STANFORD UNIVERSITY are the same entity, that STANFORD-STARTX FUND and its official manager Suzanne Fletcher lied about the structure of the fund, and that all 5 investments by Defendant STANFORD-STARTX FUND LLC to MEDWHAT from 2014-2017 came in reality from THE BOARD OF TRUSTEES OF THE

LELAND STANFORD JUNIOR UNIVERSITY with commingled school assets from its tax-exempt bank accounts at the Mellon Bank of NY; in effect DEVESA and his company used to violates tax-exemption by STANFORD UNIVERSITY. See EXHIBIT A, for evidence showing wire transfer transcript of \$400,000 investment by STANFORD-STARTX FUND from MEDWHAT'S bank FIRST REPUBLIC BANK coming in reality from THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. DEVESA discovered in January 2019 no legal entity named "STANFORD-STARTX FUND LLC" ever wired funds to MEDWHAT. STANFORD-STARTX FUND LLC and STANFORD UNIVERSITY are in reality de facto of one the same entities that keep a tax layer to de jure keep them separate and hide violations of tax laws. STANFORD-STARTX FUND is also an investor in MEDWHAT'S direct competition, Sense.ly. Plaintiff believes STANFORD UNIVERSITY is a criminal organization who asked fraudulently on behalf of STANFORD-STARTX FUND all convertible note investments back from DEVESA and MEDWHAT - not shell company STANFORD-STARTX FUND - to fraudulently force out of business MEDWHAT through coercion as an operating business in order to cover up tax fraud committed through the STANFORD-STARTX FUND by STANFORD UNIVERSITY, STANFORD MANAGEMENT COMPANY and university employees. Another reason for Defendant's actions against DEVESA was to hide evidence from the SEC the dividend it received to address: 450 Serra Hall, Stanford, CA 94305.

7. Defendant STANFORD MANAGEMENT COMPANY (hereafter "SMC") is a division of STANFORD UNIVERSITY that monitors STANFORD-STARTX FUND's investments, wired STANFORD UNIVERSITY school funds directly into MEDWHAT instead of via STANFORD-STARTX FUND from a bank account named THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. SMC manages a 27 (twenty-seven) billion dollar endowment investment portfolio on behalf of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. According to Paradise Papers and Panama Papers, SMC manages the funds from various Cayman Islands investments. See EXHIBIT A.

8. Defendant MARC TESSIER-LAVIGNE (hereafter "LAVIGNE") is, and at all material times herein was, the President of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY and President of the legal entity that wired money to DEVESA's company MEDWHAT. LAVIGNE's policy with respect to the STANFORD-

STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment, even though LAVIGNE knew MEDWHAT was receiving money from THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. TESSIER-LAVIGNE had knowledge and authorized all illegal actions executed by ZUMWALT and all Stanford-personnel Defendants.

9. Defendant Randal (Randy) Livingston (hereafter "LIVINGSTON") is, and at all material times herein was, chief financial officer of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. Plaintiff claims LIVINGSTON was illegally an active manager of STANFORD-STARTX FUND LLC and designed the illegal structure of the STANFORD-STARTX FUND. LIVINGSTON's policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowingly that was tax fraud and DEVESA was being lied to. SEE EXHIBIT A. LIVINGSTON lied to the IRS about not commingling school assets. SEE EXHIBIT E.

10. Defendant SUSAN WEINSTEIN (hereafter "WEINSTEIN") is, and at all material times herein was, Assistant Vice President for Business Development for STANFORD UNIVERSITY working under STANFORD UNIVERSITY'S chief financial officer RANDY LIVINGSTON. WEINSTEIN advertised herself to DEVESA as a liason between STANFORD UNIVERSITY's and STARTX's partnership. DEVESA discovered in July 2018 WEINSTEIN was illegally an active concealed manager of STANFORD-STARTX FUND LLC responsible for funds and who initiated recall of convertible note investments against DEVESA and MEDWHAT to cover up tax fraud and misrepresentation committed through the STANFORD-STARTX FUND LLC. WEINSTEIN's policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowingly that was tax fraud and DEVESA was being lied to. SEE EXHIBIT A.

11. Defendant SUZANNE FLETCHER (hereafter "FLETCHER") is, and at all material times herein was, the publicized Manager of the STANFORD-STARTX FUND and advertised by STARTX as the person in charge of the entrepreneur-friendly investment fund to keep legal

separation from tax-exempt STANFORD UNIVERSITY. SEE EXHIBIT B. FLETCHER was the person responsible in aligning STANFORD-STARTX FUND with STARTX's mission of being an entrepreneur-friendly nonprofit educational startup accelerator making investments in startup founders. FLETCHER misrepresented her manager position and real nature of the fund. FLETCHER is only an analyst at STANFORD-STARTX FUND LLC. Her policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowingly that was tax fraud and DEVESA was being lied to. SEE EXHIBIT B. FLETCHER went to KODIAK SCIENCES as representative of STANFORD-STARTX FUND LLC at the NASDAQ IPO in 2018, SEE EXHIBIT D. Stanford Trustee Felix Baker is managing director of KODIAK SCIENCES. SEE EXHIBIT D.

12. Defendant SABRINA LIANG (hereafter "LIANG") is, and at all material times herein was, Director of School Funds for the STANFORD MANAGEMENT COMPANY, a division of STANFORD UNIVERSITY. LIANG signed all convertible notes, note conversion approvals, and series A preferred shares of MEDWHAT investments on behalf of STANFORD-STARTX FUND LLC under directions, according to what was told to DEVESA and STARTX companies, of STANFORD-STARTX FUND manager Suzanne FLETCHER. LIANG was advertised as an accountant, never a manager of the fund. Plaintiff discovered in July 2018 LIANG was illegally an active manager of STANFORD-STARTX FUND LLC, and who initiated recall of convertible notes investments against DEVESA and MEDWHAT with law firm ALTO LITIGATION to cover up tax fraud and misrepresentation committed through the STANFORD-STARTX FUND LLC. LIANG committed perjury when she signed conversion into equity of MEDWHAT's convertible notes in 2015, however in 2018 recalled back such notes to force DEVESA into default even though she already agreed to convert them into equity three years prior. Her policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowingly that was tax fraud and DEVESA was being lied to. SEE EXHIBIT A and EXHIBIT L.

13. Defendant ROBERT WALLACE (hereafter "WALLACE") is, and at all material times herein was, the Chief Executive Officer of STANFORD MANAGEMENT COMPANY

managing STANFORD UNIVERSITY's investments. Plaintiff claims WALLACE was illegally an active manager of STANFORD-STARTX FUND LLC and who directed and approved of LIANG's fraudulent actions. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowingly that was tax fraud and DEVESA was being lied to. SEE EXHIBIT A.

14. Defendant FELIX J. BAKER (herein "BAKER"), is, and at all material herein was, a Board of Trustee of Defendant STANFORD UNIVERSITY and involved in authorizing the tax-exempt non-profit university to illicitly run legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. BAKER is a managing director of Kokiak Sciences, a recently IPO NASDAQ company that has received investments from the STANFORD-STARTX FUND LLC from a bank account with the name THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, using tax-exempt university funds as a trustee for for-profit investments in his own company and breaking tax laws. See EXHIBIT D. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowing that was tax fraud and DEVESA was being lied to. SEE EXHIBIT A.

15. Defendant JERRY YANG (herein "YANG"), is, and at all material herein was, a Trustee of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE. Yang authorized as trustee these actions in order to conceal of the origins of illegally used money – university tax-exempt funds - by means of direct transfers to MEDWHAT using as

a front a legitimate businesses, for-profit STANFORD-STARTX FUND with its own independent Manager Suzanne Fletcher, even though the actual investor STANFORD-STARTX FUND never wired any funds to MEDWHAT or had any bank accounts of its own. These actions amount to wire fraud and money laundering. Yang never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own bank accounts as underlined in IRS tax laws. SEE EXHIBIT G. STANFORD UNIVERSITY lied to DEVESA about the level and depth of STANFORD UNIVERSITY's illegal involvement in operating a for-profit venture capital fund and the conflicts of interest this posed. This financial fraud over lines of telecommunication for wire transfers was misrepresentation to DEVESA by all Board of Trustees of Stanford. Yang authorized these actions to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets and allow the University to control a for-profit venture capital fund in the shadows of the IRS and SEC. Yahoo! Inc. co-founder YANG as a member of STANFORD UNIVERSITY's Board used the STANFORD-STARTX FUND to co-invest in startup CIVIL MAPS and ARTERYS with his own venture capital firm AME CLOUD VENTURES, in effect breaking tax laws and abusing his role as Trustee. CIVIL MAPS received investments from the STANFORD-STARTX FUND LLC from a bank account with the name THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, YANG using tax-exempt university funds as a trustee for for-profit investments in his own company and breaking tax laws. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowing that was tax fraud and DEVESA was being manipulated and lied to. SEE EXHIBIT A and EXHIBIT G. YANG's net worth is \$2.6 billion

16. Defendant LAURENE POWELL JOBS (herein "JOBS"), is, and at all material herein was, a Trustee of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON,

LIANG, WALLACE. JOBS authorized as trustee these actions in order to conceal of the origins of illegally used money – university tax-exempt funds - by means of direct transfers to MEDWHAT using as a front a legitimate businesses, for-profit STANFORD-STARTX FUND with its own independent Manager Suzanne Fletcher, even though the actual investor STANFORD-STARTX FUND never wired any funds to MEDWHAT or had any bank accounts of its own. JOBS never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT via fund Manager Suzanne Fletcher. STANFORD UNIVERSITY lied to DEVESA about the level and depth of STANFORD UNIVERSITY's illegal involvement in operating a for-profit venture capital fund and the conflicts of interest this posed. This financial fraud over lines of telecommunication for wire transfers was misrepresentation to DEVESA by all Board of Trustees of Stanford. JOBS authorized these actions to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets and allow the University to control a for-profit venture capital fund in the shadows of the IRS and SEC. JOBS is a co-investor alongside STANFORD-STARTX FUND in tech companies Nearpod and Angaza, in effect abusing her role as a Trustee and breaking tax-exemption. SEE EXHIBIT G. Nearpod received investments from STANFORD-STARTX FUND LLC from a bank account with the name THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, using tax-exempt university funds as a trustee for for-profit investments in her own company and breaking tax laws. JOBS' policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowing that was tax fraud and DEVESA was being manipulated and lied to. SEE EXHIBIT A. Laurene JOBS' net worth is \$20billion. JOBS never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own bank accounts as underlined in IRS tax laws. JOBS lied to the IRS FORM 990. SEE EXHIBIT E.

17. Defendant RUTH PORAT (herein "PORAT"), is the CFO of Google, and at all

material herein is and was, a Trustee of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE. PORAT authorized as trustee these actions in order to conceal of the origins of illegally used money – university tax-exempt funds - by means of direct transfers to MEDWHAT using as a front a legitimate businesses, for-profit STANFORD-STARTX FUND with its own independent Manager Suzanne Fletcher, even though the actual investor STANFORD-STARTX FUND never wired any funds to MEDWHAT or had any bank accounts of its own. PORAT never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT via fund Manager Suzanne Fletcher. STANFORD UNIVERSITY lied to DEVESA about the level and depth of STANFORD UNIVERSITY's illegal involvement in operating a for-profit venture capital fund and the conflicts of interest this posed. This financial fraud over lines of telecommunication for wire transfers was misrepresentation to DEVESA by all Board of Trustees of Stanford. JOBS authorized these actions to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets and allow the University to control a for-profit venture capital fund in the shadows of the IRS and SEC. PORAT is a co-investor alongside STANFORD-STARTX FUND in Mojo Vision via Google Ventures and Gradient Ventures, in effect abusing her role as a Trustee and breaking tax-exemption. Mojo Vision received investments from STANFORD-STARTX FUND LLC from a bank account with the name THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, using tax-exempt university funds as a trustee for for-profit investments in her own company and breaking tax laws. PORAT's policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment of STANFORD-STARTX FUND while knowing that was tax fraud and DEVESA was being manipulated and lied to. SEE EXHIBIT A. PORAT never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX

FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own bank accounts as underlined in IRS tax laws. PORAT lied to the IRS FORM 990. SEE EXHIBIT E.

18. Defendant MARY T. BARRA (herein "BARRA"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly run legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment. BARRA is also the CEO of General Motors with access to STANFORD-STARTX FUND's company, and Ford Motors co-investor, CIVIL MAPS, private information. BARRA never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own bank accounts as underlined in IRS tax laws. BARRA lied to the IRS FORM 990. SEE EXHIBIT E.

19. Defendant BRET E. COMOLLI (herein "COMOLLI"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly run legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. COMOLLI is Chairman of Asurion. Asurion's founder is a co-investor in Chobolabs alongside STANFORD-STARTX

FUND. Chobolabs received investments from a bank account named THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment. COMOLLI never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own bank accounts as underlined in IRS tax laws. COMOLLI lied to the IRS FORM 990. SEE EXHIBIT E.

20. Defendant GENE T. SYKES (herein "SYKES"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment. SYKES is Managing Director, co-chairman of Global Mergers and Acquisitions (M&A) and co-chairman of the Global Technology, Media and Telecom Group at Goldman Sachs. Goldman Sachs is an investor in STANFORD-STARTX FUND company DataFox. never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own bank accounts as underlined in IRS tax laws. SYKES lied to the IRS FORM 990. SEE EXHIBIT E.

21. Defendant ROANN COSTIN (herein "COSTIN"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford

personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

22. Defendant MICHELLE R. CLAYMAN (herein "CLAYMAN"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. CLAYMAN is managing partner and CIO of New Amsterdam Partners, an intendent registered investment advisor and ethics compliance. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

23. Defendant DIPANJAN DEB (herein "DEB"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's

name when announcing the investment.

24. Defendant HENRY A. FERNANDEZ (herein "FERNANDEZ"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

25. Defendant ANGELA S. FILO (herein "FILO"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

26. Defendant SAKURAKO D. FISHER (herein "FISHER"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from

STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

27. Defendant BRADLEY A. GEIER (herein "GEIER"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

28. Defendant JAMES D. HALPER (herein "HALPER"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

29. Defendant RONALD B. JOHNSON (herein "JOHNSON"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing

the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

30. Defendant MARC E. JONES (herein "JONES"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

31. Defendant TONIA G. KARR (herein "KARR"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by

32. Defendant CAROL C. LAM (herein "LAM"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire

fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. Her policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment. LAM was a US Attorney in anti-corruption, and as she fought anti-corruption and crime in the US, LAM was involved in the biggest corruption and tax fraud scandal to hit a University.

33. Defendant CHRISTY MACLEAR (herein "MACLEAR"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

34. Defendant KENNETH E. OLIVIER (herein "OLIVIER"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

35. Defendant CARRIE W. PENNER (herein "PENNER"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

36. Defendant JEFFREY S. RAIKES (herein "RAIKES"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

37. Defendant MINDY B. ROGERS (herein "ROGERS"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud

committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

38. Defendant VICTORIA B. ROGERS (herein "ROGERS"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

39. Defendant KAVITARK RAM SHIRAM (herein "SHIRAM"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

40. Defendant RONALD P. SPOGLI (herein "SPOGLI"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford

personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

41. Defendant JEFFREY E. STONE (herein "STONE"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

42. Defendant CHARLES D. YOUNG (herein "YOUNG"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

43. Plaintiff is informed and believe, and thereon allege, that except where otherwise specifically alleged, each of the Defendants, including ROES 1-50, inclusive, is, and at all relevant times herein was, the agent, partner, co-joint venture, employee, alter ego, and/or associate of the remaining Defendants and is, and at all relevant times herein was, in performing and failing to perform the acts alleged, acting in the course and scope of such agency, partnership, joint venture, employment, corporate act, and/or association. Plaintiff is further informed and believe, and thereon allege, that the acts and conduct of each of the Defendants was known to, ratified by, or authorized by each of the remaining Defendants, and that each of the Defendants herein is responsible for the conduct and damages herein alleged. Based on information and belief, the true identities of Defendants ROES 1-50, inclusive, are unknown.

JURISDICTION AND VENUE

44. Jurisdiction and venue in this matter are proper as to Defendants on the basis that they have submitted themselves to the jurisdiction of this Court by conducting business in said jurisdiction and where their actions were held. Defendants are tax-exempt organizations doing business in California without having qualifying to do so.

FACTUAL ALLEGATIONS

45. MEDWHAT is a company developing machine learning and artificial intelligence (AI) algorithms to build software that teaches a computer software how to answer medical and health questions for users and patients and have a back and forth dialog personalized in the context of the patient's medical record. MEDWHAT also uses algorithms around commonly accepted medical protocols used by nurses and doctors for diagnosing and treating with chronic diseases or health and wellness questions. One could describe MEDWHAT to the public or less conversant in how these technologies are designed or built as something like a Siri or Amazon Echo for health, or a Virtual Medical Assistant 'chatbot'. MEDWHAT's technology would be embedded in MEDWHAT's website, mobile app, and third-party healthcare companies like health insurance companies and hospitals web and mobile apps. See EXHIBIT Q

46. MedWhat's valuation in the medical AI industry is \$30million to similar companies.

47. Defendants and Stanford personnel LIVINGSTON and WALLACE, with approval from Board of Trustees, in order to commit tax fraud, wire fraud, money laundering, wired

investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

48. DEVESA started MEDWHAT in Florida in 2010, when he was a college adjunct professor at Florida Atlantic University teaching information technology and statistics to undergraduate students. In 2011 he won \$30,000 in a business plan competition at Florida Atlantic University. A few months he later moved to Silicon Valley to grow his startup. DEVESA knew no one in California at the time.

49. In 2012 DEVESA began doing research at Stanford University with doctors and professors interested in MEDWHAT's medical technology and who were aligned with him in terms of ideas and direction of its technology. MEDWHAT partnered with Stanford University's School of Medicine Biomedical Informatics Medical Research department in a consortium that applied for a \$1.5 mill National Institute of Health (NIH) research grant. MEDWHAT's technology and Stanford's NCBO Ontology Bio portal technology's would research together and build a medical 'chatbot'. The Stanford-MEDWHAT consortium's grant was denied by NIH. However, DEVESA and MEDWHAT generated great interest and good reputation around Stanford University that it became well known at STARTX, Stanford's student-run startup accelerator that's independent from the university. MEDWHAT and DEVESA were accepted into STARTX in February of 2013.

50. STARTX is a tech startup community focused with a mission of helping founders develop their technologies and grow them as successful businesses. STARTX is founder-centric and not investor centric. STARTX doesn't take any equity stake in any of its companies that have been accepted into the program. STARTX founder TEITELMAN from day one of being accepted into STARTX told the community that STARTX is there to help founders, and that if a startup investor or investor who is a mentor at STARTX damages or takes advantage of a STARTX company, or does anything that goes against the founder values of the community, to report it to

STARTX as that investor will be kicked out of STARTX and having access to the rich community of brilliant founders.

STARTX STARTUP ACCELERATOR AND ITS PARTNERSHIP WITH STANFORD UNIVERSITY

51. In 2013, STARTX developed a private equity venture capital firm to support its community of founders with investments in the equity of their tech startups. STARTX and TEITELMAN asked STANFORD UNIVERSITY Board of Trustees to approve making an investment in STARTX's venture capital fund as financial support of entrepreneurs with ties to Stanford.

52. An agreement was reached and a legal separate entity called STANFORD-STARTX FUND Limited Liability Company was created. The fund was a partnership between STARTX, STANFORD UNIVERSITY, and STANFORD HOSPITAL, where the university's endowment invested money in the STANFORD-STARTX FUND LLC as a separate legal entity, and ran independently by the STARTX community, STANFORD-STARTX FUND manager FLETCHER, and with STARTX's original founder mission intact. The STANFORD-STARTX FUND mission is and always was advertised to be aligned with the interest of the founder's startups and not the interest of any investor. TEITELMAN, FLETCHER, STARTX always advertised the STANFORD-STARTX FUND as a fund ran by STARTX with a STARTX mission, and that STANFORD UNIVERSITY'S investment in the STANFORD-STARTX FUND was there to financially support STARTX company, however STANFORD UNIVERSITY wouldn't be involved in running STARTX or running the for-profit venture capital firm operations.

53. The STANFORD-STARTX FUND invested in MEDWHAT in February of 2014. At no point was the STANFORD-STARTX FUND advertised as a venture capital firm that was ran by STANFORD UNIVERSITY or STANFORD MANAGEMENT COMPANY personnel. STANFORD UNIVERSITY went to great lengths to emphasize to DEVESA to not use the name STANFORD UNIVERSITY as an investor in MEDWHAT since the investor in MEDWHAT was STANFORD-STARTX FUND LLC. STARTX, TEITELMAN, FLETCHER represented they had the power in the fund and an endowment employee only helped with the accounting and safe

keeping of documents. This made sense at the time as STANFORD UNIVERSITY was a tax-exempt university prohibited to getting involved in venture capital. Everyone at STARTX knew the idea of a non-profit university being involved in for-profit venture capital operations would anyway be preposterous since a tax-exempt university couldn't be involved actively in doing such activity which would constitute a breach of tax-exemption and tax fraud. To emphasize this independence and clear distinction, the STANFORD-STARTX FUND always sent investment guidelines to DEVESA, MEDWHAT and 250+ startup investment throughout the years giving instructions to never using the name STANFORD UNIVERSITY as an investor in MEDWHAT as that wouldn't be accurate and to always use the full name STANFORD-STARTX FUND LLC in announcing any investment. DEVESA was told WEINSTEIN, LIANG, LIVINGSTON, WALLACE, SMC, and STANFORD were only aiding and taking possessions of investment securities from DEVESA and MEDWHAT on behalf of the STANFORD-STARTX FUND, but FLETCHER was the fund manager following STARTX's mission. The investments came from the STANFORD-STARTX FUND LLC, and not from STANFORD UNIVERSITY, which was always very careful of not doing something illegal and endorsing a for-profit entity and break their tax-exemption.

54. BOARD OF TRUSTESS OF STANFORD UNIVERSITY is made of the following individuals, each of them responsible for the partnership between STANFORD UNIVERSITY and STARTX in the creation and existence of the STANFORD-STARTX FUND LLC:

- Marc Tessier-Lavigne, President, Stanford University, Stanford, CA
- Felix J. Baker, Co-Founder and Managing Partner, Baker Brothers Investments, New York, NY
- Mary T. Barra, Chief Executive Officer, General Motors, Detroit, MI
- Bret E. Comolli, Chairman, Asurion Corporation, Atherton, CA
- RoAnn Costin, President, Wilderness Point Investments, Cambridge, MA
- Michelle R. Clayman, Managing Partner & Chief Investment Officer, New Amsterdam Partners LLC, New York, NY
- Dipanjan Deb, CEO & Co-Founder, Francisco Partners, San Francisco, CA

- Henry A. Fernandez, Chairman and CEO, MSCI Inc., New York, NY
- Angela S. Filo, Co-Founder, Yellow Chair Foundation, Palo Alto, CA
- Sakurako D. Fisher, San Francisco, CA
- Bradley A. Geier, Co-Managing Partner, Merlone Geier Partners, San Diego, CA
- James D. Halper, Senior Advisor, Leonard Green & Partners, Los Angeles, CA
- Ronald B. Johnson, Founder & CEO, Enjoy, Menlo Park, CA
- Marc E. Jones, Chairman & CEO, Aeris, San Jose, CA
- Tonia G. Karr, San Francisco, CA
- Carol C. Lam, Attorney, La Jolla, CA
- Christy MacLear, New Canaan, CT
- Kenneth E. Olivier, Chairman Emeritus, Dodge and Cox, San Francisco, CA
- Carrie W. Penner, Chair of the Board, Walton Family Foundation, Aspen, CO
- Laurene Powell Jobs, Founder/Chair, Emerson Collective, Palo Alto, CA
- Jeffrey S. Raikes, Co-Founder, The Raikes Foundation, Seattle, WA
- Mindy B. Rogers, Atherton, CA
- Victoria B. Rogers, President, Rose Hills Foundation, Pasadena, CA
- Kavitar Ram Shriram, Founder, Sherpalo Ventures, Menlo Park, CA
- Ronald P. Spogli, Founding Partner, Freeman Spogli & Co., Los Angeles, CA
- Srinija Srinivasan, Palo Alto, CA
- Jeffrey E. Stone, Chairman Emeritus and Senior Partner, McDermott Will & Emery LLP, Chicago IL
- Gene T Sykes, Global Co-Head of M&A & Chairman, Goldman Sachs Group, Inc., Los Angeles, CA
- Jerry Yang, AME Cloud Ventures, Palo Alto, CA

- Charles D. Young, Chief Operating Officer, Invitation Homes, Dallas, TX

DEVESA and MedWhat receive investments from private equity venture capital investors

55. After DEVESA'S and MEDWHAT's acceptance into STARTX, interest grew among other investors and received the following seed investments in the form of convertible notes from private equity investors:

Investor	Issue Date	Principal	Interest Rate	Cap
Startcaps Ventures	6/26/2013	\$ 30,000.00	5.0%	\$ 6,000,000.00
Starcaps Ventures	9/1/2013	\$ 40,000.00	5.0%	\$ 6,000,000.00
Nire	10/1/2014	\$ 10,000.00	5.0%	\$ 6,000,000.00
Dr. Michel	2/1/2014	\$ 25,000.00	5.0%	\$ 6,000,000.00
Howard Wendy Trust	2/1/2014	\$ 100,000.00	5.0%	\$ 6,000,000.00
UHS Ventures	2/1/2014	\$ 277,000.00	5.0%	\$ 6,000,000.00
Stanford-StartX Fund	2/28/2014	\$ 55,600.00	5.0%	\$ 6,000,000.00
Orange	7/1/2014	\$ 20,000.00	5.0%	uncapped
Stanford-StartX Fund	7/17/2014	\$ 2,222.00	5.0%	\$ 6,000,000.00
Dani Duran	7/1/2014	\$ 25,000.00	5.0%	\$ 6,000,000.00

56. Defendant STARTCAPS, through Defendant VILELA, invested \$70,000 in two notes that were convertible into preferred shares in MEDWHAT.

57. MEDWHAT received \$55,600 (Fifty-five thousand dollars) in 2014 as a convertible note from STANFORD-STARX FUND. In 2015, MEDWHAT raised additional capital from the following investors:

Caixa Bank	1/1/2015	\$ 100,000.00	5.0%	\$ 6,000,000.00
Beno Michel	2/1/2015	\$ 25,000.00	5.0%	\$ 6,000,000.00
PreAngel	4/1/2015	\$ 100,000.00	5.0%	\$ 6,000,000.00
NewGen	4/1/2015	\$ 200,000.00	5.0%	\$ 6,000,000.00
New Margin	5/1/2015	\$ 100,000.00	5.0%	\$ 6,000,000.00
Stanford-StartX Fund	5/13/2015	\$ 58,333.33	5.0%	\$ 9,000,000.00
Magic Stone	6/1/2015	\$ 400,000.00	5.0%	\$ 9,000,000.00
Stanford-StartX Fund	10/1/2015	\$ 44,444.00	5.0%	\$ 10,000,000.00
Biljan Hadjev	10/1/2015	\$ 22,000.00	5.0%	\$ 10,000,000.00
Regent Capital	10/1/2015	\$ 100,000.00	5.0%	\$ 10,000,000.00

58. During investment negotiations and due diligence between DEVESA and these Private Equity Venture Capital Funds, each agreed to invest in MEDWHAT. In partial consideration for these investments at an early stage of the company where the exact valuation was not yet set, MEDWHAT agreed to pay 5% interest on the face value of the convertible notes, payable monthly, but to be accrued and included as 'invested capital' upon conversion of the note into equity at a later date once MEDWHAT'S valuation was clear; each note had a clause capping 'invested capital at \$6,000,000 (Six million dollars) upon conversion, and later moved up to \$9,000,000 and \$10,000,000 as demand went up for MEDWHAT. DEVESA and all investors understood and agreed that the note was temporary and would convert into equity and was not a bank loan, as the primary business model of these private equity investors is equity in technology companies like MEDWHAT, not to make interests on capital and recall the investment. That was not industry practice and a red flag that an investor was defrauding the startup.

59. DEVESA and MEDWHAT reported to these investors on a monthly basis. The information provided every month included information on MEDWHAT's technology, business strategy business models, and private information about customers and partners. Some of this information constituted trade secrets and the investors were advised to regard the information as such. Investor knew access to MEDWHAT's and DEVESA's information made them as equal as equity investors and gave them a clear advantage in the artificial intelligence industry and a value and rise in the value of their invested capital thanks to that information access. MEDWHAT wasn't giving this information for free. MEDWHAT's lawyer who created and drafted the convertible note contract was Elton Satusky Esq. from Wilson Sonsini Goodrich and Rosati and these instruments were therefore professionally and legally done, with all requisite disclosure made in advance of said investments being booked.

60. STANFORD-STARTX FUND was run by Defendant SUZANNE FLETCHER, official manager of the fund. Defendant SUSAN WEINSTEIN, Assistant Vice President for Business Development working at the Office of the Vice President for Business Affairs and Chief Financial Officer of STANFORD, and WEINSTEIN's boss Defendant RANDY LIVINGSTON, VP Business Affairs, Chief Financial Officer of STANFORD, & University Liaison for Stanford Medicine, and SABRINA LIANG, Director of School Funds at STANFORD MANAGEMENT COMPANY had access to information of investments but DEVESA, MEDWHAT, and all

STARTX companies were told these individuals were not and couldn't be involved in any for-profit operations. Defendant STANFORD MANAGEMENT COMPANY, which controls Defendant STANFORD UNIVERSITY'S investments and endowment, signed documents on behalf of the STANFORD-STARTX FUND LLC. This seemed strange at the time since DEVESA and MEDWHAT were told that STANFORD UNIVERSITY couldn't be involved in the STANFORD-STARTX FUND but DEVESA was told the fund manager was FLETCHER and the investor was STANFORD-STARTX FUND. DEVESA didn't know about tax laws and believed and naturally trusted STANFORD-STARTX FUND, STANFORD's endowment and FLETHCER knew how it was legally required to operate as that was their job. All the communication for the investments always were between DEVESA, MEDWHAT, STANFORD-STARTX FUND, and FLETCHER, with STANFORD and SMC employees as 'help'. Heavy involvement by STANFORD UNIVERSITY and SMC in closing of investments seemed strange since MEDWHAT was told to never use the name STANFORD UNIVERSITY and always use only the official name STANFORD-STARTX FUND. DEVESA trusted STANFORD UNIVERSITY in its dealings and was told by STARTX to not worry about the structure of the STANFORD-STARTX FUND.

61. By the middle of 2015 MEDWHAT was doing well and obtained its first large customer, large French company Orange Telecom. MEDWHAT developed a diabetes AI app for Orange Telecom and competed for the contract with competitor Sensely. MEDWHAT made approximately \$10,000 in revenue that year. MEDWHAT built custom healthcare 'chatbot's for Orange Telecom to embed as an app into its smartphones. MEDWHAT had raised a total of \$1,612,599.33 by August of 2015 and had retained \$1,200,000.00 of that sum in the bank.

62. MEDWHAT met Chinese investor MAGIC STONE through the STARTX network via a Chinese foreign exchange student at STANFORD UNIVERSITY. MAGIC STONE was described as a \$1 billion (U.S. One billion dollars) PRC Beijing-based venture capital firm that invested in Chinese Artificial Intelligence and Medical companies. MAGIC STONE partner Jenny Zeng told DEVESA at a meeting in a Palo Alto hotel meeting that though MAGIC STONE didn't typically invest in American companies, she was very interested in MEDWHAT's AI technology and revealed to DEVESA how she could help MEDWHAT enter the Chinese market. MEDWHAT proceed to the due diligence with MAGIC STONE, sharing with MAGIC STONE

sensitive technology information about MEDWHAT in order to satisfy MAGIC STONE's need to assure itself of the viability of MEDWHAT's intellectual properties. MAGIC STONE asked a lot of questions about the Orange Telecom contract and Sensely, and how MEDWHAT was different as a competitor of Sensely. DEVESA told ZENG about how MEDWHAT technology was superior to Sensely and different. MAGIC STONE offered to invest \$400,000 in MEDWHAT in May 2015, after an intensive period due diligence.

63. Investment documents and notes were signed in May 2015. However, MAGIC STONE didn't wire the funds until September 2015. The excuse for this delay was MAGIC STONE's stated need for more time to comply with time China's Capital Controls. MEDWHAT believed this excuse, being unaware of Chinese law or its exported capital restrictions. MEDWHAT continue to develop its technology and grow its business. Though the wire from MAGIC STONE originated from the Cayman Islands, MEDWHAT did not find this suspicious because MAGIC STONE described itself as an international Chinese investor.

64. Around the same time DEVESA met ZENG via the Chinese foreign student at STANFORD UNIVERSITY, DEVESA was also introduced by ZENG's friend to Danhua Capital and its founder Stanford University Professor Shoucheng Zhang. Danhua Capital was a Palo Alto venture capital firm originally from China. DEVESA met with Mr. Shoucheng at Danhua Capital offices in May 2015 to discuss an investment in MEDWHAT. Danhua Capital decided to invest in MEDWHAT after meeting with DEVESA and liking his artificial intelligence technology. MEDWHAT and Danhua began a due diligence but DEVESA decided to cancel the investment after Danhua wanted access to very sensitive information on MEDWHAT'S technology that was outside of normal due diligence requests, and wanted access to MEDWHAT's Orange Telecom contract and product data and metrics of the development. This was a red flag and DEVESA decided to move on. See Exhibit K.

65. Danhua Capital, Mr. Shoucheng, and Stanford University were later in 2018 involved in a scandal involving an investigate journalism article by REUTERS titled "China's penetration of Silicon Valley creates risks for Startups". Shoucheng was linked to Beijing's major program to corner the world market in key advanced technologies. Zhang Shoucheng, 55, died in an apparent suicide and had suffered from depression, according to his family. However, his death

came days after a Nov. 30 report by U.S. Trade Representative Robert Lighthizer linking the Silicon Valley venture capital firm Danhua Capital, which Zhang founded and led, to China's "Made in China 2025" technology dominance program. Zhang Shoucheng, an internationally recognized Stanford University physicist and venture capitalist, died on Dec. 1 in Palo Alto, the same day that the chief financial officer of Huawei Technologies Co. was arrested in Canada for extradition to the US. The Made in China 2025 program was launched in 2015 and has been cited by the Trump administration to show that Beijing and its venture capital firms are engaged in a strategic program of stealing American know-how from American tech companies. The program is aimed at helping China dominate world markets in advanced technologies, including aerospace, information and communications technology, robotics, industrial machinery, new materials and automobiles. Stanford said in a statement that Zhang was involved in quantum physics research and denied any involvement in aiding the theft of American Intellectual Property. Exhibit I shows Ms. Zeng's contact intro to Danhua Capital.

66. Stanford University deep relationships with Chinese entities came under pressure. Stanford had to cut ties with Huawei Technologies and other Chinese companies to avoid losing federal funding under a new national security law backed by the Trump administration in 2019.

67. StartX, even after knowing Huawei was criminally investigated, offered a partnership with Huawei and Stanford-StartX Fund companies. The pressure made Stanford-StartX cancel the partnership with Huawei. Danhua Capital, Magic Stone, ZENG ties and their courtship of MEDWHAT in the process of due diligence to steal information can be seen See EXHIBIT C.

68. CAIXA expressed interest in investing in MEDWHAT in March of 2014. MEDWHAT and CAIXA engaged in extensive due diligence from March 2014 up to February of 2015. CAIXA signed legal documents and wired funds in February 2015. In June of 2015, DEVESA had lunch in Barcelona with CAIXA's officers Sergio Perez and Carlos Trench, where both told DEVESA CAIXA only invested in MEDWHAT because of DEVESA'S position in Silicon Valley as a Spanish-national. This conflict of interest and lack of faith in MEDWHAT alarmed DEVESA, especially since CAIXA acted more like a bank than a venture capital firm. This conflict of interest would become later in 2016 a problem where CAIXA's managers

MANZANO, MONTOBIO and ALVAREZ started refusing to convert their convertible note in MEDWHAT into equity. One reason was Sergio Perez leaving CAIXA and deleting all of MEDWHAT'S records, leaving CAIXA in difficult situation exposing internal governance errors and politics among the CAIXA managers. Another reason was CAIXA hearing false rumors spread by fellow Spanish STARTCAPS and VILELA about MEDWHAT.

PROBLEMS WITH AN INVESTOR STARTS

69. MEDWHAT became aware in January 2015 that STARTCAP's Managing Partner, Ignacio Vilela was struggling with immigration visas and trying to have a more stable immigration status. It was discussed that MEDWHAT could help defendant VILELA in the future obtaining a Greencard with STARTCAPS as a person of exceptional ability in business by making an introduction to the right immigration attorney and advise VILELA in the process. This would be something extremely expensive however and MEDWHAT couldn't just give VILELA something for free or do him a favor. This VILELA acknowledged and understood.

70. DEVESA became aware around the same time VILELA was opening a second STARTCAPS fund. VILELA invited DEVESA to meet with STARTCAPS partner RICARDO PAZ IGLESIAS on a trip he was making to San Francisco in January 21st, 2015. On that trip it was discussed and agreed between IGLESIAS, VILELA, and DEVESA that STARTCAPS would invest in MEDWHAT's Series A when the time came. The amount of follow-on investment would be \$1,000,000. The investment would come from STARTCAPS fund II which VILELA was in the process of raising up to \$7,000,000 according to the meeting. After the meeting the three of us agreed to follow up a few months later, VILELA had made a commitment to MEDWHAT's future growth and support.

71. Around May of 2015, DEVESA started hearing rumors in Silicon Valley that VILELA was not working at STARTCAPS anymore and he was working for another venture capital firm. DEVESA didn't believe this based on the communication he had with VILELA.

72. In early May 2015 VILELA coordinated a meeting between IGLESIAS and DEVESA to meet in Madrid, Spain to discuss STARTCAPS' investments in MEDWHAT'S Series A. On May 18th, IGLESIAS canceled that meeting out of the blue while DEVESA was traveling to Spain. This became a red flag specially given the rumors that VILELA had left

STARTCAPS. That's when DEVESA did research online and discovered on CrunchBase VILELA was not working at STARTCAPS anymore and was working for Workday Ventures since January 2015. DEVESA also discovered on the Securities Exchange Commission website EDGAR database that STARTCAPS never raised a second fund DEVESA discovered VILELA had lied in the January 21st, 2015 meeting about raising a second fund for STARTCAPS and investing in MedWhat's Series A. EDGAR database showed only one filing for STARTCAPS showing VILELA and IGLESIAS had failed to raise a second fund:

Total Offering Amount \$2,500,000 USD or ☐ Indefinite

Total Amount Sold \$350,000 USD

Total Remaining to be Sold \$2,150,000 USD or ☐ Indefinite

73. DEVESA stopped talking with VILELA as he was furious, he was used and lied to. A few days later on May 24th, 2015, the founder of STARTCAPS largest investment, Austen Heinz of Cambrian Genomics, committed suicide from depression. This extremely important event is relevant because in effect made VILELA, IGLESIAS, and STARTCAPS lose a large percentage of the fund's money. On top of no second fund being raised, this put pressure on VILELA's financially and with renewal of immigration visas.

74. Then out of the blue two days later, on May 26th, a great coincidence, VILELA texts DEVESA with the gall of asking help with questions about his greencard application after having lied about the Series A investment, the existence of a second fund, and working for Workday Ventures. DEVESA sent VILELA an email saying "I already offered this proposition before when we met with Ricardo". Instead of investing the \$1,000,000 as promised, with sarcasm I offered VILELA help with his greencard for a Series A investment of \$100,000. VILELA replied saying he couldn't do it and that the money of the fund wasn't for his personal use. DEVESA replied again saying, with a great dose of sarcasm, "I don't mean STARTCAPS, I mean your new fund" Workday ventures. VILELA didn't reply as he realized DEVESA had found out he was lied to.

75. VILELA a few months later in August sent an email saying he wanted his money

back from the convertible note as he didn't respect DEVESA as a CEO and didn't like him. These personal vendettas were outside of the legal binding contract STARTCAPs had with MEDWHAT that requires majority of note holders to vote on whether an investor can get money back prematurely before an exit.

76. STARTCAPS began having financial difficulties and refused to engage in a second round of investment in MEDWHAT and asked for its investment to be returned.

77. After MEDWHAT's told STARTCAPS it couldn't get its investment back without majority of approval as that would cause breach of contract by VILELA, VILELA began to stir up investor dissent in order put pressure on for the return of STARTCAP's investment.

STANFORD-STARTX FUND & FLETCHER side with DEVESA against STARTCAPS

78. STANFORD-STARTX FUND manager Suzanne Fletcher told DEVESA in late 2015 VILELA had called her. FLETCHER, STARTX, and STANFORD-STARTX FUND advised MEDWHAT its wish to convert its notes automatically to block STARTCAPS note recall. FLETCHER agreed to convert the notes. FLETCHER gave instructions to SMC and LIANG, with WEINSTEIN and STANFORD personnel on carbon copy, to convert MEDWHAT's notes to equity. At no point did the Stanford endowment SMC, or LIANG, or WEINSTEIN or WALLACE, or LIVINGSTON get involved in that decision because all parties knew the separation of powers, FLETCHER's role as STANFORD-STARTX FUND manager, Stanford's IRS tax-exemption prohibiting getting involved in the operations of STANFORD-STARTX FUND, and FLETCHER authority. Two years later, this separation of powers and dynamic changed radically.

79. Fast-forwarding briefly, STANFORD's law firm ALTO LITIGATION's Noor incriminated criminally STANFORD MANAGEMENT COMPANY (SMC) STANFORD UNIVERSITY, LIVINGSTON, WEINSTEIN, LIANG and the entire Board of Trustees stating on an email in September 2018 **"Only SMC had the authority to convert those notes"**, and **"Suzanne Fletcher, whom Devesa emailed, was not the person or entity that Devesa was required to seek consent from"** effectively confirming FLETCHER was used fraudulently as manager of STANFORD-STARTX FUND and STANFORD UNIVERSITY had lied in communication guidelines for years while commingling assets and running STANFORD-

STARTX FUND fraudulently. STANFORD UNIVERSITY lied to try to win Writ Attachment. The statement 'only smc had the authority to convert those notes' was a tactic used by STANFORD try to win a judgement and force MEDWHAT into default by illegally recalling the convertible notes in the eyes of the court and dupe the courts. After judge ruled in favor of DEVESA against Stanford University, STANFORD UNIVERSITY's lawyer filed a motion for sanctions against Devesa while committing perjury contradicting previous letters from STANFORD saying its employees were not involved running the STANFORD-STARTX FUND LLC. SEE EXHIBIT L.

80. Going back chronologically, on Sep 24, 2015, STANFORD-STARTX FUND manager Suzanne FLETCHER emailed DEVESA **"I would not be in favor of giving the money back (Option 3), that does not strike me as industry practice."** See Exhibit K. FLETCHER, as a professional venture capitalist and the official manager of the STANFORD-STARTX FUND, clearly states that's it's a red flag an investor asking back an investment and was against STARTCAPS and VILELA AND IGLESIAS. Three years later STANFORD UNIVERSITY allies with STARTCAPS, an entity which STANFORD-STARTX FUND was going against. This behavior is unheard of in Silicon Valley, and a sign of fraud by STANFORD-STARTX FUND and STARTCAPS to have access to MEDWHAT's tech for two years during duration of note, and then recall investments after raiding the company's value and IP.

MAJORITY OF INVESTORS SIDE WITH DEVESA, INCLUDING STANFORD-STARTX FUND, AND VOTE TO CONVERT AUTOMATICALLY CONVERTIBLE NOTES INTO EQUITY

81. DEVESA emailed all of MEDWHAT's investors in November 2015 and told them what STARTCAPS had done. MEDWHAT asked the investors to make a decision relative to the conversion of their notes. The majority of interest in the note investors voted to convert their notes automatically into preferred share equity. The results of this vote were:

	Note Principal	Conversion Vote	Yes
Startcaps Ventures	\$ 30,000.00	No	
Starcaps Ventures	\$ 40,000.00	No	
Nire	\$ 10,000.00	n/a	
Dr. Michel	\$ 25,000.00	Yes	\$ 25,000.00
Howard Wendy Trust	\$ 100,000.00	Yes	\$ 100,000.00
UHS Ventures	\$ 277,000.00	Yes	\$ 277,000.00
Stanford-StartX Fund	\$ 55,600.00	Yes	\$ 55,600.00
Orange	\$ 20,000.00	n/a	
Stanford-StartX Fund	\$ 2,222.00	Yes	\$ 2,222.00
Dani Duran	\$ 25,000.00	Yes	\$ 25,000.00
Caixa Bank	\$ 100,000.00	No	
Beno Michel	\$ 25,000.00	Yes	\$ 25,000.00
PreAngel	\$ 100,000.00	Yes	\$ 100,000.00
NewGen	\$ 200,000.00	Yes	\$ 200,000.00
New Margin	\$ 100,000.00	Yes	\$ 100,000.00
Stanford-StartX Fund	\$ 58,333.33	Yes	\$ 58,333.33
Magic Stone	\$ 400,000.00	No	
Stanford-StartX Fund	\$ 44,444.00	Yes	\$ 44,444.00
Bilian Hadjev	\$ 22,000.00	Yes	\$ 22,000.00
Regent Capital	\$ 100,000.00	n/a	
Totals	\$1,734,599.33		\$1,034,599.33
50% needed	\$ 867,299.67		59.64%

82. The majority voted Yes to converting the notes into equity shares was, under Paragraph 4(a) of the Note Subscription Agreement signed by each of the above Investors, a legally binding contract that forced all investors with notes, including those who voted NO, or ignored voting, to convert their note to equity, including STARTCAPS, CAIXA, MAGIC STONE.

83. CAIXA received notice of MEDWHAT's communications that their notes were to be converted to MEDWHAT Preferred stock. Instead of following through on conversion they refused to talk about conversion, instead always asking for information about MEDWHAT when MEDWHAT knew they would use that information to harm MEDWHAT and use it for their bureaucratic proceeding with grants from the EU.

84. By the end of January 2016, upon instructions of FLETHCER, STANFORD-STARTX FUND signed a MEDWHAT Memorandum of Terms for converting their Notes into Preferred shares of MEDWHAT. See EXHIBIT H of LIANG and SMC signature on behalf of the STANFORD-STARTX FUND LLC giving approval to the note conversion of MEDWHAT into equity.

85. In January of 2016 MEDWHAT began the process of converting all other notes from its investors into preferred shares. That month MEDWHAT began sending all investors via certified USPS mail the legal documents for note conversion. MAGIC STONE, CAIXA, and STARTCAPS received the terms of the note conversion, but refused to sign it and ignored legal communications. This meant a Breach of Contract by MAGIC STONE, CAIXA, STARTCAPS, VILELA, IGLESIAS, ZENG. Their failure of communication and refusal to participate in note conversion excused further performance at that time by MEDWHAT in the form of issuing corresponding shares in MEDWHAT. However, this also posed a challenge to MEDWHAT in issuing all investors, including STANFORD-STARTX FUND, their preferred shares as not all were cooperating in the process.

86. Despite this setback, MEDWHAT was accepted in February 2016 into Microsoft's prestigious Machine Learning and AI accelerator program in Seattle. The program lasted until June 2016. MEDWHAT made an additional \$25,000 in revenue that year and built through Microsoft many pilots with and for a number of healthcare companies.

87. MEDWHAT advised FLETHCER and STANFORD-STARTX FUND in August 2016 that the note conversion shares would be completed with all preferred shares being issued at simultaneously once the failure to convert by the dissenting investors was sorted out by legal means. STANFORD-STARTX FUND had already signed an agreement to convert the note into shares.

88. In July 2016 DEVESA was accepted into Stanford University School of Medicine as a research scholar for one year. The position was very important for MEDWHAT's progress as it allowed it to work with Stanford University Hospital and it gave DEVESA important resources at Stanford medical facilities. MEDWHAT and Stanford Hospital entered into an agreement to use Stanford's Primary Care medical data and medical protocols in the MEDWHAT App and machine learning AI technology. STANFORD's rich data of patient's questions to primary care nurses via the phone would allow MEDWHAT's technology to learn the patterns of what a conversation between a nurse and patient might look like and build a 'chatbot' that could automate those conversations via a mobile app. This would free up the time of Stanford nurses and provide a higher quality of care to Stanford's patients by having unlimited access to an AI

healthcare 'chatbot' and allowing patients to ask as many questions as they wanted. Stanford Hospital, one of the leading US-based hospitals, would work with MEDWHAT and integrate Stanford's triage algorithm and medical expertise to provide the most trustable health guidance and information, leading to more appropriate diagnosis and treatments. MEDWHAT used Amazon's Echo devices in the pilot and provided them to doctors and nurses at Stanford.

89. MEDWHAT invested significant amount of its own capital in this partnership because Stanford Medicine promised to buy MEDWHAT's 'chatbot' after the pilot stage was successful and become its customer. The data would become property of Stanford, but the machine learning would remain property of MEDWHAT. The capital to be allocated by MEDWHAT for the Stanford-MEDWHAT partnership would be used by MEDWHAT to build a pipeline process of

90. 1) devices that would hook up to nurse hotline phone devices, 2) record the conversions, 3) send that audio file to MEDWHAT's computers, software, and algorithms so the audio conversions could be transcribed into text, 5) identify personal sensitive information and erase it, 6) store the text files of conversions, 7) identify the different speakers in the conversation and annotate them,

91. 2) and have the conversation files used by MEDWHAT's machine learning technology to stimulate nurse-patient conversations. MEDWHAT invested vast amounts of resources to this crucial deal with Stanford University Medicine and Hospital. This type of technology and partnership was unique in the world at the time and its success would create a very powerful medical AI company in Silicon Valley.

92. In July of 2016 MEDWHAT was introduced via Microsoft to INCWELL, a small Michigan based Venture Capital firm with a \$2million fund. DEVESA met INCWELL's partners Tom LaSorda, Simon Boag, and Reda Jaber. After period of due diligence and sharing MEDWHAT's Stanford technology, INCWELL offered to invest \$150,000.00 via a convertible note on the condition that MEDWHAT would sign an Advisory Equity Agreement of 1.5% (One and ½ percent) of the company's equity. In exchange, INCWELL would advise, coordinate and work with MEDWHAT in a partnership similar to MEDWHAT's with Stanford Medical Center with the University of Michigan Hospital. MEDWHAT would build for the University of

Michigan Hospital the same technology MEDWHAT was building at Stanford.

93. As part of the Advisory Equity Agreement, INCWELL's partner Reda Jaber introduced MEDWHAT in October 2016 to a group of doctors at the University of Michigan who wanted to use MEDWHAT's AI technology and build a medical assistant 'chatbot' for the University of Michigan Hospital and for dozens of hospitals in the State of Michigan. Dr. Mark Cohen is an M.D., Associate Professor of Surgery and Pharmacology, Director of Endocrine Surgery Research, Director of the Medical School Path of Excellence in Innovation and Entrepreneurship. Another doctor involved in this negotiation was Seth Klepman, M.D.

94. MEDWHAT had Cohen, Klepman, and UM Hospital sign a Non-Disclosure Agreement (NDA). From the beginning Jaber was the quarterback and coordinator of phone calls between DEVESA, Cohen, and Klepman. MEDWHAT began sharing with Cohen detailed information about MEDWHAT's technology and its product development at Stanford University Hospital. Cohen wanted to develop a similar product for UM Hospital and sell it as well to dozens of hospitals around Michigan. On the third call MEDWHAT asked for a signed contract specifying prices and payment and dynamic of product development from MEDWHAT to Cohen and UM. Dr. Cohen delayed his response until March 2017.

95. In March 2017 Dr. Cohen stated he needed more time and information about how MEDWHAT would build the product for UM without still signing a contract. Cohen told MEDWHAT they were applying for grants to fund the project. Jaber told DEVESA in March 2017 he had left INCWELL as a fulltime partner to work full-time for a pharmaceutical company that online records showed was interested in medical AI and MEDWHAT's line of business. INCWELL and JABER left MEDWHAT hanging with Cohen using MEDWHAT information for free with no legal contract signed. All of these aforementioned events made DEVESA and MEDWHAT hesitant to move forward with the INCWELL's Advisory Equity Agreement.

96. INCWELL then in April of 2017 proposed to MEDWHAT similar deals with the US Navy and a competitor of MEDWHAT, your.md. DEVESA decided not to pursue these deals given the bad experience with INCWELL, Cohen and UM Hospital. During the same time these events occurred, MEDWHAT was being led on by REGENT on a long and deceitful due diligence for MEDWHAT's Series A preferred shares. MEDWHAT had asked INCWELL for

months in 2016 and 2017 help with introducing investors to MEDWHAT to keep raising additional capital since the expenses of developing the MEDWHAT AI technology at Stanford were starting to add up and MEDWHAT needed growth capital to succeed in building the technology at Stanford.

97. INCWELL refused to help MEDWHAT in raising capital or introduce to other investors, saying MEDWHAT was not ready to raise more capital because it needed more revenue and paying customers. INCWELL believed MEDWHAT needed to execute INCWELL's advisory agreement before raising capital. MEDWHAT's competition were raising Series A rounds in the dozens of millions and AI engineers were asking starting salaries of \$250,000 plus benefits. MEDWHAT's engineering costs were very expensive and in order to succeed at Stanford Hospital, UM Hospital and the more customers that INCWELL was directing MEDWHAT's way, MEDWHAT needed more capital to even finish the pilots. Having customers for MEDWHAT was not a problem, capital was. INCWELL nevertheless refused to help with raising additional capital. The two companies had differing priorities.

98. MEDWHAT met Chinese VCs MAGIC STONE and REGENT through STARTX. A Chinese-American student studying at Stanford who DEVESA met through STARTX introduced REGENT's YANG in San Francisco in October 2015. Through this same student, MEDWHAT met MAGIC STONE's JENNY ZENG. Both of these women were purportedly in Silicon Valley to explore business opportunities.

99. MAGIC STONE signed its Note and Agreement in May 2015, and didn't send its \$400,000.00 (Four hundred thousand dollars) wire, from the Cayman Islands, until September 2015, stating it needed time to maneuver around China's Capital Controls. REGENT sent \$100,000.00 (One hundred thousand dollars) from the US Virgin Islands in November 2015. Both MAGIC STONE and REGENT are purportedly Beijing based VCs. Both of the due diligence inquiries from these firms were more directed toward MEDWHAT's technology than previous MEDWHAT investors, whose due diligence was based more on the business model and execution strategy than the actual details of the technology.

100. REGENT disclosed to MEDWHAT they were investors in medical healthcare companies in China, one of them named Comper. Comper develops AI technologies in China.

REGENT told MEDWHAT they invested heavily in AI companies in China and that they could help MEDWHAT in China and open its markets when the time was right. MEDWHAT believed REGENT. REGENT's YANG purportedly had ties to the Industrial and Commercial Bank of China where she worked previously. She purportedly received her degree in English at Peking University and then obtained a scholarship in China to study Law at University of Notre Dame.

101. REGENT told MEDWHAT that they (REGENT) wanted to make a large Series A investment of \$3.2million in September 2016 when DEVESA told them MEDWHAT had made an important partnership with Stanford University's Hospital to build an AI virtual medical assistant with Stanford medical data. DEVESA had been accepted into Stanford University Medical School in July 2016 as a research scholar to do research with MEDWHAT's technology with Stanford Medicine's resources. REGENT was very interested in knowing the details about this technology MEDWHAT was building with Stanford University; REGENT told MEDWHAT its portfolio companies in China working in the same space could partner with MEDWHAT in the future in China. MEDWHAT then spent the following three months doing due diligence with REGENT for the \$3.2million deal, providing sensitive proprietary technical and business secrets. Since REGENT was already an investor in MEDWHAT it had a fiduciary duty to keep those proprietary and business secrets confidential.

102. REGENT made a decision to invest in November 2016 and said they needed time to wire the money to USA due to PRC Capital Controls. In January 2017 REGENT sent an investment confirmation email confirming funding of Series A, which communiqué MEDWHAT informed STARTX about, and STARTX proceeded to make an additional investment of \$400,000 in MEDWHAT; STARTX sent their \$400,000 Series A investment. Massive Investment Fund submitted another \$400,000 investment. These appeared to MEDWHAT and DEVESA, as elements of MEDWHAT's Series A Preferred stock offering. REGENT did not send the promised funds, and few days later characterized the communiqué of the confirmation of their 2015 investment, that they needed more time fund due to PRC capital controls and holidays.

103. At late as June of 2017 REGENT never advised that it would not send the promised investment, and MEDWHAT relied upon REGENT's previous representations to its detriment. By April of 2017 however, DEVESA suspected and was beginning to realize that Regent had

duped MEDWHAT in the due diligence of 2016, that REGENT knew full well the fake investment confirmation was done to buy more time and DEVESA waiting, and that REGENT was part of China 2025 initiative to steal American intellectual property.

104. While this was going on, DEVESA fell seriously ill in April 2017 which left him partially incapacitated. He attempted to fulfill his duties as CEO. This incapacity continued through June of 2017.

105. By the end of April 2017, DEVESA ceased performing pursuant to INCWELL's Advisory Equity Agreement which MEDWHAT had the right to do. DEVESA found out JABER wasn't working at INCWELL full time, and the University of Michigan deal had been a sham created by JABER. DEVESA refused to continue working with INCWELL's as an advisor. INCWELL was confrontational when DEVESA told JABER in May 2017 that INCWELL's convertible note had converted into equity automatically after MEDWHAT had raised additional \$800,000 capital to trigger an automatic conversion of the note into equity.

106. On or about May 25, 2017, INCWELL initiated a war against DEVESA to cover their misdeeds in their advisory agreement, and managing partner BOAG sent an email to all of MEDWHAT's investors, including but not limited to STANFORD-STARTX, falsely stating that DEVESA had lied about the \$800,000 raised, that MEDWHAT refused to provide information to INCWELL, that MEDWHAT had breached its contract of convertible notes, had abrogated INCWELL's right to information, that MEDWHAT and DEVESA were suspicious, that INCWELL asked for information of how much cash in the bank MEDWHAT had that MEDWHAT had refused to provide that information.

107. These statements were false. During his illness, DEVESA directed his father to email with BOAG and to provide BOAG the bank cash balance information he requested. After BOAG communicated with DEVESA's father, BOAG became even angrier and more confrontational. DEVESA provided his father MEDWHAT's cash balance information for disclosure to BOAG. Upon receipt, BOAG started to make threats. DEVESA's father told BOAG he would send BOAG MEDWHAT's bank account cash statement on a daily basis, which he did. BOAG became more confrontational, at which point DEVESA's father told BOAG to go to hell once DEVESA found out through another investor that BOAG was spreading misinformation

about MEDWHAT.

108. On June 5th, MEDWHAT investor Lu Zhang of NewGen, confirmed to MEDWHAT that BOAG of INCWELL was spreading lies and rumors to MEDWHAT investors.

INCWELL and SIMON BOAG, with knowledge from STANFORD, impersonates DEVESA at FIRST REPUBLIC BANK and commit wire fraud

109. On or about June 7th, 2017, a few days after DEVESA's father had sent his last email containing MEDWHAT'S bank cash balance to BOAG, Andrew Liou, MEDWHAT's banker at First Republic Bank, received a call a little after noon from the Call Center to connect him with his client, "Arturo DEVESA". The First Republic Bank Call Center Representative relayed that she tried asking security questions of the individual but that the person could not provide the right answers (mother's maiden name, name of banker). For security reasons, she transferred the call to Liou as the Banker on file to assist further. Upon having the call transferred over to him and upon asking "Arturo how I can help," he immediately knew that he was not speaking to DEVESA. Liou knows DEVESA's voice through his many interactions with him in person and over the phone. Liou tried to ask "Arturo" what he needed to know and he relayed he needed to find out the balance. Liou told the individual perpetrating to be "Arturo" that he was not the signer on the account as Liou knew DEVESA's voice. Upon hearing this, the individual with a fake Spanish accent seemed puzzled, blurted out "huh, wait" and then hung up. Liou then immediately, emailed, called and texted the real DEVESA. It is believed it was INCWELL and BOAG who committed the call impersonation of DEVESA and committed wire fraud to access illegally bank information. A police report was filed with Palo Alto Police Department.

110. In late April 2017, REGENT, in a telephonic conference with MEDWHAT, meeting asked for updates on the Stanford Hospital MEDWHAT project. REGENT said they still needed more time to send the investment. At no point in the conversation did REGENT say that the promised investment would not transpire.

111. REGENT sent another email in June 2017 asking for more updates about MEDWHAT. MEDWHAT told REGENT that by virtue of the infusion of \$800,000.00 (Eight hundred thousand U.S. dollars) in new capital plus the notes converted by virtue of a majority vote of the shareholders, REGENT's note had automatically converted into equity and REGENT

was now a shareholder in MEDWHAT. REGENT became confrontational when informed their convertible note had converted into equity in June. REGENT asked for return of their \$100,000.00 (One hundred thousand U.S. dollars) investment. After REGENT had received MEDWHAT's proprietary information, including MEDWHAT's trade secrets, they breached their convertible note contract and demanded return of their money. REGENT used the note to portray themselves as good faith investors, and used the promised \$3,200,000.00 (Three million two hundred thousand dollars) to access MEDWHAT's proprietary information, including trade secrets, concerning the Stanford Hospital application.

112. DEVESA had a phone meeting with Suzanne Fletcher on May 26th 2017 and revealed that Massive Investments had funded its commitment, but that REGENT had refused to fund and had deceived DEVESA all along. MEDWHAT and DEVESA believed that REGENT was going to send the investment even after the investment confirmation that Regent later on said was not such a thing. DEVESA told FLETCHER he was ill and to give him time to find a replacement investor for the \$3.2 million-dollar investment in MEDWHAT's Series A notes. DEVESA told FLETCHER to continue communication with DEVESA's father, as DEVESA was sick. Finally, DEVESA told FLETCHER that what BOAG and INCWELL had stated spreading via email to investors about MEWHAT was false.

STANFORD-STARTX FUND sides with INCWELL and begins attacking DEVESA and recalling illegally convertible note investments in MEDWHAT.

113. FLETCHER and WEINSTEIN responded by sending a threatening email to DEVESA's father in May 2018 stating DEVESA misrepresented to STANFORD-STARTX the nature of the Series A notes and accusing DEVESA of fraud. STANFORD-STARTX stated they believed INCWELL and REGENT. Thus, the noted defendants began to conspire to force MEDWHAT out of business.

114. At the same time these events were happening, MEDWHAT began paying dividends to investors in 2017, including STANFORD-STARTX FUND. The address on file where DEVESA sent dividends to STANFORD-STARTX FUND LLC was a STANFORD UNIVERSITY address. Plaintiff believes this dividend put Stanford in a difficult spot in regards

to their tax-exemption and one of the major reasons it began attacking MEDWHAT.

115. Defendants, and WEINSTEIN, LIANG, under orders of WALLACE, LIVINGSTON, and authorization from TESSIER-LAVIGNE, filed a half-ass written frivolous lawsuit against defendants DEVESA and MEDWHAT in April 8th, 2018, without ever communicating previously with defendants or trying to verify any of the statements written in their complain.

116. Defendants lawyers at Alto litigation filed a lawsuit in SF court without the full story and with misleading information provided by WEINSTEIN and LIANG without explaining fully to its own lawyers the structure of STARTX, STANFORD-STARTX FUND, STANFORD UNIVERSITY, and tax-exemption laws. STANFORD lawyers' comments in complain and subsequent writ attachment to freeze MEDWHAT's bank account in SF court self-incriminated STANFORD UNIVERSITY in tax-fraud and deceit with perjury and lies on record. See EXHIBIT L.

117. Although defendants knew of Massive Invest investment of \$400,000 in MEDWHAT, they frivolously lied in a complaint against MEDWHAT and DEVESA saying such an entity didn't exists and that the entire Series A was nonexistent. Massive Invest did invest \$400,000 and FLETCHER, LIANG, WEINSTEIN, WALLACE, LIVINGSTON, lied in a court of law.

118. Defendants allied with REGENT and YANG, the same entity that defraud DEVESA and also STANFORD-STARTX. WEINSTEIN, and LIANG, lied in complain about REGENT never having committed to make an investment in MEDWHAT and omitted that part from their frivolous lawsuit to deceive court.

119. Defendants sued for unjust enrichment even though they had equity in MEDWHAT in return for their capital.

120. Defendants sued asking convertible notes back and lied on record about never have voted to convert such notes, even though there are records of LIANG, SMC, STANFORD-STARTX FUNC, and FLETCHER having approved such conversion.

121. Defendants frivolously lied in complain about Unfair Competition with Linda

Healthcare even though they knew MedWhat was the owner of Linda. Plaintiffs, WEINSTEIN, LIANG, WALLACE, LIVINGSTON, FLETCHER, abused due process by having the Colorado Division of Securities send DEVESA and Linda Healthcare a cease and desist letter the same week Plaintiffs filed complain. This was done to intimidate, harass, and pressure DEVESA to plaintiffs and defendants' criminal demands.

122. Complain by Plaintiffs was so badly written, and full of criminal lies, that DEVESA began investigating the reasons behind the frivolous lawsuit against MEDWHAT. The fact that Plaintiff STANFORD-STARTX FUND manager was nowhere to be found nor wrote any letters of support in complain, was an indication to DEVESA he had been scammed by STANFORD-STARTX FUND, STARTX, TEITELMAN, and FLETCHER as to who really ran the fund.

123. After being sued by these defendants, MEDWHAT pierced the corporate veil and discovered through its banker that all investment wire transfers in MEDWHAT from investor STANFORD-STARTX FUND had in reality come from THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIO UNIVERSITY own tax-exempt bank accounts. DEVESA discovered FLETCHER was not the manager of the STANFORD-STARTX FUND as advertised for years but a simple analyst, and that the venture capital firm and tax-exempt university were one of the same with the same officers WEINSTEIN, LIANG, WALLACE, LIVINGSTON effect committing tax-fraud.

124. After being sued by these defendants, MEDWHAT learned MAGIC STONE had made an investment in MEDWHAT's direct competition, Sense.ly, in May 2015, the same month it had invested in MEDWHAT. It was discovered at the same time that STANFORD-STARTX FUND and SMC is also an investor in Sense.ly. STANFORD-STARTX made the investment in Sense.ly at the same time it invested in MEDWHAT's Series A in 2016. These investments were never disclosed to MEDWHAT and showed conflicts of interest and evidence the complain was used to force a competitor out of business.

125. FLETCHER file a demurer to her fraud claims in court saying a third-party was responsible in the plaintiff's complain even though she represented herself for years as a manager that third-party. FLETCHER is another admission WEINSTEIN and LIANG were the actual managers of the STANFORD-STARTX FUNC as employees of STANFORD UNIVERSITY

AND STANFORD MANAGEMENT COMPANY while these individuals for years were committing fraud asking MEDWHAT to never say STANFORD UNIVERSITY was an investor in MEDWHAT or had anything to do with for-profit venture capital investments. FLETCHER and TEITELMAN knew about this fraud and lied in order to get illicit funding from the university while lying to all STARTX companies that the structure of the fund was a total tax fraud and money laundering operation because STANFORD UNIVERSITY was running 100% the fund.

**STANFORD UNIVERISTY COMMITS PERJURY IN SAN FRANCISCO COURT
TO HIDE FRAUD A FRAME DEVESA**

126. Under the leadership of Debra ZUMWALT, STANFORD UNIVERSITY BOARD OF TRUSTEES, WEINSTEIN, LIANG, FLETCHER, WALLACE, LIVINGSTON, lied multiple times to a judge and court in San Francisco to make a frivolous complaint against DEVESA credible. Their entire complaint was completely a lie.

127. STANFORD UNIVERSITY and defendants lied in court on April 8th, 2018, about MedWhat and DEVESA never having raised capital from Massive Investments in its Series A investment round. **Massive Investment did invest in MEDWHAT.**

128. STANFORD UNIVERSITY and defendants lied in court about REGENT never having agreed and committed to invest in MEDWHAT's Series A. **REGENT agreed, committed, and sent an investment confirmation confirming funding during Series A process.**

129. STANFORD UNIVERSITY lies in court about DEVESA being a fraud, when in reality DEVESA is a victim of REGENT's fraud, a fraudulent Chinese venture capital firm who stole MEDWHAT's intellectual property, lied about investment due diligence and Series A investments confirmation in MEDWHAT, lied about sending an investment, breached convertible note contract asking money back after raiding MEDWHAT's technology and information, and blamed DEVESA as a scapegoat to hide its cheating and it deceiving DEVESA.

130. STANFORD UNIVERSITY lied in court about FLETCHER not being the manager and person of authority of the STANFORD-STARTX FUND. **STARTX and STANFORD-**

STARTX FUND always advertised SUZANNE FLETCHER as the manager of the fund and never told DEVESA STANFORD UNIVERSITY, a tax-exempt entity, was the manager of the fund. SEE EXHIBIT B.

131. STANFORD UNIVERSITY and its personnel lied on court about never having authorized the conversion of MEDWHAT convertibles notes investments into equity.

STANFORD-STARTX FUND manager FLETCHER authorized to convert convertible note into equity in 2015. STANFORD MANAGEMENT COMPANY and LIANG signed conversion agreement in January 2016. SEE EXHIBIT H.

132. STANFORD UNIVERSITY lied on court saying MEDWHAT and DEVESA had defaulted on a convertible note loan. The fact is the majority of investors approved converting notes into equity in MEDWHAT. FLETCHER and LIANG knew these facts and lied in court.

133. STANFORD-STARTX FUND LLC gave instructions to use its legal name and not use STANFORD UNIVERSITY name as investor. **STANFORD UNIVERSITY lied as Stanford University employees ran the fund, with STANFORD itself admitting LIANG and WEINSTEIN ran the fund, and wire transfers came from a bank account with STANFORD UNIVERSITY's name on it.**

134. STANFORD UNIVERSITY lies to court in a Writ Attachment Declaration of Support to freeze MEDWHAT's assets as part of a loan default saying President Tessier is not involved in the STANFORD-STARTX FUND. TESSIER is the President of the BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, ultimate authority, and entity which wired funds to MEDWHAT.

135. STANFORD UNIVERISTY lied on a motion for sanctions, after losing Writ Attachment, **saying WEINSTEIN was not the person in charge of the approval of funds and managing the fund and she wasn't a relevant party to lawsuit** filed by MEDWHAT, sanctioning DEVESA for lying WEINSTEIN had anything to do with the fund process. Six months before sanctions filing, STANFORD UNIVERSITY used a letter from WEINSTEIN in support to freezing MEDWHAT's funds in Writ Attachment saying **WEINSTEIN was responsible for the fund, its approval process and had 'personal knowledge' of the facts of MEDWHAT's investment.** STANFORD UNIVERSITY used both sides of the story when it

suited them. SEE EXHIBIT L.

136. An article on Stanford University website states "Stanford continues to enforce name and emblem use policies to protect the integrity of the university's research and teaching mission, said Lisa Lapin, vice president for university communications. Lapin noted that the guidelines were updated recently to reflect increasing efforts to misuse Stanford's name for commercial purposes. Stanford does not endorse, and cannot appear to endorse, commercial entities, she said." SEE EXHIBIT A shows STANFORD didn't follow its own rules.

137. STANFORD UNIVERSITY's tactic and technique of using both sides of the same coin to protect its tax-exemption to not pay taxes while maximizing profit illegally using school funds and school personnel engaged in making loans and operating a venture capital fund clandestinely is a common pattern used by the Stanford endowment in the Cayman Islands and its Offshore companies' investments.

138. Legally Stanford-StartX Fund LLC is not Stanford University, is elsewhere. Stanford-StartX Fund LLC is in a different legal space in which Stanford University pretends activities are taking place. Stanford University pretends these investments are not taking place in the economy and place where they are really taking place. Stanford University is taking activity from the place is being regulated and taxed, for-profit private equity venture capital by educational tax-exempt non-profit Stanford University and its endowment, and pretends is happening somewhere else, a venture capital shell company called Stanford-StartX Fund LLC. Where, it doesn't matter, it's somewhere else. Then they move all of the operations and managing of this separate LLC entity to Stanford University campus, even though legally is not Stanford University and Stanford University says officially Stanford-StartX Fund LLC is not Stanford University. These is tax evasion, and tax fraud, and money laundering.

STARTX LYING ABOUT ITS MISSION

139. The structure of the Stanford-StartX Fund LLC created by CAMERON TEITELMAN, FLETCHER, and STARTX was fraudulent and deceitful to DEVESA and all entrepreneurs since StartX created the Stanford-StartX Fund with a social mission of supporting entrepreneurs, work with entrepreneurs in difficult moments, and being investors in startups in

good faith. The real structure of the Stanford-StartX Fund LLC in relation to Stanford University endowment with a mission of making the most money through Stanford entrepreneurs is something that was never portrayed like that at StartX.

140. A University loaning money to a startup, having access to its technology for years, investing in the startup direct competition without disclosing it, breaching contract and asking back the investment plus interest without approval of majority of other investors, and telling its investment company for years to not mention its real name and hide where the money really comes from, that is not part of Stanford University's tax-exempt activity of supporting entrepreneurship and education. That's fitting of the activities of a ruthless for-profit financial criminal organization. The Stanford-StartX Fund is not what was advertised and represented to StartX companies and DEVESA before investing in MEDWHAT.

**STANFORD UNIVERSITY ADMITTING IS PROVIDING LOANS AT INTEREST
AND DEPARTMENT OF EDUCATION INVESTIGATION COLLEGE ADMISSION
SCANDAL**

141. Based on its actions, STANFORD UNIVERSITY, not STANFORD-STARTX FUND, admits and self-incriminates in EXHIBIT L it provided a loan at interest at 5% to MEDWHAT as a tax-exempt organization with an educational mission. In order to destroy DEVESA and MEDWHAT, STANFORD UNIVERSITY admitted in court it had the right to run the operations of fund to win a ruling and shutdown MEDWHAT. Defendants failed and in the process unveiled tax-fraud and admitting not the STANFORD-STARTX FUND, but STANFORD UNIVERSITY and its employees provided a convertible note at interest to MEDWHAT and DEVESA. STANFORD UNIVERSITY used DEVESA to violate its educational mission and tax-exemption in order to make money by proving loans directly from SCHOOL FUNDS.

142. STANFORD UNIVERSITY is currently under investigation by the U.S. DEPARTMENT OF EDUCATION for possible violations of its education mission related to the College Admission Scandal of March 2019 involving bribes to Stanford University's Sail coach to lie in college admissions in exchange to 'gifts' to the University's endowment. A Chinese

national from a Chinese Billionaire family is involved in paying \$6.5million to a charity to get his daughter into STANFORD UNIVERSITY by cheating in her credentials as part of the college admission scandal involving felon William Singer.

143. Around the same time, an assistant director of admissions at Stanford University was charged in March 2019 with attempted homicide after allegedly attacking his girlfriend with a knife while on LSD. James Shirvell, 26, was arrested after police responded to a call in the Potrero Hill neighborhood.

144. STANFORD UNIVERSITY is already under a lot of scrutiny by federal regulators and the government with respect to potential code of conduct violations, lack of ethics, break of department of education rules, and poor governance.

145. U.S. Department of Education is investigating STANFORD UNIVERSITY for possible violations of educational mission and federal rules, investigations similar to DEVESA's evidence of STANFORD UNIVERSITY misusing its educational mission and tax-exemption for operating a for-profit venture capital fund on campus.

STANFORD UNIVERSITY CFO HAS PRIOR HISTORY OF SECURITIES FRAUD

146. Stanford University's Vice President for Business Affairs and Chief Financial Officer, Randy Livingston, currently being sued for fraud by StartX company MedWhat, already has a history of two fraud cases against him, online legal documents show.

147. Investors filed a class action suit in 2011 in San Mateo County Court for securities fraud against Randy Livingston and his company Pacific Biosciences of California after losing Money in a 2010 IPO. Livingston served as CFO of that company before accepting a job at Stanford. Superior Court of California, County of San Mateo Case No. CIV-509210. Plaintiff Greg Young filed his Complaint for Violation of the Federal Securities Laws and Jury Demand against Pacific Biosciences of California, Inc. and CFO Randy Livingston.

148. Court records show Livingston was also sued for securities fraud in 2000, during the dotcom boom of Silicon Valley, for another IPO by OpenTV. Investor's losses in that IPO stated in lawsuit Defendant Randy Livingston manipulated the prices and shares of IPO and also

benefited personally from the manipulative schemes.

149. STANFORD UNIVERSITY's leader in organizing its finances has a history of causing investors and companies significant losses. This curriculum didn't prevent STANFORD UNIVERSITY to put its finances in the hands of a person with history of multiple repeated frauds.

US GOVERNMENT RULES CHINA'S PENETRATION OF SILICON VALLEY CREATES RISKS FOR STARTUPS

150. MEDWHAT's investors' actions caused MEDWHAT to lose its partnership with Stanford University Hospital by the end of 2017. STANFORD-STARTX sided with both of the Chinese VCs without first verifying the truth of the charges leveled against MEDWHAT.

151. Stanford University's and SMC strong ties to China are seen in the University reporting that Cephei Capital Management Company Ltd. (also located in the Caymans) was its fourth highest-paid contractor in 2015. Cephei Capital Management is a Beijing-based fund with ties to the Chinese government. STANFORD always sides in business in favor of Chinese entities like MAGIC STONE and REGENT to protect their illicit business transactions even if MEDWHAT demonstrated to FLETCHER and STANFORD-STARTX how REGENT had defrauded MEDWHAT.

152. STANFORD UNIVERSITY students in 2018 asked the Board of Trustees of Stanford to stop investing and hiding assets in offshore companies in the Caribbean because as a non-profit university that didn't pay taxes had no need to hide its financial investments from the Stanford community. Documents revealed by the Panama Papers and Paradise papers revealed a complex web of investment by an educational institution in Cayman Islands companies like LongFellow and Cephei Capital Management Company and in Panama. MEDWHAT has discovered that the usage of tax-blockers by SMC and STANFORD Board of Trustees is a similar strategy used in the concealment of school fund illegally used by STANFORD UNIVERSITY AND STANFORD MANAGEMENT COMPANY to use STANFORD-STARTX FUND as a shell company, a front, with no employees, emails, offices, bank accounts, and wire school funds by university employees to MEDWHAT and other commercial entities. The question was asked

by students, Why should Stanford invest in tax-heavens if it's a non-profit that doesn't pay taxes if it doesn't have anything to hide?.

153. STANFORD UNIVERSITY BOARD OF TRUSTEES reported that Cephei Capital Management Company Ltd. is one of the largest investments via its endowment. University reported that Cephei Capital Management Company Ltd. focuses on investing in excellent Chinese companies, making Stanford's fortunes heavily ties to China and Chinese entities like Baidu and MAGIC STONE.

154. The STANFORD UNIVERSITY has always prided themselves in education, freedom, integrity, and doing the right thing. According to Forbes Magazine, not much of the original selflessness of the founders of the University to have has rubbed off on Stanford's current crop of administrators. STANFORD is the most prominent of more than ninety American universities that have been collaborating with the Chinese government's controversial Confucius Institute program. Confucius Institutes are Beijing-funded schools of Chinese studies that are embedded within foreign universities. While these organizations' ostensible aim is to promote mutual understanding between China and other nations, top scholars such as the Chicago-based anthropologist Marshall Sahlins, and the prominent British China watcher Chris Hughes, suggest and Madame Deng Jin Lan's work, Powered by Wellesley, suggest that Beijing's true motives may be rather less noble. Only through discovery will the injured Plaintiff discover the subterranean linkages between the Chinese government and STANFORD Defendants.

155. Records at Crunchbase show Chengwei Capital is a Shanghai venture capital firm and controlling Sense.ly, MEDWHAT's direct competition. Chengwei and MAGIC STONE are co-investors in Sense.ly, and are connected in China 2025 initiative to steal American IP. SMC and STANFORD are co-investors with Chengwei Capital in Sense.ly. The Chinese entities conspired with the STANFORD entities to destroy MEDWHAT and boycott it after the Chinese entities stole MEDWHAT's trade secrets. Panama Papers and Paradise Papers have revealed that Stanford has nearly 10 billion dollars invested through corporations in the Central America and the Caribbean, analysis of the University's tax returns shows. Much of this money, which is held offshore in places like Bermuda and the Cayman Islands, is not subject to full taxation. In the fall of 2016, Devesa with his Stanford email address started an email correspondence with Andrew

Ng, an AI Stanford University Computer Science Professor who simultaneously was working for Baidu AI lab. Ng still had an office at Stanford and Stanford email while developing AI for Baidu.

156. Baidu is China's top technology company with direct ties to China's Ministry State Security according to the Wall Street Journal. In 2014, Ng joined Baidu as Chief Scientist, and carried out research related to big data and A.I. Devesa's intentions was to collaborate with Ng on AI at Stanford University through his research scholar position at the Stanford Medical School. Ng's behavior and actions at all times was to ask many questions and gather as much information about MedWhat's work with Stanford Hospital without any indication of collaboration or reciprocal intentions of working together. Even though Ng was still a fellow Stanford researcher, the correspondence was one sided and ended when Devesa saw conflicts of interests with Baidu. MedWhat moved on and didn't continue communicating with Ng.

157. STANFORD UNIVERSITY deep financial ties to the Chinese government and state-related tech companies was detrimental to MEDWHAT'S technology at all of the aforementioned encounters as the STANFORD-STARTX FUND is in reality STANFORD UNIVERSITY. US intelligence reported HUAWEI and baidu are funded and controlled by Chinese ministry of state security.

158. STANFORD UNIVERSITY and STANFORD-STARTX FUND knew of this dangerous Chinese entities stealing American ip like medwhat's and anyway allied with magic stone and regent to destroy medwhat in favor of Chinese vcs who stole medwhat's ip and defrauded it with convertible notes breach of contract and fake series a documents.

159.

STANFORD UNIVERSITY USED MEDWHAT TO COMMIT TAX FRAUD, WIRE FRAUD & MONEY LAUNDERING

160. MEDWHAT and DEVESA discovered in September of 2018 that STANFORD UNIVERSITY and STANFORD MANAGEMENT COMPANY were running a scam. Documents provided by MedWhat in EXHIBIT A show that all investments and bank wires came not from an entity called Stanford-StartX Fund LLC, but from official Stanford University tax-exempt bank accounts under the official university name – The Board of Trustees of the Leland

Stanford Junior University – with the address for the bank account originator as Stanford Management Company, 635 Knight Way, Stanford, CA 94305. Stanford University's website show 635 Knight Way as the address for Stanford Graduate School of Business inside the campus premises. This is a criminal felony under CAL. REV. & TAX CODE § 23701, 26 USC 7201, 7206.

161. STANFORD UNIVERSITY, and all Board of Trustees, were using the STANFORD-STARTX FUND LLC, an independent venture capital fund, to laundry money from school funds from tax-exempt university bank accounts and invest them directly into for-profit entities while FLETCHER and STARTX and SMC through communication guidelines knew were lying to MEDWHAT telling DEVESA to not use STANFORD UNIVERSITY'S name and that the official investor was STANFORD-STARTX FUND.

162. This discovery was alarming since Stanford University employees gave instructions to MedWhat at time of investments of never using the university's name or logo as an investor. MEDWHAT pierced the corporate veil in 2018 and realized WEINSTEIN, LIANG, WALLACE, LIVINGSTON, were involved in the operations of the Stanford-Startx fund when DEVESA read the supporting letters LIANG and WEINSTEIN writing in the Writ Attachment of July 2018 to freeze MEDWHAT'S assets. LIANG and WEINSTEIN self-incriminate themselves saying they both ran the funds of the STANFORD-STARTX FUND, when FLETCHER was always advertised as the independent manager. This is criminal fraud.

163. The university is a tax-exempt entity under section 501(c)3 of the Internal Revenue Code and from California state income tax as an educational institution under the Revenue and Taxation Code (R&TC) Section 23701d.

164. An article on Stanford University website states "Stanford continues to enforce name and emblem use policies to protect the integrity of the university's research and teaching mission, said Lisa Lapin, vice president for university communications. Lapin noted that the guidelines were updated recently to reflect increasing efforts to misuse Stanford's name for commercial purposes. **"Stanford does not endorse, and cannot appear to endorse, commercial entities", she said.**

165. Court records show email correspondence between MedWhat and Stanford-StartX

Fund LLC included Stanford University employees. Is now clear Stanford-StartX Fund LLC does not have its own employees or offices, and that those STANFORD UNIVERSITY and SMC employees were actually running the show criminally breaking IRS tax-exemption.

166. There are no records of Stanford-StartX Fund LLC having wired funds for each of the four investments in MedWhat or the Stanford-StartX Fund having its own bank accounts or its own independent directors. The only person that online public records show is accountable for managing the fund and to be a director is Stanford-StartX Fund LLC fund manager Suzanne Fletcher which is mentioned by the Stanford endowment in the lawsuit as not being the person responsible to make fund decisions. This is tax fraud, fraud and deceit, and wire fraud.

STANFORD GENERAL COUNSEL DEBRA ZUMWALT COMMITS TAX FRAUD

167. Online records from 2013-2018 show that the Stanford-StartX Fund LLC, a Limited Liability Corporation, is a shell company financial vehicle registered in the State Delaware Division of Corporations and State of California, with Stanford University General Counsel Debra Zumwalt at Stanford University, Bldg. 170, 3rd Floor, Stanford, CA 94305 as the registered Agent for Service of Process. There are no online records showing the Stanford-StartX Fund LLC as having independent offices or employees or directors or email addresses; instead only Stanford University offices, only Stanford University and endowment employees and only @stanford.edu email addresses appear in all court documents. After cross-complaint was filed against STANFORD UNIVERSITY in January 2019, Mr. Zumwalt changed the registered agent name in State of Delaware Division of Corporations to hide Stanford's tax-exemption breaking after DEVESA uncovered in September 2018 the tax fraud. A copy still exists, SEE EXHIBIT C.

168. General Counsel for STANFORD UNIVERSITY, ZUMWALT, filed a restraining order against DEVESA to prevent him from filing a lawsuit for tax fraud in any California court. SF court denied that illegal petition when DEVESA showed evidence of tax fraud. SEE EXHIBIT C, EXHIBIT A, and EXHIBIT B.

169. **When it comes to tax-exempt non-profits creating a for-profit subsidiary, under IRS tax laws, corporate formalities must be observed to protect the separation of the entities. Otherwise the non-profit can lose tax-exempt status. Each organization must have a**

separate governing body and should conduct separate board and committee meetings, with separate minutes taken. The entities also should avoid commingling assets by using separate bank accounts and should maintain an arm's length relationship. If the subsidiary and the parent will share any resources such as office space or employees, or if one entity is going to provide goods or services to the other, or a license of any intellectual property, the entities should enter into a written resource-sharing, services, or licensing arrangement. A charity must receive at least fair market value for whatever it provides to the for-profit entity.

STANFORD UNIVERSITY LIES IN ITS IRS TAX FORMS TO HIDE HOW IT DEFRAUDED DEVESA

170. Even more troubling is multiple evaluations of Stanford University's 2015 Form 990, Income Tax for non-profits, which states the University doesn't have any partnerships, which contradicts with Stanford University's partnership with STARTX and active management of the STANFORD-STARTX FUND and WEINSTEIN, LIANG, WALLACE, LIVINGSTON involvement with the operations of the fund, and BOARD OF TRUSTEES wiring funds to MEDWHAT and all STARTX companies.

171. Stanford University Form 990, on Page 6, line 16, asks "Did the organization invest in, contribute assets to or participate in a joint venture or a similar arrangement with a taxable entity?" **Stanford University responded No.** That's a lie, as it has been uncovered now that DEVESA's MEDWHAT received money directly from STANFORD UNIVERSITY. MedWhat's evidence in court and public records are evidence Stanford lied to the IRS in its Form 990. SEE EXHIBIT E.

172. From 2013-2019 THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY and its tax-exempt bank accounts wire school funds directly to more than 250 STARTX tech startup companies, for-profit taxable entities, for a sum of more than \$250,000,000. DEVESA and his company was one of those companies and received investments in 2014, 2015, and 2017.

173. MEDWHAT and DEVESA were used by STANFORD UNIVERSITY and the BOARD OF TRUSTEES to run a criminal operation.

174. Online records in Silicon Valley Business Journal newspaper, Crunch databases, Ms. Fletcher's LinkedIn profile, and StartX advertisements show Ms. Fletcher as the active fund manager for years; StartX shows Fletcher in a StartX company IPO debut on the NASDAQ in 2018 as such manager. However, Stanford University lawyers goes on record saying Fletcher has no authority in fund matters. Court records indicate that Stanford University and its Stanford Management Company \$27 billion endowment are the actual active entities in charge of venture capital Stanford-StartX Fund LLC and who made decisions whether to convert MedWhat's convertible promissory debt note it had lent to MedWhat at 5% interest for future stock equity conversion.

175. FLETCHER claims she is not responsible for the STANFORDS-STARTX FUND nor the frivolous complaint filed against MEDWHAT although she was represented as the manager. This fraudulent representation damaged MEDWHAT and DEVESA.

176. Recent court documents show that Stanford University and its endowment Stanford Management Company state that Suzanne Fletcher is not the actual fund manager and decision maker of the alleged independently run for-profit venture capital Stanford-StartX Fund LLC. Stanford University lawyers say Stanford and its endowment are. MedWhat states Stanford have self-incriminated in tax fraud.

177. The for-profit venture capital firm Stanford-StartX Fund LLC. was created as a joint partnership by non-profits StartX, Stanford University, and Stanford Hospital & Clinics with the social mission to help support the entrepreneurial endeavors of Stanford students, faculty, alumni and staff. Making investments in technology.

178. StartX and its founder Cameron Teitelman initiated the creation of the Stanford-StartX Fund LLC to invest in member companies, with a mission stating "We're determined, focused and innovative, guided by our principle of putting founders first, and driven by our mission to advance the personal development of founders". Startups were told the Stanford-StartX Fund LLC was run by Suzanne Fletcher since Stanford University was a non-profit who couldn't get involved in running for-profit activities. Court documents show this was far from reality, with heavy illicit involvement in for-profit venture capital out of Stanford premises.

179. Susan Weinstein, Assistant Vice President for Business Development at Stanford

University, and Randy Livingston, VP Business Affairs, Chief Financial Officer of Stanford University, and Robert Wallace, CEO of endowment Stanford Management Company, through their attorney representing them in the case stated, "Suzanne Fletcher was not the person or entity that Devesa was required to seek consent from; Stanford Management Company was. Thus, Ms. Fletcher's email cannot be considered "written consent" to amendment of the Notes."

180. MedWhat goes on to state in the lawsuit that not only was Ms. Fletcher always advertised at StartX and all over the news and internet as such, she represented the fund as manager with a founder friendly mission first, with clear separation of powers from the University, and a decision maker of the independently fund created by StartX. Suit states Sabrina Liang, Director of School and Department Funds, at the Stanford University endowment Stanford Management Company, under direction of Suzanne Fletcher, signed MedWhat's conversion of notes into equity shares.

181. Based on statements by Stanford's lawyers and court documents provided by MedWhat, it seems the University wasn't aware of the endowment's signatures of the investment note conversion it sued about. It's not clear if Stanford was frivolously lying in lawsuit about not signing conversion in order to damage MedWhat or incompetent in filing a lawsuit about notes without having records of approved conversion.

182. Stanford University's law firm representing in its case, Alto Litigation, and its attorney Bahram Seyedin-Noor, have inadvertently revealed information that involves Stanford University in tax fraud. Stanford's supporting letters from LIANG and WEINSTEIN validate the notion that the Stanford-StartX Fund is not independently ran by Stanford-StartX Fund and Suzanne Fletcher, but instead by Stanford University and the endowment.

183. Randy Livingston, Stanford University's CFO, announced a week after cross-complaint was filed by MEDWHAT that Stanford University's venture capital fund Stanford-StartX Fund LLC was shutting down after 6 years. In a StanfordDaily he's quoted saying that the shutting down of the fund has "nothing to do whatsoever with MedWhat's lawsuit". That's a lie.

184. Stanford University's Vice President for Business Affairs and Chief Financial Officer, Randy LIVINGSTON already has a history of two fraud cases against and experience in lying, online legal documents show.

185. Investors filed a class action suit in 2011 in San Mateo County Court for securities fraud against Randy Livingston and Pacific Biosciences of California after losing Money in a 2010 IPO. Livingston served as CFO of that company before accepting a job at Stanford. Superior Court of California, County of San Mateo Case No. CIV-509210. Plaintiff Greg Young filed his Complaint for Violation of the Federal Securities Laws and Jury Demand against Pacific Biosciences of California, Inc. and CFO Randy Livingston.

186. California court records show Livingston was also sued for securities fraud in 2000, during the dotcom boom of Silicon Valley, for another IPO by OpenTV. Investor's loses in that IPO stated in lawsuit Defendant Randy Livingston manipulated the prices and shares of IPO and also benefited personally from the manipulative schemes.

187. Livingston, as CFO of STANFORD UNIVERSITY, manager of STANFORD-STARTX FUND, and board member of Pacific Biosciences, had conflicts of interests as he was involved in wiring STANFORD-STARTX FUND investments to STARTX biotech and medical companies and having access to their information while Pacific Biosciences was a potential acquirer and competitor of those companies. LIVINGSTON benefited illicitly from access to this insider information. These conflicts of interest also amount to fraud and insider trading and never were they disclosed to STARTX companies or MEDWHAT.

STANFORD UNIVERSITY COMPETES DIRECTLY WITH MEDWHAT

188. DEVESA and MEDWHAT were the first to ever to create and advertise an artificial intelligence virtual medical assistant in 2011. The only similar idea on the market at the time what IBM WATSON's playing Jeopardy live on TV in 2011.

189. DEVESA was a pioneer in the industry and the first to legitimately push at STANFORD UNIVERSITY in 2012 the technology behind MEDWHAT.

190. STANFORD UNIVERSITY, fake-manager Suzanne FLETCHER, real-managers sabrina LIANG and Susan WEINSTEIN, and STANFORD-STARTX FUND organizers LIVINGSTON and WALLACE, invested in DEVESA's MEDWHAT direct competition, Sensely in 2017 and never disclosed it to DEVESA.

191. DEVESA provided monthly updates to alleged STANFORD-STARTX FUND

manager FLETCHER. Some of these monthly updates included information on what hospitals and clients MEDWHAT was working with, and which company competed with MEDWHAT in those contracts. One company was MEDWHAT's direct competitor Sensely, as both competed in 2015 and 2016 in contracts with French Telecom company ORANGE for a contract on a Diabetes App.

192. STANFORD UNIVERSITY, LIANG, LIVINGSTON, WALLACE, FLETCHER and STANFORD-STARTX FUND had sensitive information about MEDWHAT's technology, business strategy against Sensely in winning against Sensely in these contracts.

193. STANFORD-STARTX FUND invested behind DEVESA's back in Sensely the exact same month it invested in MEDWHAT.

194. SENSELY majority of investors are from Shanghai China, and SENSELY has taken its American IP, some of it part of MEDWHAT, for sale to China with the help of its largest investor, Chengwei Capital.

195. Many of SENSELY's ideas, chatbot designs, and Diabetes App for Orange Telecom as identical to MEDWHAT's. SENSELY got started in 2013, MEDWHAT in 2011. SENSELY's virtual medical assistant branding is identical to MEDWHAT's virtual medical assistant branding which started years before SENSELY.

196. MEDWHAT's relationship and pilots with ORANGE TELECOM started a year prior SENSELY started doing pilots with ORANGE.

197. Information about MEDWHAT's diabetes app provided to MEDWHAT Chinese investor MAGIC STONE during due diligence in 2015, appeared in the competing bid with Orange. MAGIC STONE, a Chinese venture capital firm allied with STANFORD UNIVERSITY in forming MEDWAHT and DEVEAS to convertible note default, is also an investor in SENSELY.

198. MAGIC STONE invested in SENSELY in May 2015, same month it did in MEDWHAT and conducted due diligence with DEVESA.

199. STANFORD UNIVERSITY failed in its fiduciary duty to MEDWHAT and DEVESA by knowing these facts about MAGIC STONE, intellectual property theft, illegal

competition, hiding disclosure of conflicts of interest, and siding with MAGIC STONE fraudulently against DEVESA.

200. Another conflict of interest created by the illicit structure of the STANFORD-STARTX FUND LLC is a Board of Trustee of Stanford University, Ruth Porat, is the CFO of Google, a company that competes directly with MEDWHAT in providing a medical assistant for questions and answers and in the development of artificial intelligence technology. DEVESA, through STANFORD-STARTX FUND's and FLETHCER misrepresentation, never knew its investor was an entity that had individuals working from the competition.

201. Had DEVESA known the real structure of the STANFORD-STARTX FUND and its many conflicts of interest and violations, it would have never accepted funds from a corrupt fund with competing investments and with officers and Trustees who work for the competition.

202. DEVESA, though STANFORD UNIVERSITY's lying and concealment of the true structure and identity of the fund, never had the privilege to make a decision for himself, always wrongly believing FLETHCER and TEITELMAN as to the structure of the fund.

STANFORD UNIVERSITY BOARD OF TRUSTEES COMMITTED TAX FRAUD BY CO-INVESTED IN STANFORD-STARTX FUND COMPANIES WITH THEIR OWN VENTURE CAPITAL FIRMS WHILE ALSO AS TRUSTEES

203. All BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, including, MARC TESSIER-LAVIGNE; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG, lied about the STANFORD-STARTX FUND partnership when they said the funds came from the STANFORD-STARTX FUND and were managed by fund manager FLETCHER. All board members knew investment wires contained their name: BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR

UNIVERSITY.

204. All Trustees approved and knew the fund was illegally operated by tax-exempt university employees LIANG, WEINSTEIN, WALLACE, LIVINGSTON, while in public FLETCHER and TEITELMAN advertised FLETCHER was the STANFORD-STARTX FUND Manager and the fund was independent of STANFORD's tax-exempt operations. All those statements were lies. More disturbingly, all Trustees knew that some members of the board were also making investments in STANFORD-STARTX FUND companies while the board wired these same companies' money under the Stanford trustees names. All board of trustees, knew this was tax fraud and insider trading.

205. Laurene Powell JOBS co-invested with STANFORD-STARTX FUND as she was simultaneously a Board of Trustee of Stanford University, the same entity that wired investments to STARTX company Nearpod, a company she had ownership in. This corruption, conflict of interest, and fraud scheme violated tax-exemption laws of Stanford University and the judiciary duty of all of the Board of Trustees of Stanford University. This fraud damaged MEDWHAT as all Stanford defendants lied about the real structure of the STANFORD-STARTX FUND and the involvement of its officers in conflict of interest and tax-fraud that didn't reflect the nature of MEDWHAT'S alleged STANFORD-STARTX investor. MEDWHAT was lied to.

206. YERRY YANG is another BOARD OF TRUSTEE OF THE LELAND STANFORD JUNIOR UNIVERSITY that co-invested in STANFORD-STARTX FUND companies with his VC firm AME Cloud Ventures while he, as a Stanford trustee, wired investments with his Trustee name to those same companies, in effect committing tax-fraud, breaking STANFORD's tax-exemption, and failing in his judiciary duty to protect STANFORD's public service mission.

207. Defendant BRET E. COMOLLI (herein "COMOLLI"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY involved in authorizing the tax-exempt non-profit university to illicitly run legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud, money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent

FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. COMOLLI is Chairman of Asurion. Asurion's founder is a co-investor in Chobolabs alongside STANFORD-STARTX FUND. Chobolabs received investments from a bank account named THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

208. COSTIN is Stanford board member has experience causing financial losses by covering up conflict of interest is a situation in which an internal auditor, who is in a position of trust, has a competing professional or personal interest. This event happened during a lawsuit involving Costin as a board of LuluLemon. Such competing interests can make it difficult to fulfill his or her duties impartially. A conflict of interest exists even if no unethical or improper act results. COSTIN repeats these conflicts of interest between MEDWHAT, STANFORD-STARTX FUND, and her position as a Board of Stanford wiring money to MedWhat and lying about it.

209. CLAYMAN is the founder, managing partner and CIO of New Amsterdam Partners LLC. Michelle Clayman CFA, is an independent registered investment advisor. As an expert in investment advising, ethics Compliance, CLAYMAN knew the BOARD was committing fraud. Federal law requires that investment advisers abide by stringent ethics rules to ensure impartial, good faith advice. This is sometimes referred to as "fiduciary duty," They must also know and adhere to the regulations and requirements of the SEC.

210. CLAYMAN as Stanford Board of Trustees doesn't abide by stringent ethics rules to ensure impartial, good faith advice, when her and the BOARD are sending from the university's own bank account money to 300 startups in Stanford StartX. She may know but she doesn't adhere to the regulations and requirements of the SEC. Breach of fiduciary duty lawsuit

211. Defendant FELIX J. BAKER (herein "BAKER"), is, and at all material herein was, a Board of Trustee of defendant STANFORD UNIVERSITY and involved in authorizing the tax-exempt non-profit university to illicitly run legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE in order to commit tax fraud, wire fraud,

money laundering, wire investments directly to for-profit MEDWHAT from STANFORD UNIVERSITY tax-exempt bank accounts to commingle school assets, and misrepresent FLETCHER's independent STANFORD-STARTX FUND LLC manager role to hide fraud committed by Board of Trustees of STANFORD UNIVERSITY. BAKER is a managing director of KODIAK SCIENCES, a company that has received investments from the STANFORD-STARTX FUND LLC from a bank account with the name THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, using tax-exempt university funds as a trustee for for-profit investments in his own company and breaking tax laws. His policy with respect to the STANFORD-STARTX FUND was telling MEDWHAT to not use STANFORD UNIVERSITY's name when announcing the investment.

212. Mary T. BARRA is Chief Executive Officer of General Motors and member of board of trustees of Stanford. BARRA as CEO of General Motors is an investor in Sakti3 alongside Khosla Ventures.

213. Khosla Ventures is an investor alongside STANFORD-STARTX FUND in dozens of STARTX companies. BARRA as a Board of Trustees wired investments to all Khosla Ventures startx affiliated startups. Sakti3 is sold to Dyson, were Kosla Ventures and STANFORD-STARTX FUND, and thus BARRA and STANFORD BOARD OF TRUSTEES, profited.

214. Mary T. BARRA, and all Board of Trustees at STANFORD have constant conflicts of interests similar to those of they have with MEDWHAT, and those conflict of interests damaged MEDWHAT in how STANFORD BOARD OF TRUSTEES and STANFORD-STARTX FUND are operated.

215. All of defendant's corrosive capital in MEDWHAT was not intended for a charitable university mission, or startup growth ROI, but corruption and personal alternative businesses that ultimately damaged MEDWHAT as DEVESA didn't know the type of investor STANFORD-STARTX FUND really was.

216. STANFORD UNIVERSITY, STANFORD-STARTX FUND, STARTX, SMC, FLETCHER, TEITELMAN, TESSIER-LAVIGNE, WEINSTEIN, LIANG, WALLACE, LIVINGSTON, FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN

COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG knew MAGIC STONE and REGENT stole from, competed against and defrauded MEDWHAT, but failed in its fiduciary duty because they themselves at STANFORD UNIVERSITY also stole, competed against, and defrauded MEDWHAT.

217. Therefore, defendants decided to ally with REGENT, a Chinese venture fund with intermingled interest with STANFORD's endowment Chinese investments, to lie about MEDWHAT Series A and convertible notes. STANFORD UNIVERSITY protected their private equity Chinese allies in China as the endowment's growth comes from China.

218. These actions by a corrupt Board of Trustees have corrupted the good mission of STARTX, STANFORD-STARTX FUND and STANFORD UNIVERSITY, resulting in the damaging of MEDWHAT by having a different investor it was advertised to have.

219. Defendant Carol LAM was a US Attorney for anti-corruption, yet allowed a corrupt board of trustees to break tax-exemption, use school funds and insider information for private businesses and dealings of board members, break the trust of the STANFORD students, STARTX entrepreneurs, academic faculty, and community. LAM allowed STANFORD UNIVERSITY, LIVINGSTON, WALLACE, SMC, to lie when it said investments came from STANFORD-STARTX FUND LLC. LAM knew investments came from STANFORD UNIVERSITY and tax-exempt bank accounts. LAM knew WEINSTEIN, WALLACE, LIVINGSTON, LIANG, SMC, STANFORD UNIVERSITY lied when it told STARTX companies and MEDWHAT not to use STANFORD UNIVERSITY name and use official name STANFORD-STARTX FUND. LIAM, along with entire board, manipulated startups to protect tax-exemption while doing for-profit illegal business within an IRS tax-exempt organization prohibited from endorsing any commercial activity.

220. Defendants used MEDWHAT to make illicit money, conduct tax fraud and lie to the

IRS. Stanford University 2016 IRS Form 990, on Page 6, line 16, asks "Did the organization invest in, contribute assets to or participate in a joint venture or a similar arrangement with a taxable entity?" Stanford University responded No. That's false statement as Stanford has a joint venture with STANFORD-STARTX FUND, which is a limited liability corporation taxable entity. All Stanford board of trustees lied to the IRS in its 2016 Form 990. Defendants knew they were lying. That lie damaged MEDWHAT and DEVESA since it didn't know the real nature of its investor.

221. These actions represent criminal activity by an organization that portrays itself as an angelic charity making the world a better place with integrity, good values and good governance, when in reality it's a criminal hedge fund with monstrous greed with a fraudulent business model, breaking state and federal laws on a daily basis at the IRS, SEC, Department of Education, and California Department of Revenue. Defendants actions threatens Silicon Valley's integrity of startup investment to build a real business and not to manipulate a company for alternative motives such as tech espionage, immigration access, politics, leverage of CEOs network.

222. Board of trustees were supposed to be guided by principles of prudence. Mismanagement of school funds for personal for-profit commercial use in separate businesses signified a break of trust to STANFORD UNIVERSITY and the STARTX community.

STANFORD UNIVERSITY FINANCIAL TIES TO CHINESE GOVERNMENT'S IP THEFT PROGRAMS AND CHINESE VENTURE CAPITAL FIRMS THAT STOLE FROM DEVESA

223. STANFORD UNIVERSITY has heavy conflicts of interest with Chinese investment firms; its endowment has strong financial profits and ties to Chinese firms doing business with Stanford University. These conflicts of interest made it file a frivolous lawsuit against MEDWHAT to protect such interest.

224. Chinese investment firms with Chinese government ties such as MAGIC STONE and DANHUA CAPITAL are behind many STARTX companies. STANFORD-STARTX FUND and STANFORD benefit from Chinese investment firms as they provide liquidity and easy access to capital to STANFORD programs.

225. STANFORD has ceded a lot of autonomy to China, Chinese tech firms and Chinese

Venture Capital firms, all for the money and power that helps Stanford grow even as that capital is a conflict of interest between MEDWHAT and other tech startups and Chinese-related entities.

226. Stanford University is a \$22billion non-profit that has always prided itself in education, freedom, and doing the right thing. According to Forbes Magazine, not much of the original selflessness seems to have rubbed off on Stanford's current crop of administrators. Quite the contrary, judging by the university's rather mercenary dealings with the People's Republic of China.

227. STANFORD UNIVERSITY is the most prominent of more than ninety American universities that have been collaborating with the Chinese government's controversial Confucius Institute program. Confucius Institutes are Beijing-funded schools of Chinese studies that are embedded within foreign universities. While these organizations' ostensible aim is to promote mutual understanding between China and other nations, top scholars such as the Chicago-based anthropologist Marshall Sahlins and the prominent British China watcher Chris Hughes suggest that Beijing's true motives may be rather less noble.

228. Contracts between universities and the Chinese Ministry of Education are typically secret (on the ministry's insistence) but it is not in dispute that most participating universities cede control of their curriculums to Beijing. Not only do they allow Beijing to appoint many of the teachers but they implicitly accept a regimen of self-censorship in discussing "sensitive" issues such as the Tienanmen massacre. Source:

<https://www.forbes.com/sites/eamonnfingleton/2014/10/05/is-stanford-collaborating-with-chinas-espionage-program/>

229. Regent, Magic Stone, two of DEVESA's company investors, and with enablement of Stanford University, spy for the Chinese government to steal American trade, tech and business secrets such as MEDWHAT's. REGENT and MAGIC STONE in bad faith invested in MEDWHAT's competition without disclosure, and fraudulently asked back convertible note investments from DEVESA even though the majority of note holder investors in MEDWHAT didn't authorized returning investments to REGENT and MAGIC STONE. Nevertheless, STANFORD UNIVERSITY allied with REGENT and MAGIC STONE to destroy MEDWHAT and DEVESA. STANFORD UNIVERSITY is also an investor in MEDWHAT's direct

competition Sensely, a Chinese-backed US company.

230. In 2011 Stanford University's Graduate School of Business has received a \$150 million gift -- one of the largest in the university's history -- to create an institute to alleviate poverty through entrepreneurship, officials have announced. The gift from Dorothy and Robert King of Menlo Park was inspired by 40 years of hosting international students in their home. The funding will create the Stanford Institute for Innovation in Developing Economies (SIID, but referred to as "SEED"),

231. Robert King is an investment partner at Peninsula Capital in Menlo Park and a 1960 Stanford graduate business school alum. King provided seed money for Baidu, a Chinese-language search engine, which later debuted on NASDAQ in 2005. Baidu now employs 10,000 people in China, he said. Baidu is controlled by Ministry of State Security in China. Hau Lee, a professor of operations, information and technology at the Graduate School of Business, will head SEED.

232. Source: <https://www.paloaltoonline.com/news/2011/11/04/stanford-gets-150-million-gift>

233. According to Wall Street Journal in 2017, Baidu Inc., are required to help China's government hunt down criminal suspects and silence political dissent. Their technology is also being used to create cities wired for surveillance. Unlike American companies, which often resist U.S. government requests for information, Chinese ones talk openly about working with authorities. Baidu works closely with Ministry of State Security in China.

234. Source: <https://www.wsj.com/articles/chinas-tech-giants-have-a-second-job-helping-the-government-see-everything-1512056284>

235. Baidu works closely with Stanford University Computer Science department Professor Andrew Ng as mentioned before in Ng's dealings with DEVESA as a research scholar. Stanford PhD students and professors work on Baidu's AI lab until recently. Magic Stone and Regent Capital, as artificial intelligence technology venture capital firms, also work with the Ministry of State Security of China providing information on American companies AI trade secrets. Stanford is aligned politically with all of these Chinese institutions which harm American companies like MEDWHAT. According to the Hoover Institution at Stanford University, US's

goal in Trade War with China are "Quite Unclear", as cited in Bloomberg news in July 2018.

236. STANFORD UNIVERSITY knew of the dangers and theft of technology going on in Silicon Valley affecting startups like MEDWHAT by various Chinese government entities and decided to protect its endowment and profits instead.

237.

POLICY AND PROCEDURE THAT STANFORD-STARTX FUND FAILED TO FOLLOW UNDER ITS RULES, REGULATIONS AND FUDICIARY DUTIES

238. STANFORD UNIVERSITY told every STARTX company and the public it was making an investment in for-profit STANFORD-STARTX FUND Limited Liability Company as an independent venture capital fund. STANFORD-STARTX FUND would have funds from limited partner STANFORD UNIVERSITY and subsequently have its own officers and own bank account and wire investments from a STANFORD-STARTX FUND LLC bank account separate of STANFORD UNIVERSITY school funds. FLETCHER, TEITELMAN, STANFORD-STARTX FUND, and STANFORD UNIVERRSITY told every STARTX company and entrepreneur, including DEVESA and MEDWHAT, its tax-exemption didn't allow it to be involved in commercial enterprises and therefore SUZANNE FLETCHER would be the Manager of the fund as a professional venture capitalist with prior experience in private equity, and university employees wouldn't be involved in making decisions and operations of the STANFORD-STARTX FUND. This structure is what should have been followed. The opposite in every case occurred.

239. FLETCHER and STANFORD-STARTX FUND should have immediately cut ties with REGENT upon hearing that MEDWHAT had been duped and deceived by Ling Yang and REGENT.

240. TEITELMAN's policy at STARTX advertised for years was STARTX would always side with entrepreneurs, not investors. STARTX's mission and rules where not followed.

241. STANFOR-STARTX FUND should have followed procedure in its mission of supporting entrepreneurs and helped MEDWHAT. FLETHCER at first did follow this mission

when FLETCHER emailed DEVESA's father saying on May 30th, 2017: "Many of us at StartX have known Arturo for years now and care very much about him personally (we are first and foremost a founder community at StartX). It is part of our mission to support founders during difficult times; we would very much like to help in this situation." This email represented the spirit and legally approved regulatory mission of regulators of defendants activities as such activities were advertised for years to all STARTX companies.

242. FLETCHER immediately changed policy after that email from pressure from STANFORD-STARTX FUND hidden managers WEINSTEIN, LIANG, WALLACE, LIVINGSTON, STANFORD UNIVERSITY and SMC a few days later in May 2017 and all Defendants began covering their backs in fear of REGENT's fraud causing them problems at their jobs as STANFORD-STARTX FUND couldn't own more than 10% in MEDWHAT due to SEC laws that allow no reporting of ownership below 11%.

243. FLETCHER started making threats to DEVESA saying he had been lying about REGENT. DEVESA was astounded and realized FLETHCER, TEITELMAN, and STANFORD-STARTX FUND had been compromised by WEINSTEIN, LIANG, LIVINGSTON and that STANFORD-STARTX FUND was not ran by FLETHCER nor did it have its publicly advertised independence. STANFORD UNIVERSITY was committing fraud and breaking tax-exemption by running STANFORD-STARTX FUND directly.

244. FLETCHER was pushed aside as manager of STANFORD-STARTX FUND and LIVINGSTON and WALLACE gave orders and approval to LIANG and WEINSTEIN to begin a frivolous lawsuit to push MEDWHAT out of business in November 2017.

245. Plaintiffs filed lawsuit on April 8th, 2018 against Defendant DEVESA. DEVESA immediately communicated to all STARTX companies via the STARTX community email community@startx.stanford.edu it has been wrongfully sued by STANFORD-STARTX FUND and began sharing with STARTX companies evidence and critical information that affected every startup as they also had STANFORD-STARTX FUND as an investor. DEVESA shared actual evidence of Massive Investments existing and REGENT having lied to DEVESA.

246. Upon the truth being revealed and DEVESA fighting back, Plaintiffs and WEINSTEIN got scared. FLETCHER and STARTX decided to block DEVESA from sending

further emails to the community to hide fraudulent activities going on at STARTX and STANFORD-STARTX FUND. STARTX's mission of an entrepreneur community helping each other in moments of needs came to be a farce in STARTX's biggest moments of crisis. In reality, non-profit STARTX began to cover-up and act like a for-profit entity, shutting down DEVESA's voice in the community, even though numerous STARTX companies voiced their concern about MEDWHAT'S situation and asking for further information on the case and being worried about the lawsuit.

247. DEVESA was prevented from emailing all STARTX companies that all of them had been sent illegally investments from THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, instead of the advertised STANFORD-STARTX FUND, and also that every single STARTX company had been lied in the communication guidelines sent by STANFORD-STARTX FUND of not using STANFORD UNIVERSITY's name when in reality the money came from STANFORD UNIVERSITY. DEVESA was prevented of using the community's email as a member of STARTX to share with STARTX companies how all STARTX entrepreneurs all had been used in the money laundering of STANFORD UNIVERSITY school funds directly sent to over 200+ for-profit commercial enterprises and how all STARTX entrepreneur had been lied about FLETHCER been the manager since the real managers of the fund were LIANG and WEINSTEIN under orders from WALLACE and LIVINGSTON. STARTX, and FLETCHER's actions are further evidence to silence and cover up the fraud uncovered by DEVESA.

248. STARTX, FLETCHER, and TEITELMAN actions amount to corruption, hiding tax fraud, misrepresentation, money laundering, illegal competition, deceit, and criminal activity.

249. The board of trustees of STANFORD UNIVERSITY, made of: TESSIER-LAVIGNE, FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S. RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM;

RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG, gave approval of this fraudulent policy executed by LIVINGSTON, WALLACE, LIANG and WEINSTEIN and supported the frivolous lawsuit, continuation of STANFORD's fraudulent business model of tax fraud, money laundering, wire fraud, illegal involvement in private equity by university employees, and fraudulent use of tax-exempt educational missions masking illicit for-profit private equity activities by STANFORD UNIVERSITY and its employees.

250. None of defendants LIVINGSTON, WALLACE, LIANG or WEINSTEIN are registered as for-profit venture capitalists with the SEC, FINRA, IRS or have Licenses or Series 7 or any other approval by a government regulatory body to conduct the buying and selling of securities out of STANFORD UNIVERSITY.

251. FLETCHER, TEITELMAN, and STANFORD-STARTX FUND should have helped MEDWHAT find other investors, keep growing as a business, and succeed as originally intended by STARTX's mission and STANFORD-STARTX FUND's educational mission of helping entrepreneurs' startups. Instead, Defendants chose to cover up and hide poor governance, fraud and structural deficiencies in the partnership between STARTX, STANFORD UNIVERSITY, and STANFORD-STARTX FUND, and start a total war based on lies against DEVESA and MEDWHAT.

252. FLETCHER, TEITELMAN and STARTX, even though say a third-party is responsible for Plaintiffs actions and don't have anything to do with STANFORD-STARTX FUND responsibilities, attended in New York City the Initial Public Offering at NASDAQ of a STANFORD-STARTX FUND company KODIAK SCIENCES as representatives of STANFORD-STARTX FUND the same week Defendants' lawyers said FLETCHER is not the manager of the STANFORD-STARTX FUND and President TESSIER-LAVIGNE doesn't know MEDWHAT and has no responsibility in any allegation in cross-complain. A Board of Trustees of Stanford university, FELIX BAKER, is also a board member of KODIAK SCIENCES. BAKER sent KODIAK SCIENCES an investment as a BOARD OF TRUSTEE OF THE LELAND STANFORD JUNIOR UNIVERSITY from a bank account with same name, even though the investment was supposed to come from STANFORD-STARTX FUND.

253. These actions are nothing but criminal activity, mixing a non-profit university tax-exempt with the personal business dealing of STANFORD board members, commingling of school funds, lying about the wiring and sources of STANFORD-STARTX FUND with STANFORD UNIVERSITY.

254. FLETCHER and STARTX profited from this scam and tax fraud, while hiding criminal activities going on at STANFORD UNIVERSITY and SMC from MEDWHAT and STARTX companies.

255. DEVESA chose to fight back and go to Jury Trial and clear his good name until the end.

STANFORD UNIVERSITY VIOLATES REST OF MEDWHAT'S INVESTORS RIGHTS

256. STANFORD UNIVERSITY BOARD OF TRUSTEES, FLETCHER, WEINSTEIN, LIANG, LIVINGSTON, WALLACE, nor STANFORD-STARTX FUND consulted with UHS, Fernando MACHO and the rest of majority shareholders in MEDWHAT before filing frivolous lawsuit.

257. MEDWHAT investor suffering damages from Defendants include:

- Nire Health
- Dr. Beno Michel
- Howard Wendy Trust
- UHS Ventures
- Fernando Macho
- Orange Telecom
- Dani Duran
- PreAngel Fund
- NewGen Partners
- New Margin Ventures
- Bilian Hadjev

258. MEDWHAT's remaining investors, who agreed to convert notes alongside STANFORD-STARTX FUND, and who still have \$1,004,000 worth of investments in MEDWHAT, have been ignored, insulted, and harassed by Plaintiffs from the beginning.

259. MEDWHAT's remaining investors are against Plaintiff's fraudulent actions which doesn't have the consent of the majority of investors and is violating investors rights.

260. MEDWHAT and DEVESA still has the support from the majority of MEDWHAT's investors.

261. Plaintiff's actions are not industry standard in private equity and Silicon Valley, and reflect alternative motives of IP theft, and personal use of securities for investment strategies that fall outside of return on investment in equity.

262. Any decision regarding MEDWHAT's equity shares should have been and should be made with the agreement from the rest of MEDWHAT's investors. Plaintiffs have never and still have not asked for permission to the rest of MEDWHAT's investors in its dealings with MEDWHAT and DEVESA.

263. Investors UHS and Fernando MACHO, fed up with STANFORD UNIVERSITY's and FLEATHER's criminal activities, decided to file complaint against defendants on January 2019 to protect its investment and rights as an investor in MEDWHAT.

STANFORD UNIVERSITY ATTEMPTS TO BRIBE DEVESA TO MAKE LAWSUIT GO AWAY AFTER LOSING RULING ON WRIT ATTACHMENT TO FREEZE MEDWHAT FUNDS

264. Defendants, led by WEINSTEIN, LIANG, WALLACE, and LIVINGSTON, in a moment of desperation after MEDWHAT began a cross-complaint in SF court explaining what really happened in complain's false allegations, filed a Writ Attachment against MEDWHAT claiming their lawsuit against MEDWHAT was essentially won and asked San Francisco Court to Order the freeze of MEDWHAT's assets while making false statements in letters of support by WEINSTEIN and LIANG in Attachment. This was done to prevent MEDWHAT and DEVESA to pay lawyers and defend itself. LIVINGSTON, WEINSTEIN, LIANG, WALLACE, STANFORD UNIVERSITY, and SMC's thuggish maneuver was a violation of the tax-exemption

of an educational institution with a mission to improve its community and follow with integrity values of educational excellence.

265. STANFORD UNIVERSITY, SMC, STANFORD-STARTX FUND began sending proxies to DEVESA and MEDWHAT right after Plaintiffs lost a ruling of Writ Attachment in September 2018 and MEDWHAT and DEVESA filed a lawsuit against Defendants. Defendants sent proxies with offers to acquire MEDWHAT, job offerings at AMAZON and VC firms for DEVESA, and venture capitalists offering to invest in MEDWHAT. All of these proxies had direct ties to STANFORD UNIVERSITY. Counsel of Plaintiffs offered a vague settlement, twice, right after it lost Writ Attachment.

266. STANFORD UNIVERSITY attempt to make this scandal uncovered by DEVESA go away.

**STANFORD UNIVERSITY SHUTDOWN STANFORD-STARTX FUND AFTER BEING
SUED FOR FRAUD AND TAX FRAUD UNCOVERED**

267. STANFORD UNIVERSITY Chief Financial Officer, RANDY LIVINGSTON, announced in the StanfordDaily Newspaper the cease of operations and investments by the STANFORD-STARTX FUND a week after Cross-Complaint was filed by DEVESA in January 2019. LIVINGSTON announced the shutting down of the fund had 'no bearing' in the lawsuit by MEDWHAT against STANFORD UNIVERSITY and STANFORD-STARTX FUND. SEE EXHIBIT F.

268. STANFORD UNIVERSITY is a criminal and corrupt institution that has used thuggish techniques to shut down and silence whistleblower DEVESA upon uncovering fraud and crimes committed by STANFORD UNIVERSITY, STANFORD-STARTX FUND, STARTX, SMC, FLETCHER, TEITELMAN, TESSIER-LAVIGNE, WEINSTEIN, LIANG, WALLACE, LIVINGSTON, FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM;

RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG;

STANFORD MANAGEMENT COMPANY EMPLOYEES LEFT STANFORD EN MASSE

269. Stanford management company employees who created and began Stanford-startx fund on behalf of STARTX, all of them left STANFORD in 2015 en masse.

270. SMC CEO John Powers was replaced by Rob Wallace, Millicent left, President John Hennessy replaced by Marc Tessier-Lavigne, Martina Poquet, head of SMC direct investments, was replaced by Sabrina Liang.

271. Plaintiff believes all original employees who created the fund left SMC when they realized the felony committed and illicit structure of STANFORD-STARTX FUND.

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

TAX FRAUD & MONEY LAUNDERING

**(CAL. REV. & TAX CODE § 23701, 26 USC 7201, 7206, UNIFORM PRUDENT
MANAGEMENT OF INSTITUTIONAL FUNDS ACT, UPMIFA)**

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE
LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT;
STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY
LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER;
SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T.
BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R.
CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO;
RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D.
HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR;
CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE
W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B

ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

272. Plaintiff herein hereby incorporates by reference the allegations contained within Paragraphs 1- 271, inclusive, of this Complaint, as if set forth in full herein.

273. Plaintiff was lied to, deceived, and defrauded by Defendants who are members of a corrupt and criminal organization. Defendants made fraudulent and false claims to DEVESA in regards to investments in MEDWHAT worth over \$650,000+ and were the investment money came from in order to conceal a non-profit and its employees were running a venture capital firm while protecting its tax-exemption status. False statements were made by Defendants to Plaintiff about which entity was the real investor.

274. All officers of STANFORD-STARTX FUND LLC and STANFORD UNIVERSITY and SMC are the same, using same bank accounts, using same email addresses, and using same offices, in effect breaking tax-exemption and its concealment constituting tax fraud and money laundering. Over \$250,000,000 were laundered via STANFORD-STARTX FUND in 200 startups investments from 2014-2019.

275. Debra Zumwalt, Stanford University's General Counsel, is the officer of STANFORD-STARTX FUND LLC, breaking tax-exemption and tax laws and contradicting the independence of STARTX's STANFORD-STARTX FUND LLC advertised to DEVESA during investments.

276. MEDWHAT received all of its investments that supposedly were coming from for-profit investor STANFODR-STARTX FUND instead from commingled school funds and bank accounts from THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. Investment was supposed to come from a STANFORD-STARTX FUND LLC bank account, a legally independent entity of STANFORD UNIVERSITY as it was advertised to MEDWHAT by defendants.

277. In the use of a for-profit subsidiary or partnership by a nonprofit organization, Internal Revenue Service (IRS) federal tax laws and California tax laws state entities cannot commingle assets, cannot use same bank accounts and should maintain an arm's length

relationship. The Board of Trustees of Stanford committed tax fraud by wiring money directly to MEDWHAT.

278. Wire originator of MEDWHAT's investment, THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, laundered money classified as tax-exempt by concealing to MEDWHAT the origins of illegally used money for different purpose legally allowed and advertised by STANFORD-STARTX FUND communication guidelines.

279. Mr. TESSIER-LAVIGNE, FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG as Trustees of STANFORD UNIVERSITY wired for-profit investments to MEDWHAT constitutes a criminal felony and tax fraud.

280. Trustees of THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY were involved in authorizing the tax-exempt non-profit university to illicitly operate legally independent for-profit private equity venture capital firm STANFORD-STARTX FUND LLC on campus clandestinely by Stanford personnel WEINSTEIN, LIVINGSTON, LIANG, WALLACE. Trustees authorized these actions in order to conceal of the origins of illegally used money – university tax-exempt funds - by means of direct transfers to MEDWHAT using as a front a legitimate separate businesses, for-profit STANFORD-STARTX FUND with its own independent Manager Suzanne Fletcher, even though the actual investor STANFORD-STARTX FUND never wired any funds to MEDWHAT or had any bank accounts of its own. These actions amount to wire fraud and money laundering. Trustees never followed proper procedure of STANFORD UNIVERSITY investing as a limited partner in STANFORD-STARTX FUND LLC, and STANFORD-STARTX FUND independently make an investment in MEDWHAT using fund Manager Suzanne Fletcher and the fund's own independent bank accounts as underlined in IRS tax laws. SEE EXHIBIT E.

281. WEINSTEIN, LIANG, WALLACE, LIVINGSTON, revealed in July 2018 they operated and actively managed illegally as unlicensed venture capitalist in its dealings with MEDWHAT after it was revealed FLETCHER was not the manager of STANFORD-STARTX FUND. FLETCHER was only an analyst of STANFORD-STARTX FUND LLC. FLETCHER was used by defendants as a front to give impression of an independent officer running the fund and hide the fact that university employees were in reality running illegally a venture capital fund. FLETCHER and TEITELMAN aided in protecting STANFORD tax-exemption and hiding source of direct funds, in effect laundering money for the University. Defendants attempted to destroy MEDWHAT with false statements in writ attachment to conceal this criminal act.

282. FLETHCER, STARTX, TEITELMAN, knew they were lying when they told MEDWHAT and DEVESA the funds were coming from an entity called STANFORD-STARTX FUND LLC.

283. Defendants STANFORD UNIVERSITY, STANFORD-STARTX FUND, STARTX, SMC, FLETCHER, TEITELMAN, TESSIER-LAVIGNE, WEINSTEIN, LIANG, WALLACE, LIVINGSTON knew they were lying and committing tax fraud when they sent a communication guideline with directions to MEDWHAT and all 200 STARTX startup investment to always say the monies and investments came from STANFORD-STARTX FUND when the wires in reality came fraudulently from STANFORD UNIVERSITY bank accounts without arm's length separation. DEVESA was lied to when told this was legal and how STANFORD-STARTX FUND, STANFORD UNIVERSITY, and SMC did their accounting and managed funds. MEDWHAT and DEVESA were used by defendants so defendants could illegally profit without breaking tax-exemption and to allow defendants to control a concealed venture capital fund in-house by university employees. DEVESA was deceived, manipulated, and lied for defendants to succeed in their money laundering and tax-exemption protection scheme.

284. Defendants WEINSTEIN, LIANG, WALLACE, LIVINGSTON, TESSIER-LAVIGNE in effect broke tax-exemption and committed tax-fraud under 26 USC 7200 by filing a lawsuit against MEDWHAT asking back for an alleged interest-bearing loan. University employees, with authorization from the president, general counsel, and board of trustees, wrote letters of support in Writ Attachment to freeze MEDWHAT's assets to reclaim repayment of such

loan. Defendant in the process admitted being money lenders, breaking IRS tax-exemption, Department of Education rules, and its educational mission. A loan is not part of defendants educational mission and recalling convertible loan notes meant for an educational mission by STANFORD-STARTX FUND and STARTX and refusing to convert them to equity as promised and originally intended is outside the socially and entrepreneurial mission of STARTX's STANFORD-STARTX FUND, and a clear violation of tax laws by all Stanford personnel pertaining educational mission to help entrepreneurs.

285. Defendants used MEDWHAT to make illicit money, conduct tax fraud and lie to the IRS. Stanford University Board of Trustees 2015 IRS Form 990, on Page 6, line 16, asks "Did the organization invest in, contribute assets to or participate in a joint venture or a similar arrangement with a taxable entity?" Stanford University responded No. That's false statement as Stanford has a joint venture with STANFORD-STARTX FUND, which is a limited liability corporation taxable entity. Stanford lied to the IRS in its 2016 Form 990. Defendants knew they were lying. That lie damaged MEDWHAT and DEVESA since it didn't know the real nature of its investor.

286. THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY broke their trust and fiduciary duty to the university by making with their own venture capital firms co-investments with STANFORD-STARTX FUND LLC as at the same time STANFORD-STARTX FUND was making wires from bank accounts owned and named THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, in effect committing tax fraud and money laundering.

287. Defendants have experience in evading taxes and committing tax-fraud as non-profit as revealed by Panama Papers and Paradise Papers. STANFORD UNIVERSITY'S endowment is invested in Cayman Islands to hide its financial investments even though a non-profit has no need to hide its financials as it doesn't pay taxes.

288. STANFORD UNIVERSITY's criminal activity by an organization that portrays itself as an angelic charity making the world a better place with integrity, good values and good governance, is a mask when in reality it's a criminal private equity investment firm breaking state and federal laws on a daily basis at the IRS, SEC, Department of Education, and California

Department of Revenue.

289. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

290. As further proximate result of tax fraud and money laundering, DEVESA has suffered consequential damages in an amount exceeding \$30million.

SECOND CAUSE OF ACTION

Breach of Contract

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

291. Plaintiff herein hereby incorporate by reference the allegations contained within Paragraphs 1- 271, inclusive, of this Complaint, as if set forth in full herein.

292. As plaintiff has pierced corporate veil of Defendants and STANFORD-STARTX FUND LLC, STANFORD-STARTX FUND contracts are in reality made by STANFORD

UNIVERSITY, STANFORD MANAGEMENT COMPANY. STANFORD-STARTX FUND officers are in reality ZUMWALT, LIANG, WEINSTEIN, WALLACE, LIVINGSTON, TESSIER and all BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY.

293. On or about June 26, 2013, Defendant VILELA, on behalf of Defendant STARTCAP, signed a written contract in the form of a Note Subscription Agreement and Note with Plaintiff MEDWHAT, in the amount of \$30,000.

294. On or about September 1, 2013, Defendant VILELA, on behalf of Cross- Defendant STARTCAPS, signed a second, identical written Note Subscription Agreement and Note with Plaintiff MEDWHAT, in the amount of \$40,000.

295. While both the June and September 2013 Notes provided for Automatic Conversion of the Notes into MEDWHAT shares upon MEDWHAT reaching a Qualified Financing of \$1.5 million, excluding proceeds of indebtedness that is converted to preferred shares (Note §§ 4(a), 6), that was not the Agreement's only provision on the subject.

Paragraph 4(a) of both of the Note Subscription Agreements provides as follows:

Waivers and Amendments. Any provision of this Agreement and the Note may be amended, waived or modified only upon the written consent of the Company and the Investors representing a majority of all principal then owing pursuant to outstanding Notes issued pursuant to the Agreements (a "Majority in Interest of Investors"). Any amendment or waiver effected in accordance with this paragraph shall be binding upon all of the Investors with respect to their Notes (emphasis original).

296. The vote of a "Majority in Interest of Investors" in favor of conversion of the Notes into preferred shares excused the Qualified Financing condition and gave rise to STARTCAPS' obligation to convert its notes into preferred shares. STARTCAPS breached its obligation that became due pursuant to the conversion vote, by failing to comply with its obligation to convert its note into preferred shares of MEDWHAT, as was required by the vote of the majority of interest in investors.

297. Therefore, Cross – Complainant performed each and every element of the contracts

between itself and its investors, and, should it be argued that it has not, then such condition excused by vote of the majority of interest of investors pursuant for paragraph 4 (a) of the note. Full performance was also prevented by the defendant's recalcitrance in refusing to fill out the requisite forms. Plaintiff attempted to cure this defect by a subsequent Blockchain registration of shares as later allowed by Delaware law.

298. As a proximate result of STARTCAPS' failure to convert its note into preferred shares of MEDWHAT, MEDWHAT suffered damages in the amount of \$ 6 million, representing the valuation of MEDWHAT per their convertible notes as of time of breach.

299. On or about January 1, 2015, Defendant CAIXA signed an identical written Note Subscription Agreement and Note with Plaintiff MEDWHAT, in the amount of \$100,000.

300. The vote of a "Majority in Interest of Investors" in favor of conversion of the Notes into preferred shares excused the Qualified Financing condition and gave rise to CAIXA's obligation to convert its notes into preferred shares. CAIXA breached its obligation that became due pursuant to the conversion vote by failing to comply with its obligation to convert its note into preferred shares of MEDWHAT, as was required by the vote of the majority of interest in investors.

301. As a proximate result of CAIXA's failure to convert its note into preferred shares of MEDWHAT, MEDWHAT suffered damages in an amount to be determined at trial.

302. On or about May 20, 2015, Defendant MAGIC STONE signed an identical written Note Subscription Agreement and Note with Plaintiff MEDWHAT, in the amount of \$400,000.

303. The vote of a "Majority in Interest of Investors" in favor of conversion of the Notes into preferred shares excused the Qualified Financing condition and gave rise to MAGIC STONE's obligation to convert its notes into preferred shares. MAGIC STONE breached its obligation that obligation to convert its note into preferred shares of MEDWHAT, as was required by the vote of the majority of interest in investors.

304. As a proximate result of MAGIC STONE's, CAIXA's failure to convert its note into

preferred shares of MEDWHAT, MEDWHAT suffered damages in the amount to be determined by this Court.

305. Defendant STANFORD-STARTX FUND signed an identical written Note Subscription Agreement and Note with Plaintiff MEDWHAT, in the amount of \$55,600 on 2/28/14, \$2222 on 7/17/14, \$58,333.33 on 5/13/15, \$44,444 on 10/1/15.

306. On January, 2016, SMC Head of School funds Sabrina LIANG, on authorization and orders from STANFORD-STARTX FUND manager Suzanne FLETCHER, signed an agreement to convert all four convertible notes into equity as can be seen on Exhibit K. Defendants breached contract upon recalling back convertible notes that had already been converted to equity.

307. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

308. As further proximate result of the breach of said breach of contract, and the legal conflict created fraudulently by Defendants, DEVESA have suffered consequential damages in excess of \$30million.

FOURTH CAUSE OF ACTION

INJURIOUS FALSEHOOD (TRADE LIBEL)

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR;

CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

309. Plaintiff hereby incorporates the allegation of paragraphs 1 through 271 to this complaint as though fully set forth herein.

310. Defendants jointly and severally disseminated false information about MEDWHAT.COM INC..COM INC.

311. Defendants lied about Massive Investments not making a Series A investment in MEDWHAT and having less money in the bank account that it really had. Also knew they were lying about REGENT and YANG not having committed to the Series A and not having sent an investment confirmation to MEDWHAT which was material information that make statements against DEVESA being false. Both false statements were used and manipulated to make it look like DEVESA was a fraud, when in reality REGENT committed fraud during the Series A, lied and manipulated DEVESA, and allied with Plaintiffs to cover-up their fraud and get their convertible note back once they had exploited MEDWHAT. Defendants lied about Linda Healthcare not being owned by MEDWHAT and used that lied in bad faith to damage DEVESA's reputation online and pressure him to kneel to defendants demands.

312. Defendants knew that they were disseminating false information. They had two purposes. First to prevent MEDWHAT.COM INC..COM INC. from reaching the Qualifying Financing Round that had already happened with conversion votes and also by raising more than \$1,500,000 million in preferred shares. Secondly just to force MEDWHAT.COM INC..COM INC into bankruptcy to hide and silence MEDWHAT from the tax fraud and criminal activities committed by Stanford when MEDWHAT paid a dividend to STANFODR-STARTX FUND mailed to STANFORD UNIVERSITY WEINSTEIN'S office, and REGENT series A fraud causing Stanford to own more than 10% equity in MEDWHAT, thus putting STANFORD UNIVERSITY's tax-exemption in jeopardy. Linda healthcare is owned by MEDWHAT, is in effect MEDWHAT, and is a product of MEDWHAT.

313. When Devesa said STANFORD was a partner in Linda, that was true, because DEVESA was a research scholar at Stanford Hospital and Stanford university was an investor in MEDWHAT and therefore Linda. WEINSTEIN, LIANG, and STANFORD, in order to harass DEVESA, contacted the State of Colorado Division of Securities to shut down Linda and remove STANFORD's name and evidence of for-profit activities with STANFORD's logo. This amounts to abuse of process to damage DEVESA's name and spread false information in complain to convince judge of count Illegal Competition being true.

314. Defendants are in violated of TRADE LABEL because they intentionally, knowingly disseminated false information among potential investor for exclusive purpose to drive MEDWHAT.COM INC..COM INC out of business.

315. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

316. Plaintiff has sustained damages arising from defendant action which amount to an INJURIOUS FALSEHOOD in an amount to be proven at trial.

FIFTH CAUSE OF ACTION

Fraud, Deceit, Misrepresentation (CAL. CIV. CODE § 1709, 1710)

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY

**MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL
JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK
RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES;
JERRY YANG; CHARLES D. YOUNG**

317. Plaintiff herein hereby incorporate by reference the allegations contained within Paragraphs 1-138, inclusive, of this Complaint, as if set forth in full herein.

318. Pursuant CAL. CIV. CODE § 1709, 1710 STANFORD-STARTX FUND, STARTX, and STANFORD UNIVERSITY are scams with public educational missions and entrepreneurial educational supporting missions that in reality have a policy of deceiving and damaging entrepreneurs and their companies by investing clandestinely in their competing companies without disclosure, while having access to sensitive technologies, and using those same entrepreneurs to illicit operate a venture capital fund within a non-profit masked as a separate entity llc. Defendants knew they were lying when they told MEDWHAT and DEVESA its investor was STANFORD-STARTX FUND and its manager FLETCHER. Defendants knew the STANFORD-STARTX FUND was in reality LIANG, WEINSTEIN, WALLACE, LIVINGSTON, and all BOARD of Trustees of STANFORD UNIVERISTY.

319. FLETCHER, WEINSTEIN, LIANG, LIVINGSTON, WALLACE, TESSIER are professional scammers who have scammed MEDWHAT and DEVESA of 7 years of hard work developing a company and tech to protect STANFORD UNIVERSITY's tax fraud and tax-exemption violation with regards to the operations of STANFORD-STARTX FUND.

320. WEINSTEIN and LIANG'S employers publicly said they were not involved in commercial for-profit activities yet admitted to being managers of the STANFORD-STARTX FUND by writing support letters to freeze MEDWHAT's assets, essentially playing both sides of the coin as managers of STANFORD-STARTX FUND while saying they are not and STANFORD-STARTX FUND is a separate entity.

321. FLETCHER and TEITLEMAN knew all startx investment communication guidelines to MEWHAT and DEVESA were lies and a strategy to hide a non-profit actively managing a venture capital fund without breaking tax-exemption.

322. In effect the university knew it operated a money lending business by

acknowledging via WEINSTEIN and LIANG they gave MEDWHAT convertible notes, they want their money back plus interest like a bank, they benefited during the duration of the notes by having access to DEVESA's science knowledge and MEDWHAT's technology for free. STANFORD-related personnel now they want their investment back and getting free stuff. These actions are of a university being a for-profit bank, equaling to tax fraud and breaking tax-exemption.

323. The legitimate and advertised STANFORD-STARTX FUND manager, FLETCHER, states clearly in 2015 when STARTCAPS and VILELA illegally wanted investment back, that returning the money 'doesn't sounds like industry practice for me'. This was the action taken by FLETCHER and LIANG later on when converting notes to equity in 2016. Posteriorly, defendants back-pedaled fraudulently to cover-up tax-fraud and issues caused by REGENT's sham Series A.

324. FLETHCER lied and defraud MEDWHAT by portraying herself as the STANFODR-STARTX FUND manager for years and then later on allowing a fraudulent lawsuit against MEDWHAT recalling notes back with false statements. STANFORD-STARTX FUND LLC manager Suzanne Fletcher said in an email to Plaintiff on Sep 24, 2015 – **"I would not be in favor of giving the money back (Option 3), that does not strike me as industry practice."** FLETCHER, as a professional venture capitalist, unlike WEINSTEIN and LIANG and rest of Defendants, clearly states that's it's a red flag if an investor asks back an investment from a note; FLETCHER as the manager of the fund was against STARTCAPS, VILELA and IGLESIAS's breach of contract. Three years later same plaintiff allies with STARTCAPS and contradicts agreements it had with MEDWHAT. Such actions are fraudulent and unheard of in Silicon Valley, and a sign of fraud by the investor to have access to technology on the free for two years and then recall investments after raiding the company.

325. WEINSTEIN, LIANG, LIVINGSTON, WALLCE, lied to MEDWHAT and operated a for-profit venture capital firm illegally with no license, out of a non-profit university, breaking FINRA and SEC laws. Defendants blocked FLETCHER from doing her job in defending MEDWHAT and STARTX's friendly mission since STANFORD never created an independent STANFORD-STARTX FUND with FLETCHER as its officer as advertised to

MEDWHAT in order to comply with tax laws. The Board of Trustees OF STANFORD wanted the benefits of controlling the fund without losing its tax-exemption and that's why it lied to all startx companies and MEDWHAT. FLETCHER is manager of plaintiff, but having a different lawyer than plaintiff is a clear sign of fraud committed by WEINSTEIN and LIANG and evidence of piercing corporate veil and who really is behind lawsuit and plaintiff. FLETCHER has never made a comment or written a letter of support to this lawsuit even though she was supposed to as the manager of the plaintiff STANFODR-STARTX FUND.

326. FLETHCER, TEILTEMAN, WEINSTEIN, LIANG, LIVINGSTON, WALLCE are scam artists by convincing MEDWHAT, DEVESA, and 200+ STARTX companies that the STANFORD-STARTX FUND was an independent fund ran by FLETCHER, by telling us to say our investor was STANFORD-STARTX FUND when the money wired came from THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, by using all of us at STARTX in covering up defendant's tax-fraud and its ability to run a for-profit venture capital firm without losing its tax-exemption.

327. Defendants used MEDWHAT to profit illegally from private equity while breaking state and federal laws on a daily basis at the IRS, SEC, Department of Education, and California Department of Revenue.

328. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

329. DEVESA have been damaged by the above misappropriation in the amount of to be determined by this court.

330. DEVESA is also entitled to permanent injunctive relief against any further use of MEDWHAT's trade secrets.

331. DEVESA is also entitled to costs and attorneys' fees pursuant to various appropriate sections of California law.

SIXTH CAUSE OF ACTION

Trade Secret Misappropriation (Uniform Trade Secrets Act)

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

332. Plaintiff herein hereby incorporate by reference the allegations contained within Paragraphs 1- 138, inclusive, of this Complaint, as if set forth in full herein.

333. MEDWHAT owns the following non-exhaustive group of trade secrets: algorithms, algorithmic protocols, ideas, processes, designs of virtual medical and other virtual assistants, virtual assistant technology formula, pattern, device and compilation and gadgets. MEDWHAT has a formula, device, and pattern of recording devices at Stanford Hospital recording conversations between Stanford nurses and patients. These conversations would be transcribed into text. The text was used by MEDWHAT's Machine Learning algorithms to mimic an artificial intelligence medical virtual assistant, used by Stanford Hospital and developed by DEVESA on MEDWHAT's behalf while he was a research scholar at Stanford Hospital in 2016-2017.

334. The group described in the above-preceding paragraph comprises trade secrets

within the definition of trade secrets pursuant to Civil Code § 3426.1(d) as: information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and

(2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

335. The above captioned defendants misappropriated the above trade secrets within the definition of "misappropriation" and "improper means" set forth in Civil Code § 3426.1(a),(b) taking the above-information they gained through their due diligence prior to investing with MEDWHAT and transferring that information without MEDWHAT's consent to MEDWHAT's competitor Sense.ly, in whom MAGIC STONE and STANFORD-STARTX FUND also invested.

336. MAGIC STONE, with knowledge and support of STANFORD UNIVERSITY, stole and misused MEDWHAT's diabetes app for Orange Telecom information that competed with SENSELY's own diabetes app for Orange in the contract bid. MAGIC STONE knew during its due diligence with MEDWHAT they were going to invest also in SENSELY, its direct competition. MAGIC STONE and ZENG leveraged MEDWHAT to do business with SENSELY in China.

337. STANFORD UNIVERSITY co-invested with MAGIC STONE in SENSELY, while both knew this was damaging to DEVESA because DEVESA was providing both investors with technology information that went against MEDWHAT's interest in regards to remaining competitive with SENSELY.

338. STANFORD UNIVERSITY used DEVESA to have access to technology it had no intention in supporting as an investor over the long-term.

339. The trade secrets so identified were not in the public domain, directly, or indirectly, before they were disclosed to the cross defendants.

340. The above captioned cross defendants ROES 1-10 misappropriated the above trade secrets within the definition of "misappropriation" and "improper means" set forth in Civil Code

§ 3426.1(a),(b) taking the above-information they gained through their due diligence prior to investing with MEDWHAT and transferring that information without MEDWHAT's consent to MEDWHAT's competitor Sense.ly, in whom STANFORD UNIVERSITY also invested.

341. Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

342. INCWELL and ROES 1-50 misappropriated the above trade secrets within the definition of "misappropriation" and "improper means" set forth in Civil Code § 3426.1(a),(b) taking the above-information they gained through their due diligence while considering investing with MEDWHAT while MEDWHAT and DEVESA worked with INCWELL and the University of Michigan between October 2016 and July 2017 on using MEDWHAT's AI technology to build a medical assistant 'chatbot' at the University of Michigan, and transferring that information without MEDWHAT's consent to third parties, including but limited to, the University of Michigan, other hospitals in Michigan, and competitors of MEDWHAT. MEDWHAT had the ROES sign a nondisclosure agreement covering the trade secrets that these were exposed to. However, they breached the NDA's. MEDWHAT will name these ROE cross-defendants as soon as practicably possible.

343. STANFORD UNIVERSITY, MAGIC STONE, REGENT are involved in a initiative by the Chinese government program 'China 2025' to steal and have inappropriate access to technology of MEDWHAT and other American startups via HUAWEI, BAIDU, Stanford University Chinese Professors Andrew Ng and Professor Souchang Zang. STANFORD UNIVERSITY and its Board knew of entities such as MAGIC STONE and REGENT were Chinese venture capital firms with complains from MEDWHAT in its fraudulent use of convertible notes and fake series a due diligence and investment confirmation to deceive and steal IP from MEDWHAT. STANFORD UNIVERSITY, WEINSTEIN, LIANG, WALLACE, LIVINGSTON, TESSIER, FLETCHER, nevertheless supported MAGIC STONE and REGENT's theft initiatives.

344. STANFORD UNIVERSITY BOARD OF TRUSTEES knew of Chinese professors at STANFORD working with tech startups while being paid by BAIDU, HUAWEI, or Chinese

state-related venture capital firms looking to steal American IP and under sanctions by the American government. MEDWHAT was one of such startups damaged by 'China 2025' IP theft initiative. STANFORD UNIVERSITY and SMC choose financial gains and ties to Chinese capital entering STANFORD and failed in its fiduciary duty to protect MEDWHAT's IP and American IP from a Chinese fraudulent program of investment with false pretenses and harmful outcomes.

345. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

346. Plaintiff has sustained damages arising from defendants' violation of securities fraud in an amount to be proven at trial.

SEVENTH CAUSE OF ACTION

Securities Fraud (CAL CORP CODE § 25400, 25401, 25501)

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

347. Plaintiff hereby incorporates the allegation of paragraphs 1 through 138 to this complaint as though fully set forth herein.

348. Defendants pretended to be a legitimate investor. While their actual motive was to transfer valuable technical information from MEDWHAT.COM INC..COM INC. to themselves for other purposes.

349. Defendants lied in Securities documents the true identity of STANFORD-STARTX FUND LLC.

350. LIANG, FLETCHER, and rest of Defendants, lied about convertible note conversion approval.

351. Defendants pretended to be a legitimate investor. While, their actual intention was to push DEVESA's MEDWHAT.COM INC to bankruptcy, use MEDWHAT.COM INC and DEVESA for investment strategies in the medical artificial intelligence space, and clear the market for Sensely and other competing startups in their portfolios.

352. MAGIC STONE, FLETCHER, TEITLEMAN, STANFORD UNIVERSITY, STANFORD-STARTX FUND, STARTX, SMC, FLETCHER, WEINSTEIN, LIANG, WALLACE, LIVINGSTON, knew they were buying securities in MEDWHAT while investing in MEDWHAT's direct competition and knew they would misuse those securities force MEDWHAT out of business in favor of MEDWHAT' competition.

353. Defendants STANFORD UNIVERSITY, STANFORD-STARTX FUND, STARTX, SMC, FLETCHER, WEINSTEIN, LIANG, WALLACE, LIVINGSTON, FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG are in violation of Security Fraud because materially lied about identity of investment entity, lied about source of investment, lied about real officers of fund, and deceived MEDWHAT with

misrepresentation. Defendants laid the foundation to destroy MEDWHAT.COM INC to hide securities fraud.

354. STANFORD UNIVERSITY co-investor, UHS and MACHO's private equity investment in MEDWHAT, was damaged and lost by Defendants fraudulent actions and not knowing the real harmful intentions of the investors it was co-investing with.

355. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

356. Plaintiff has sustained damages arising from defendants' violation of securities fraud in an amount to be proven at trial.

EIGHT CAUSE OF ACTION

Unfair Competition (BUS & P C §17200)

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

357. Plaintiff herein hereby incorporate by reference the allegations contained within Paragraphs 1- 138, inclusive, of this Complaint, as if set forth in full herein.

358. The acts and omissions of the above captioned defendants constitute Unfair Competition under California Business and Professions Code 17200.

359. Defendants secretly competed with MEDWHAT as investors of MEDWHAT having privileged access to MEDWHAT's information.

360. Defendants FLETCHER, TEITELMAN, WEINSTEIN, LIANG, STANFORD, SMC, WALLACE, LIVINGSTON, as managers of STANFORD-STARTX FUND, and MAGIC STONE, ZENG, never disclosed they were making an investment in MEDWHAT's direct competition, Sensely, and the conflicts of interest that posed. Defendants competed with MEDWHAT and had different interests to that of MEDWHAT while being investors in MEDWHAT and had access to regular proprietary information of MEDWHAT.

361. Defendants knew their partners in destroying MEDWHAT and DEVESA, REGENT and YANG, knew they had competing investments in China developing same technology as MEDWHAT.

362. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

363. The acts and omissions of defendants sounding in unfair competition have proximately caused damage to Plaintiff.

364. Plaintiff herewith request an award of actual and compensatory damages for unfair competition of \$30million per MEDWHAT's valuation and DEVESA's share in the company.

NINTH CAUSE OF ACTION

WIRE FRAUD (18 U.S. Code § 1343)

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

365. Plaintiff hereby incorporates the allegation of paragraphs 1 through 271 to this complaint as though fully set forth herein.

366. FLETCHER, WEINSTEIN, LIANG, STANFORD-STARTX FUND, STANFORD, SMC, BOARD OF TRUSTEES, WALLACE, LIVINGSTON were told by DEVESA to not believe INCWELL misinformation about MEDWHAT not having raised funds from MASSIVE INVESTMENTS. DEVESA told defendants INCWELL and BOAG was very dangerous and was impersonating DEVESA. On May 25th, 2017, an individual believed to be BOAG on behalf of INCWELL, or an individual on orders of BOAG, called MEDWHAT's bank First Republic Bank pretending to be DEVESA and trying to access online MEDWHAT'S bank account information and cash balance.

367. Defendants knew INCWELL had committed wire fraud and impersonation, yet still allied with BOAG, JABER, LA SORDA, and INCWELL on demanding back illegally convertible notes of MEDWHAT via a frivolous lawsuit filed by ALTO LITIGATION. Defendants aided a felony committed by BOAG.

368. Plaintiff hereby incorporates the allegation of paragraphs 1 through 271 to this complaint as though fully set forth herein.

369. Defendants are jointly and severally committed the tort of Wire Fraud as define under 18 U.S. Code § 1343.

370. Defendants called First Republic Bank and impersonating Mr. Arturo Devesa's voice and solicited vital commercial information.

371. After committing felony of impersonation and wire fraud, BOAG and INCWELL removed their name from Plaintiffs' lawsuit even though they had put their name in demand letter and instigating the lawsuit. WEINSTEIN and LIANG mention in demand letter INCWELL as original executioner of demand letter. INCWELL bails out and leaves Plaintiffs' hanging with the lawsuit as INCWELL knew it had committed wire fraud.

372. Defendants are in violated of 18 U.S. Code § 1343 because they pretend to be Arturo Devesa with the intention to gain vital financial information with the purpose to harm MEDWHAT.COM INC..COM INC.

373. Defendants FLETCHER, TEITELMAN, WEINSTEIN, LIANG, STANFORD, SMC, WALLACE, LIVINGSTON TESSIER-LAVIGNE; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG lied, and knew they were lying, on all of the wire transfers MEDWHAT received allegedly coming from STANFORD-STARTX FUND.

374. Defendants knew all wire transfers came from a different entity called THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY. Defendants knew they were lying to protect STANFORD UNIVERSITY's IRS tax-exemption and not get it in trouble with the authorities. MEDWHAT was used to commit wire fraud and not given the right to know who its investor really was.

375. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT,

approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

376. Plaintiff has sustained damages arising from defendants' violation of 18 U.S. Code § 1343 in an amount to be proven at trial.

ELEVENTH CAUSE OF ACTION
BREACH OF FIDUCIARY DUTY

**Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE
LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD
MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON;
MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN;
SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI;
ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A
FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER;
FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E.
JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E.
OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S
RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM
SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY
YANG; CHARLES D. YOUNG**

377. Plaintiff hereby incorporates the allegation of paragraphs 1 through 271 to this complaint as though fully set forth herein.

378. Defendants secretly competed with MEDWHAT as investors of MEDWHAT having privileged access to MEDWHAT's information.

379. FLETCHER and TEITELMAN failed in their fiduciary duty to STARTX and STANFORD-STARTX FUND to: tell the truth about MEDWHAT's Series A problems, to abide

by entrepreneur-first friendly mission and policies, to notify DEVESA STANFORD-STARTX FUND had invested in MEDWHAT's direct competition, and failing in keep separation between for-profit STANFORD-STARTX FUND and STANFORD UNIVERSITY.

380. Defendants, WEINSTEIN, LIANG, STANFORD-STARTX FUND, STANFORD, SMC, WALLACE, LIVINGSTON, LAVIGNE, FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG failed in their fiduciary duty to protect STANFORD's tax-exemption by legal means and separation from for-profit subsidiary STANFORD-STARTX FUND.

381. JERRY YANG, PORAT, SYKES, and POWELL JOBS failed in their fiduciary duty as trustees to protect the integrity of a tax-exempt university by investing with their venture capital firms in startups STANFORD-STARTX FUND had also invested via wire transfers with the trustee's names on it.

382. All Board of Trustees failed in their fiduciary duty MEDWHAT, DEVESA and to the IRS, Department of Education, SEC, and FINRA.

383. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

384. Plaintiff has sustained damages arising from defendants' violation in an amount to be proven at trial.

TWELFTH CAUSE OF ACTION

ABUSE OF PROCESS

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

385. Plaintiff hereby incorporates the allegation of paragraphs 1 through 271 to this complaint as though fully set forth herein.

386. Same week Stanford filed frivolous lawsuit against Devesa in SF court asking back convertible note investments of MEDWHAT, Colorado department of securities filed a cease and desist against MEDWHAT's product Linda healthcare and DEVESA. Stanford university, susan WEINSTEIN, LIANG and Stanford lawyers at alto litigation contacted the division of securities of Colorado to abuse and misuse issue of court process to send a cease and desist letter against Devesa and linda healthcare. In that process their goal was to also put pressure on medwhat and Devesa financially to surrender in palintiff's lawsuit.

387. Stanford university and Stanford-startx fund used Colorado securities deivison with the intention to obtain results for which the process was not designed. Process was not designed to take out enemies of Stanford or legitimate companies associated with Stanford that jeopardize stanford's tax-exempt status. .linda was medwhat, and Stanford was an owner of linda even though they didn't want to.

388. Stanford university and Stanford-startx fund used SF COURTS with the intention to

obtain results for which the process was not designed. Force bankruptcy even though they knew they had agreed to convert notes.

389. Abuse of process is a cause of action in tort arising from one party making misusing or perversion of regularly issued court process (civil or criminal) not justified by the underlying legal action.

390. Colorado division of securities are same abuse of process tactics used by criminal organization Stanford to harass, intimidate, and ultimately silence and destroy Devesa because of his knowledge of a criminal felony committed by Stanford et al.

391. Abuse of power of Stanford, Weinstein, Tessier, for sanctions motion claiming they have no relationship with cross-complainant, Weinstein not being a manager of Stanford-startx fund llc, even though Weinstein wrote a letter for order attachment admitting being a manager of Stanford-startx fund. Llc. Bahram knew of both contradictions of attachment letter and sanctions by Weinstein and Tessier.

392. A lawyer may not lie to the judge or jury by specifically stating that the defendant did not do something the lawyer knows the defendant did do.

393. Alto litigation, Bahram, Weinstein, Tessier, they all knew cross-defendants were managing Stanford-startx fund, but still filed frivolous sanction saying they were not, contradicting letter written by Weinstein on 7/28/18 for support of attachment admitting she was the manager of the funds of Stanford-StartX Fund. Bahram representing a Client the Lawyer knew was Guilty and committed the act it says in sanction it didn't not. Bahram himself used the letter of Weinstein in attachment to win attachment. Bahram, Weinstein surely knew the sanction was fraudulently, abusing process to harass plaintiff and prevent him from filing a complaint for tax fraud against defendants.

394. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

395. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

396. Plaintiff has sustained damages arising from defendants' violation in an amount to be proven at trial.

THIRTEEN CAUSE OF ACTION

INSIDER TRADING

Against STANFORD UNIVERSITY; THE BOARD OF TRUSTEES OF THE LELAND STAFORD JUNIOR UNIVERSITY; DEBRA ZUMWALT; STANFORD MANAGEMENT COMPANY; ROBERT WALLACE; RANDY LIVINGSTON; MARC TESSIER-LAVIGNE; SUZANNE FLETCHER; SUSAN WEINSTEIN; SABRINA LIANG; FELIX J. BAKER; MARY T. BARRA; BRET E. COMOLLI; ROANN COSTIN; MICHELLE R. CLAYMAN; DIPANJAN DEB; HENRY A FERNANDEZ; ANGELA S. FILO; RUTH PORAT; SAKURAKO D. FISHER; FRADLEY A. GEIER; JAMES D. HALPER; RONALD B. JOHNSON; MARC E. JONES; TONIA G. KARR; CAROL C. LAM; CHRISTY MACLEAR; KENNETH E. OLIVIER; CARRIE W. PENNER; LAURENE POWELL JOBS; JEFFREY S RAIKES; MINDY B ROGERS; VICTORIA B ROGERS; KAVITARK RAM SHRIRAM; RONALD P. SPOGLI; JEFFREY E. STONES; GENE T SYKES; JERRY YANG; CHARLES D. YOUNG

397. Plaintiff hereby incorporates the allegation of paragraphs 1 through 138 to this complaint as though fully set forth herein.

398. Defendants secretly competed with MEDWHAT as investors of MEDWHAT having privileged access to MEDWHAT's information to make business decisions in the medical and artificial intelligence space.

399. Defendants STANFORD UNIVERSITY, SMC, TEITELMAN, FLETCHER, used insider information about MEDWHAT to make decisions to invest in Sensely and later on to try to divest illegally of its investment in MEDWHAT in favor of competing investment Sensely.

400. MEDWHAT's partnership with STANFORD HOSPITAL and project information was used by STANFORD-STARTX FUND, FLETCHER, TEITELMAN, STARTX, STANFORD UNIVERSITY, WEINSTEIN, LIANG, WALLACE, LIVINGSTON to make competing investments against MEDWHAT.

401. POWELL JOBS, PORAT, SYKES and YERRY YANG made investments with their venture capital firms with sensitive information from STANFORD-STARTX FUND investments while being BOARD OF TRUSTEES OF STANFORD UNIVERSITY. DEVESA was not told MEDWHAT's investors, BOARD OF TRUSTEES OF STANFORD UNIVERSITY, had conflict of interest by making co-investments with STANFORD-STARTX FUND in companies at the same time they as Trustees made direct wire transfers with school funds to those same STANFORD-STARTX FUND portfolio companies.

402. Defendants' STANFORD Board of Trustees, ZUWALT and LIVINGSTON used information from the STANFORD-STARTX FUND to make personal dealings and business investments with other private equity firms, or their own private equity firms, or as board members of companies competing with STARTX companies, or having conflicts of interest with STARTX companies as Trustees, or benefiting unfairly from having access to STANFORD-STARTX FUND investments and business information as Stanford Trustees.

403. TESSIER-LAVIGNE, as President of STANFORD UNIVERSITY, knew of these insider trading investments and conflicts of interest and allowed it to happen.

404. STANFORD UNIVERSITY's main lawyer, General Counsel Debra ZUMWALT, approved legally at STANFORD these actions by the BOARD OF TRUSTEES OF STANFORD UNIVERSITY and Stanford-personnel while also being the Officer and Person of Service of Process in State of Delaware Division of Corporations and California Division of Corporations with STANFORD-STARTX FUND LLC.

405. Plaintiff has sustained damages arising from defendants' violation in an amount to be proven at trial.

AGAINST ALL DEFENDANTS

406. Plaintiff hereby incorporates the allegation of paragraphs 1 through 271 to this

complaint as though fully set forth herein.

407. Defendants are investors in a startup business. They knew or should have known that they and other organizations and individuals have invested in the business. The purpose of investments is to lay the financial foundation for the MEDWHAT.COM INC.'s success.

408. Defendants by their investment had access to vital information regarding MEDWHAT.COM INC. financial and technical status. Therefore, defendants have a fiduciary duty to safeguard said information and not use it for other purposes, alternative investments, find other job opportunities or political agendas within their organizations.

409. Defendants violated their fiduciary duty by investing in MEDWHAT.COM INC.'s competitor Sensely.

410. Defendants violated their fiduciary duty by divulging and using sensitive information that they acquire from MEDWHAT.COM INC..COM INC. for Sensely, investments, and alternative strategies.

411. Defendants violated their fiduciary duty by spreading false rumors against MEDWHAT.COM INC..COM INC.

412. Plaintiff has sustained damages arising from Defendants' breach of fiduciary duty in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff pray for relief as follows:

For judgment to be entered in Plaintiff favor against all Defendants.

1. For an award of actual damages pursuant to Causes of Action 1- 13.
2. For an award of compensatory damages pursuant to Causes of Action 1-13.
3. For an award of punitive damages arising from fraud, oppression, and malice, in an

amount, given the defendants relative and respective net worths, in amount sufficient to

punish them and set an example for other potential wrongdoers.

4. For temporary, preliminary, and permanent injunctive relief against cross- defendants prohibiting them from making devices and/or using software based, directly or indirectly, upon plaintiff technology and/or trade secrets, or, transferring directly or indirectly, said technology and/or trade secrets.
5. For an award of attorney's fees and costs, and such other and further relief as the court may deem equitable in the premise

For each Defendant for their individual cause of action:

1. Against Defendant DEBRA ZUMWALT for:
 - a. \$31 million in compensatory damages
 - b. \$310 million in punitive damages
2. Against LELAND STANFORD JUNIOR UNIVERSITY, also known as THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY ("STANFORD UNIVERSITY") for:
 - a. \$100 million in compensatory damages
 - b. \$500 million in punitive damages
3. Against STANFORD MANAGEMENT COMPANY for:

- a. \$100 million in compensatory damages
 - b. \$500 million in punitive damages
- 4. Against Defendant MARC TESSIER-LAVIGNE for:
 - a. \$31 million in compensatory damages
 - b. \$310 million in punitive damages
- 5. Against Defendant Randal (Randy) Livingston for:
 - a. \$31 million in compensatory damages
 - b. \$10 million in punitive damages
- 6. Against Defendant ROBERT WALLACE for:
 - a. \$31 million in compensatory damages
 - b. \$10 million in punitive damages
- 7. Against FELIX J. BAKER
 - a. \$31 million in compensatory damages
 - b. \$310 million in punitive damages
- 8. MARY T. BARRA
 - a. \$31 million in compensatory damages
 - b. \$310 million in punitive damages
- 9. BRET E. COMOLLI
 - a. \$31 million in compensatory damages
 - b. \$310 million in punitive damages
- 10. ROANN COSTIN

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

11. MICHELLE R. CLAYMAN

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

12. DIPANJAN DEB

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

13. HENRY A FERNANDEZ

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

14. ANGELA S. FILO

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

15. SAKURAKO D. FISHER

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

16. FRADLEY A. GEIER

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

17. JAMES D. HALPER

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

18. RONALD B. JOHNSON

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

19. MARC E. JONES

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

20. TONIA G. KARR

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

21. CAROL C. LAM

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

22. CHRISTY MACLEAR

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

23. KENNETH E. OLIVIER

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

24. CARRIE W. PENNER

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

25. LAURENE POWELL JOBS

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

26. JEFFREY S RAIKES

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

27. MINDY B ROGERS

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

28. VICTORIA B ROGERS

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

29. KAVITARK RAM SHRIRAM

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

30. RONALD P. SPOGLI

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

31. JEFFREY E. STONES

- a. \$31 million in compensatory damages
- b. \$310 million in punitive damages

32. GENE T SYKES

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

33. JERRY YANG

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

34. CHARLES D. YOUNG

a. \$31 million in compensatory damages

b. \$310 million in punitive damages

Respectfully submitted,



Arturo Devesa, CEO & Founder of
MedWhat.com, Inc.
May 13th, 2019

Exhibit A

**Stanford-StartX Fund LLC. MedWhat
investment wire transfer transcript - tax fraud
evidence as investment came from BOARD OF
TRUSTEES OF STANFORD UNIVERSITY,
not "Stanford-StartX Fund LLC."**

PAYMENT ARCHIVE AND RESEARCH CENTER

Query Results Report

Printed On : 9/20/2018

MSG_SOURCE_TYPE PPUSA
Account No 80001190548
Amount 399,999.60
Beneficiary MEDWHAT.COM INC.
BNF ID 80001190548
Branch ID 005
Country Code US
Currency USD
Direction I
Fee 0.00
IMAD 20170123B1B7TP1C001389
MID 170123122037F100
Msg Status COMPLETE
Msg Subtype 00
Msg Type 18
OBI TBO TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY SSF
Office 001
OGB THE BANK OF NEW YORK MELLON
OGB ADDR1 ASSET SERVICES GLOBAL OPERATIONS
OGB ADDR2 3 MELLON BANK CENTER
OGB ADDR3 PITTSBURGH, PA 15259
OMAD 20170123L1B78H1C00199101231520FT03
ORG ADDR1 STANFORD MANAGEMENT COMPANY
ORG ADDR2 635 KNIGHT WAY
ORG ADDR3 STANFORD, CA 94305
ORG ID LSJF8602002
ORG ID Code AC
Originator THE BOARD OF TRUSTEES OF THE LELAND
Pavmt Method FED
Recv ABA 321081669
Recv Name FST REP BK SF
Reference FTS1701237198100
Sender ABA 011001234
Sender Name MELLON TRUST OF NE
Spread Amnt 0.00
Time 12:37:54
UserID MICHELLO
Value Date 01/23/2017
Wire Date 01/23/2017

Total messages : 1

Total Amount : 399,999.60

EXHIBIT A2

Board Members

effective December 1, 2018

- Felix J. Baker, Co-Founder and Managing Partner, Baker Brothers Investments, New York, NY
- Mary T. Barra, Chief Executive Officer, General Motors, Detroit, MI
- Bret E. Comolli, Chairman, Asurion Corporation, Atherton, CA
- RoAnn Costin, President, Wilderness Point Investments, Cambridge, MA
- Michelle R. Clayman, Managing Partner & Chief Investment Officer, New Amsterdam Partners LLC, New York, NY
- Dipanjan Deb, CEO & Co-Founder, Francisco Partners, San Francisco, CA
- Henry A. Fernandez, Chairman and CEO, MSCI Inc., New York, NY
- Angela S. Filo, Co-Founder, Yellow Chair Foundation, Palo Alto, CA
- Sakurako D. Fisher, San Francisco, CA
- Bradley A. Geier, Co-Managing Partner, Merlone Geier Partners, San Diego, CA
- James D. Halper, Senior Advisor, Leonard Green & Partners, Los Angeles, CA
- Ronald B. Johnson, Founder & CEO, Enjoy, Menlo Park, CA
- Marc E. Jones, Chairman & CEO, Aeris, San Jose, CA
- Tonia G. Karr, San Francisco, CA
- Carol C. Lam, Attorney, La Jolla, CA
- Christy MacLear, New Canaan, CT
- Kenneth E. Olivier, Chairman Emeritus, Dodge and Cox, San Francisco, CA
- Carrie W. Penner, Chair of the Board, Walton Family Foundation, Aspen, CO
- Ruth M. Porat, Chief Financial Officer, Alphabet Inc. and Google Inc., Mountain View, CA
- Laurene Powell Jobs, Founder/Chair, Emerson Collective, Palo Alto, CA
- Jeffrey S. Raikes, Co-Founder, The Raikes Foundation, Seattle, WA
- Mindy B. Rogers, Atherton, CA
- Victoria B. Rogers, President, Rose Hills Foundation, Pasadena, CA
- Kavitar Ram Shriram, Founder, Sheralo Ventures, Menlo Park, CA
- Ronald P. Spogli, Founding Partner, Freeman Spogli & Co., Los Angeles, CA
- Srinija Srinivasan, Palo Alto, CA
- Jeffrey E. Stone, Chairman Emeritus and Senior Partner, McDermott Will & Emery LLP, Chicago IL
- Gene T Sykes, Global Co-Head of M&A & Chairman, Goldman Sachs Group, Inc., Los Angeles, CA
- Marc Tessier-Lavigne, President, Stanford University, Stanford, CA
- Jerry Yang, AME Cloud Ventures, Palo Alto, CA
- Charles D. Young, Chief Operating Officer, Invitation Homes, Dallas, TX



EXHIBIT B

LinkedIn profile for Suzanne Rombeau Fletcher, 2nd.

Suzanne Rombeau Fletcher 2nd
Stanford-StartX Fund Manager | Kaufman Fellow
San Francisco, California

Connect Message More...

StartX StartX.
Stanford University Graduate School of Business
See contact info
500+ connections

VC fund manager, entrepreneurial community builder, advocate for a more inclusive ecosystem and lover of data & systems building.

Crunchbase profile for Suzanne Rombeau Fletcher.

Suzanne Rombeau Fletcher
Stanford-StartX Fund Manager
StartX (Stanford-StartX Fund)

Overview Unlock Charts Jobs Related Hubs Education Recent News and Activity

Overview

CB Rank (Investor) 42,597

Location Palo Alto, California, United States
Regions San Francisco Bay Area, Silicon Valley, West Coast
Gender Female

LinkedIn View on LinkedIn

Created in 2013, the Stanford-StartX Fund seeks to invest in companies that go through the StartX process. The Fund's investors are Stanford University and the Stanford Hospital.

General Background: Alternative Investments professional with experience in PE/VC fund investments, restructurings and GP spin-outs. Current experience is focused on venture direct investments.

Skilled in both manager and underlying asset due diligence. Investment experience spans all of North America including both domestic and international markets over multiple cycles. Experienced as both a general partner and limited partner on fund advisory boards, fund valuation committees and industry panels. Stanford

"Suzanne Fletcher was not the person or entity that Devesa was required to seek consent from; Stanford Management Company was. Thus, Ms. Fletcher's email cannot be considered "written consent" to amendment of the Notes." Stanford-StartX Fund LLC's lawyer Bahram Seyedin-Noor statement in an email in September 2018

EXHIBIT C

STANFORD-STARTX FUND, LLC

Company Number

201335210353

Status

Active

Incorporation Date

12 December 2013 (over 5 years ago)

Company Type

FOREIGN

Jurisdiction

California (US)

Branch

Branch of STANFORD-STARTX FUND, LLC (Delaware (US))

Registered Address

635 KNIGHT WAY

STANFORD CA 94305

United States

Agent Name

DEBRA L. ZUMWALT

Agent Address

STANFORD UNIVERSITY, BLDG. 170, 3RD FLR STANFORD CA 94305

Directors / Officers

DEBRA L. ZUMWALT, agent

opencorporates

The Open Database Of The Corporate World

Company name or number

SEARCH



Companies Officers

Log In/Sign up

STANFORD-STARTX FUND, LLC (BRANCH)

Company Number 201335210353

Status Active

Incorporation Date 12 December 2013 (over 5 years ago)

Company Type FOREIGN

Jurisdiction California (US)

Branch Branch of STANFORD-STARTX FUND, LLC (Delaware (US))

Registered Address 635 KNIGHT WAY
STANFORD CA 94305

United States

Agent Name DEBRA L. ZUMWALT

Agent Address STANFORD UNIVERSITY, BLDG. 170, 3RD FLR STANFORD CA 94305

Directors / Officers DEBRA L. ZUMWALT, agent

Registry Page <https://businesssearch.sos.ca.gov/CBS...>

Company network

Not yet available for this company. Click to find out more

Corporate Grouping (USER CONTRIBUTED)

None known. [Add one now?](#)

See all corporate groupings

Similarly named companies

STANFORD-STARTX FUND, LLC (Delaware (US), 3 Sep 2013-)

Recent filings for STANFORD-STARTX FUND, LLC

28 Aug 2017 SI-COMplete

31 Jan 2017 SI-COMplete

19 Dec 2013 SI-COMplete

EXHIBIT D



STANFORD-STARTX FUND LLC Manager Suzanne Fletcher at Kodiak Sciences NASDAQ IPO



Felix J. Baker, Ph.D.

Felix Baker is a Managing Partner of Baker Brothers Investments which he and his brother, Julian Baker, founded in 2000. Dr. Baker's career as a fund-manager began in 1994 when he co-founded a biotechnology investing partnership with the Tisch Family. Dr. Baker holds a B.S. and a Ph.D. in Immunology from Stanford University.

- 1 Chair of the Compensation Committee
- 2 Member of the Nominating and Governance Committee

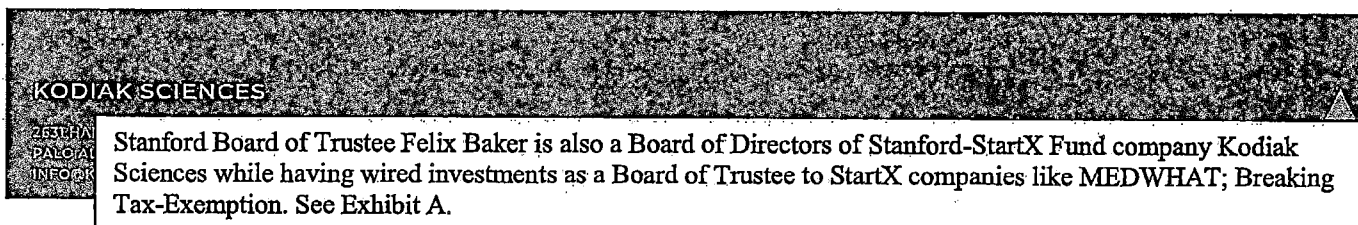


EXHIBIT E

Form **990**
990

Department of the
Treasury
Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form as it may be made public
▶ Information about Form 990 and its instructions is at www.irs.gov/form990

OMB No 1545-0047

2015

Open to Public Inspection

A For the 2015 calendar year, or tax year beginning 09-01-2015, and ending 08-31-2016

B Check if applicable:

- ☐ Address change
☐ Name change
☐ Initial return
☐ Final return/terminated
☐ Amended return
☐ Application pending

C Name of organization

THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY
% CHRISTOPHER CANELOS

Doing business as
STANFORD UNIVERSITY

Number and street (or P.O. box if mail is not delivered to street address) Room/suite
3145 PORTER DRIVE

City or town, state or province, country, and ZIP or foreign postal code
PALO ALTO, CA 94304

D Employer identification number

94-1156365

E Telephone number

(650) 725-1732

G Gross receipts \$ 20,339,747,705

F Name and address of principal officer

MARC TESSIER-LAVIGNE
Building 10
Stanford, CA 94305

H(a) Is this a group return for subordinates? ☐ Yes ☒ No

H(b) Are all subordinates included? ☐ Yes ☐ No
If "No," attach a list (see instructions)

H(c) Group exemption number ▶

I Tax-exempt status ☒ 501(c)(3) ☐ 501(c) () (insert no) ☐ 4947(a)(1) or ☐ 527

J Website: ▶ WWW.STANFORD.EDU

K Form of organization ☒ Corporation ☐ Trust ☐ Association ☐ Other ▶

L Year of formation 1885

M State of legal domicile CA

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities
STANFORD UNIVERSITY IS ONE OF A SELECT GROUP OF AMERICAN UNIVERSITIES THAT HAVE ACHIEVED EMINENCE IN BOTH UNDERGRADUATE AND GRADUATE EDUCATION AND RESEARCH - CONT'D SCH O

2 Check this box ☐ if the organization discontinued its operations or disposed of more than 25% of its net assets

3 Number of voting members of the governing body (Part VI, line 1a)	3	37
4 Number of independent voting members of the governing body (Part VI, line 1b)	4	53
5 Total number of individuals employed in calendar year 2015 (Part V, line 2a)	5	37,025
6 Total number of volunteers (estimate if necessary)	6	11,000
7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	25,872,697
7b Net unrelated business taxable income from Form 990-T, line 34	7b	-36,288,411

Revenue

	Prior Year	Current Year
8 Contributions and grants (Part VIII, line 1h)	1,969,404,372	2,586,183,439
9 Program service revenue (Part VIII, line 2g)	2,332,294,470	2,467,896,699
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	1,612,622,067	1,783,116,021
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	121,084,211	128,760,418
12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	6,035,405,120	6,965,956,577

Expenses

13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	430,681,530	437,702,989
14 Benefits paid to or for members (Part IX, column (A), line 4)	0	0
15 Salaries, other compensation, employee benefits, and other expenses (Part IX, column (A), lines 5-10)	348,707,999	3,090,199,694

Page 1 of 1

Section A. Governing Body and Management

	Yes	No
1a Enter the number of voting members of the governing body at the end of the tax year If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O	1a	37
b Enter the number of voting members included in line 1a, above, who are independent	1b	33
2 Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?	2	Yes
3 Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?	3	No
4 Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	4	No
5 Did the organization become aware during the year of a significant diversion of the organization's assets?	5	No
6 Did the organization have members or stockholders?	6	No
7a Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?	7a	No
b Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?	7b	No
8 Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following		
a The governing body?	8a	Yes
b Each committee with authority to act on behalf of the governing body?	8b	Yes
9 Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O	9	No

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

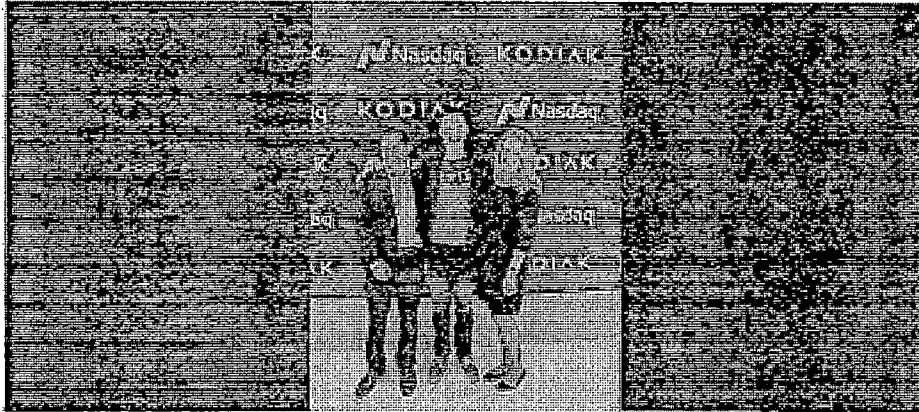
	Yes	No
10a Did the organization have local chapters, branches, or affiliates?	10a	No
b If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	10b	
11a Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	11a	Yes
b Describe in Schedule O the process, if any, used by the organization to review this Form 990		
12a Did the organization have a written conflict of interest policy? If "No," go to line 13	12a	Yes
b Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b	Yes
c Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done	12c	Yes
13 Did the organization have a written whistleblower policy?	13	Yes
14 Did the organization have a written document retention and destruction policy?	14	Yes
15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
a The organization's CEO, Executive Director, or top management official	15a	Yes
b Other officers or key employees of the organization	15b	Yes
If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions)		
16a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a	No
b If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?	16b	

Section C. Disclosure

- 17 List the States with which a copy of this Form 990 is required to be filed: CA, NY, OK
- 18 Section 6104 requires that the organization make its Form 990 available for public inspection. The organization must also make its Form 990 available for public inspection if it is a tax-exempt organization. (3's only) available for public inspection: Stanford University lying in their IRS returns hiding money it sent to MEDWHAT

EXHIBIT F

Stanford to end fund that backs StartX accelerator companies



Stanford has announced it will shut down the Stanford StartX Fund in June. The fund launched in 2013 with an offer to invest in any StartX company that raised at least \$500,000 from accredited investors. Shown here last year after the IPO bell-ringing of StartX alumni Kodiak Sciences are (from... more



Want career success and stardom? Tech savvy? Interested in commercial real estate? CoStar is hiring sales associates and sales executives.

Stanford has announced it will shut down the Stanford StartX Fund in June. The fund launched in 2013 with an offer to invest in any StartX company that raised at least \$500,000 from accredited investors. Shown here last year after the IPO bell-ringing of StartX alumni Kodiak Sciences are (from... more



By Cromwell Schubarth - TechFlash Editor, Silicon Valley Business Journal
Jan 22, 2019, 7:34am PST Updated Jan 22, 2019, 6:25pm EST

COMPANIES IN THIS ARTICLE

Brought to you by
Deloitte Private

Committee for Recognition
Redwood City, CA
\$1.6M
Revenue

See full profile >

Startx
Palo Alto, CA

See full profile >

Deloitte.

Global private company
survey
Why are execs in 30 countries
confident about business
growth?

Stanford University has announced it will stop making investments in companies that emerge from the StartX accelerator at the end of June.

Randy Livingston, the university's chief financial officer, told the Stanford Daily that the decision was partly due to Stanford's "desire to prioritize investment" in its long-range planning effort, an initiative begun in 2017 to chart a course for the school's future.

"We invested in StartX's program development because we saw the potential for it to provide great value to Stanford entrepreneurs," Livingston said in a blog posted by StartX. "We are pleased that this vision has been realized, with over 800 Stanford alumni, faculty and students having participated in StartX over the last 9 years. It is gratifying that StartX is now in a position to move forward as a financially self-sustaining organization."

StartX is a nonprofit accelerator that is separate from the university. It was

EXHIBIT G



AR/VR

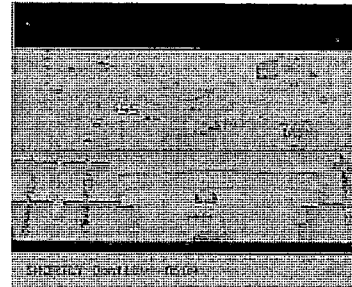
Laurene Powell Jobs-backed Nearpod acquires Flocabulary student creativity tool

DEAN TAKAHASHI @DEANTAK APRIL 8, 2019 9:03 AM



Above: Nearpod makes inexpensive VR adventures for the classroom.

Image Credit: Nearpod



click?xai=AKA0JsvRPibcWVwmaIDFiyST6RTSeDC-XBp0-yHfKs0ziXo80moqPz5FRWH-meZq2v6U_zBibvEcSh-y6sQ32MV8PEBA4wZqIUyYbWozYPgYqYipicVley9Fz3NZvzuK-7IL9UrejdQC61cyqv18VYXW_xkd



And Flocabulary CEO Alex Rappaport said in a statement, "Flocabulary has

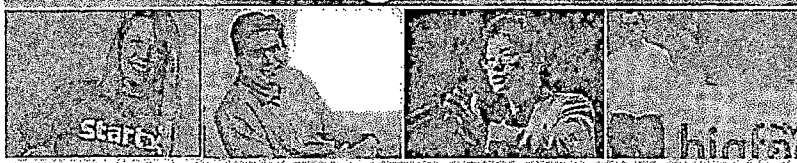
always been defined by our mission of bringing joy and creativity to classrooms.

We are thrilled to join forces with Nearpod, which will significantly accelerate our ability to support teachers and help students engage with the rigorous academic content they need to be successful in the classroom and beyond."

Founded in 2004 by teachers and musicians who believed in the transformative potential of hip-hop in the classroom, Flocabulary has evolved into a resource for U.S. teachers and students.

Following the acquisition, Nearpod will have a combined team of 200 employees headquartered in Miami. As part of Nearpod, Flocabulary's team of 60 will continue to operate out of their Brooklyn, New York office.

Nearpod is backed by Insight Partners, Reach Capital, GSV Acceleration Fund, Storm Ventures, the Stanford-StartX Fund, Krillion Ventures, The Knight Foundation, and Miami Angels, as well as Marc Benioff and Scott Cook and wife Signe Ostby.



By Cromwell Schubarth – TechFlash Editor, Silicon Valley Business Journal
Nov 29, 2016, 12:22pm PST Updated: Dec 1, 2016, 4:48pm EST

IN THIS ARTICLE

See Correction/Clarification at end of article

Jerry Yang
Person

Suzanne Fletcher
Person

Startups that apply artificial intelligence and machine learning in potentially disruptive businesses have been high on the investment shopping lists this year for Silicon Valley VCs.

Startup... Funding Start Fusion DataScience CA Law Investment WaterSports

So it's no surprise that more than half of the venture firms most active in AI this year are based in the Bay Area, according to a report done for TechFlash Silicon Valley by PitchBook Data.

Somewhat surprising is the fact that the Stanford **StartX** Fund is tied with New Enterprise Associates and Accel at the top of the ranking of most active AI investors. Each made five investments in companies that are pioneering new uses of AI or machine learning.

"I'm not really surprised that we are among the most active in investments in these areas," Suzanne Fletcher, who manages the Stanford **StartX** Fund, told me. "This tech is so promising and it's something that many of the founders and alumni are working on when we interview for them to be part of **StartX**. We are the beneficiaries of this amazing technology coming out of Stanford."

[Click here to get the free daily TechFlash Silicon Valley newsletter.](#)

Another surprise from the PitchBook ranking is the fact that there was no overlap on the biggest AI deals of the year among the top 20 investors.

Lux Ventures is the only firm from the ranking that was involved in the nearly \$300 million raised this year by Menlo Park self-driving vehicle startup Zoox.

Yahoo co-founder Jerry Yang's AME Cloud Ventures was the only one from the list that was involved in the \$130 million funding of Emeryville-based Zymergen.

Here is PitchBook's ranking of this year's most active AI investors, showing how many deals they did and what their biggest one of the year was.

1. (tie) New Enterprise Associates, 5: The biggest AI deal of the year for this Menlo Park firm was DataRobot's \$33 million round. Partner Harry Weller, who died suddenly at age 46 this month, was on the Boston predictive analytics startup's board.

1. (tie) Stanford StartX Fund, 5: The Palo Alto-based Stanford StartX fund offers to invest 10 percent of any venture round raised by companies that go through the university-affiliated startup program. The biggest AI deal of the year for the fund was a \$12.6 million round raised by Los Altos-based Gauss Surgical, which is building a blood loss-tracking app for surgeons.

1. (tie) Accel, 5: The biggest AI deal for this Palo Alto-based firm this year was Redwood City-based data analytics preparation startup Paxata, which raised \$33.5 million.

4. (tie) AME Cloud Ventures, 4: As noted above, this Palo Alto firm was founded by Yahoo co-founder Yang and its big AI deal of the year was Zymergen, which is building microbes to produce industrial raw materials.

StartX helps series A funding flow for Arterys

📅 17th March 2016 👤 Robert Lavine

Arterys, the developer of a medical imaging platform for blood flow, has completed a \$12m round that included Stanford's StartX Fund.



US-based medical imaging technology developer Arterys closed a \$12m series A round yesterday featuring Stanford University's StartX Fund.

Life sciences investment firm Emergent Medical Partners led the round, which also included GE Ventures, industrial equipment and appliance conglomerate General Electric's corporate venturing unit, Norwich Ventures, Asset Management Ventures, AME Cloud Ventures and Morado Ventures.

Arterys has built a cloud-based medical imaging platform that uses cloud computation and machine learning to visualise blood flow inside the heart in 3D, allowing it to be more closely analysed. The funding will be used to grow Arterys' commercial operations.

Fabien Beckers, founder and CEO of Arterys, said: "This financing includes premier organisations in the healthcare field who recognise the game-changing value of our solution to revolutionise medical imaging and improve patient care.

"We plan to staff strategically as we expand our commercial presence both in the United States and Europe, while at the same time applying our medical imaging solutions beyond cardiac care in neurology and oncology."

EXHIBIT H

1 I, Eric W. Wright, declare as follows:

2 1. I am a Senior University Counsel for The Leland Stanford Junior University
3 ("Stanford"), a Cross-Defendant in this action. I have personal knowledge as to each fact set
4 forth below and could competently testify to such facts if sworn as a witness.

5 2. I submit this Declaration in support of Moving Cross-Defendants' *Ex Parte*
6 Application (a) for Temporary Restraining Order and to Set a Hearing for an Order to Show
7 Cause Re Preliminary Injunction; and (b) to have Arturo Devesa Declared a Vexatious Litigant
8 and for Issuance of a Pre-Filing Order ("*Ex Parte* Application").

9 3. Attached as Exhibit A is a true and correct copy of an email that Mr. Devesa
10 sent on May 3, 2019 at 4:46 a.m., to members of the Board of Trustees of Stanford ("Stanford
11 Trustees") as well as various Cross-Defendants.

12 4. Attached as Exhibit B is a true and correct copy of an email that Mr. Devesa sent
13 on May 4, 2019 at 11:24 a.m., to members of the Stanford Trustees as well as various Cross-
14 Defendants.

15 5. The Stanford Trustees are some of the most distinguished professionals in
16 Silicon Valley and beyond. The Stanford Trustees do not receive financial compensation for the
17 work they do as Stanford Trustees. Without exception, the Stanford Trustees have busy
18 professional and personal lives separate and apart from the role they play as Trustees. A full list
19 of the Stanford Trustees is attached hereto as Exhibit C.

20 6. Mr. Devesa's communications with and threats to the Stanford Trustees already
21 have caused both the Stanford Trustees and Stanford itself a great deal of distraction, and his
22 threats to serve the Stanford Trustees individually with an inoperative pleading threatens to
23 waste even more of their valuable time.

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct and that this declaration was executed in Stanford, California.

26
27 Dated: May 6, 2019

28 By: 
Eric W. Wright

DECLARATION OF E. WRIGHT IN SUPPORT *EX PARTE* APPLICATION RE VEXATIOUS LITIGANT.

EXHIBIT I

Arturo
Devesa <adevesa@medwhat.com>
to jennyzeng, Chuck, Sylvia

Thu, May 7, 2015, 12:07 PM

to:
cc:

to: jennyzeng@magicstoneinvest.com

cc: Chuck Ng
<chuck.ng@gmail.com>,
Sylvia Yang
<ysy940121@gmail.com>

Hi Jenny,
Again, I'm so glad Chuck made the intro. It was great meeting you yesterday and telling you about MedWhat and our artificial intelligence technologies.

I'm attaching our deck and team resumes, most from Stanford University.

We are looking for the last \$400,000 of our \$1.5million round. I'm attaching also our convertible note at a \$9million cap, 20% discount, 5% interest rate, for you to take a look.

When do you think could you make a final decision? Please, let me know if you have any other questions.

Thank you,

Arturo

--

Arturo Devesa
CEO & Founder

MedWhat.com, Inc.
60 Spear Street, Suite 1100
San Francisco, CA 94105,
(650) 391-3863
www.medwhat.com

Andrew Gu <agu@danhuacap.com>

May 23, 2015,
6:38 PM

to Jennifer, Dovey, Kevin, Shoucheng, me

Thanks Chuck for your kind intro (BCC).

Dear Arturo,

Thank you for your note. We are definitely interested. Would you and your co-founder come to our office(address see below) for a formal pitch? Prof. Zhang will be on East Coast from Tuesday to Friday, can you make it on Monday 5/25 1PM or 4:30PM?

Look forward to working closely with you!

Best regards,
Andrew Gu, Ph.D
Founding Partner, Danhua Capital
Mobile: +1-650-804-0838
Email: agu@danhuacap.com

Silicon Valley Office
435 Tasso Street, Suite 305
Palo Alto, CA 94301

Chuck Ng <chuck.ng@gmail.com>

May 23, 2015,
7:04 PM

to Andrew, Jennifer, me, Shoucheng, Kevin, Dovey

That will be great Andrew.

Shoucheng, so great to see you and Andrew at HYSTA annual conference there!

Arturo Devesa <adevesa@medwhat.com>

May 23, 2015,
7:14 PM

to Andrew, Jennifer, Dovey, Kevin, Shoucheng

Hi Andrew,

Thank you very much for your email.

Yes, this Monday at 1:00pm works. One of my cofounders is traveling Monday. My

other cofounder Dr Oliver from Stanford Hospital and I will make it.

Can you confirm?

Andrew Gu <agu@danhuacap.com>

May 23, 2015,
7:16 PM

to me, Jennifer, Dovey, Kevin, Shoucheng

Great! Confirmed!

Arturo Devesa <adevesa@medwhat.com>

May 23, 2015,
7:26 PM

to Andrew, Jennifer, Dovey, Kevin, Shoucheng

Great. See you!

Shoucheng Zhang <sczhang@stanford.edu>

May 23, 2015,
7:43 PM

to Chuck, Andrew, Jennifer, me, Kevin, Dovey

Thanks a lot, Chuck!

Prof. Shoucheng Zhang

Danhua Capital

435 Tasso Street, Suite 305

Palo Alto, CA 94301 Mobile: (650) 281-3382 Email: sczhang@stanford.edu

EXHIBIT J

HUAWEI & STANFORD

[StartX AnythingGoes] Re: Potential New StartX Partner....

Ryan MacArthur <ryan@startx.com> Unsubscribe

Mon, Dec 17, 2018,
1:28 PM

to Anythinggoes

+anythinggoes@startx.com

On Mon, Dec 17, 2018 at 10:27 AM Ryan MacArthur <ryan@startx.com> wrote:
Hi StartX Community members:

Huawei would like to become a partner of our community. I've had many conversations with the head of Huawei R&D in Sunnyvale (ex-MSR), and they are mobilizing resources internally to focus on co-developments, partnerships, and licensing opportunities with startups with a focus on their consumer business group and cloud business group.

I'd like your input on if you think this is good for the StartX community. Feel free to reply to me directly, text or call 602-386-88889.

Best,
Ryan

--
--

Ryan MacArthur
Corporate Innovation Manager

Ryan MacArthur <ryan@startx.com>

Mon, Dec 17, 2018,
9:55 PM

to anythinggoes, Business

Hi StartX Community:

Below, I've summarized input from founders on if we should partner with Huawei:

Given how big they are globally and in China, I think we should have an open dialogue with them. However, given the current news cycle on their CFO on potential ties violation of US national security, this may not be exactly the right time for us. How about we give this another 6 months and see how this plays out before we go to deep on this?

We have been developing a relationship with Huawei for quite some time now, and have projects under discussion. I think it would be a good thing! Negotiating directly with Shenzhen is tough and having a US-based advocate (I'm hoping / assuming), will make like a little better.

Ryan, thank you for posting this!! We'd love the opportunity to work with Huawei. Please let me know if it would be possible to make the connection to Michael to introduce our company for potential partnership or licensing opportunities.

I'd vote against given all the controversies the company is involved in at the global level - most Western countries are banning them for example.

Hi Ryan, I don't think this is a great idea, because Huawei have apparently breached U.S. sanctions, which is why their CFO is under arrest. I don't think companies would appreciate having their name associated with Huawei..

Yes for sure good. Huawei is one of the most important companies in the world and we should be in touch with their R&D division (although also trying to get past R&D into real product groups).

Huawei would be a good partner

Ryan MacArthur <ryan@startx.com>

Tue, Dec 18, 2018,
6:59 PM

to anythinggoes, Business

StartX Community:

Thanks to everyone who responded to this thread.

Based on the feedback and discussion we will not currently engage in a formal partnership with Huawei.

The corporate innovation team will work on new ICT partners in Asia -- currently working on Lenovo. If anyone has good product / BD connections @ other large ICT orgs please let me know. Please keep in mind we have Oppo as a partner (they own OnePlus phones), and we have upcoming opportunities for startups in the mobile space to work with them (reach out to sarah@startx.com with questions)

Best,
Ryan

EXHIBIT K

SECURITIES FRAUD PROOF

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

From: **Suzanne Fletcher** <suzanne@startx.stanford.edu>
Date: Tue, Dec 1, 2015 at 12:34 PM
Subject: Re: MedWhat's Class A Preferred Stock
To: Arturo Devesa <adevesa@medwhat.com>
Cc: "<ssf@startx.stanford.edu>" <ssf@startx.stanford.edu>

Hi Arturo -

I just want to let you know that Ignacio Vilela reached out to me on this issue. Let's sync up on the response. I want to understand if you've thought about automatic conversion (Option #2 as advised by counsel). Do you have time to have a call tomorrow between 2-5pm?

Best,
Suzanne

On Thu, Sep 24, 2015 at 4:42 PM, Suzanne Fletcher <suzanne@startx.stanford.edu> wrote:
Hi Arturo -

Thank you for letting us know what is going on. I haven't heard of this happening very many times. I am inclined to follow your lawyers advice. We would also defer to the recommendations from the other investors in our round, I know we looked to Telefonica when the round was being raised as a "Professional Investor" for SSF purposes.

I would not be in favor of giving the money back (Option 3), that does not strike me as industry practice.

I would have thought they would have tried to sell/transfer their interest / ownership in MedWhat to an affiliate (or secondary buyer) to get some recop on investment - that is typical recourse which doesn't involve the company much other than having to approve.

Best,
Suzanne

On Thu, Sep 24, 2015 at 4:30 PM, Arturo Devesa <adevesa@medwhat.com> wrote:

Hi Suzanne ,

I write you to inform you that one investors (Startcaps Ventures), who invested \$70,000, wants his money back because their fund has ran into financial difficulties.

Our attorneys at Wilson, Sonsini Goodrich & Rosati asks you as investors in MedWhat.com, Inc. what do you want to do:

Option 1 - If you want ignore (Startcaps Ventures)

Option 2- if you want tell them (Startcaps) to get lost, and inform them they have no rights to receive repayment under the convertible note before emission of shares. Commence, legally under the notes contract, an automatic conversion of all of the notes into Class A Preferred Stock. This starts to provide all investor Long Term Capital Gains with equity in MedWhat.com, Inc.

Option 3 -If you want to just give (StartCaps) their money back (which would require waiver from majority in interest of investors).

Option 4- If you want to file a lawsuit against Startcaps for business obstruction.

Keep in mind that the Options 2 and 3 and 4 cost MedWhat.com, Inc. legal fees and money, and Startcaps all they want is their money back because they have financial struggles and see that MedWhat.com's business is doing very well and we have a lot of cash in the bank.

Our preference and our lawyer's preference is Option 2. Medwhat.com, Inc. converts all of your notes at the stated Cap in the note into Class A Preferred Stock. MedWhat.com, Inc. doesn't have to return the money to Startcaps, instead we give them what we legally had agreed, Preferred Stock in MedWhat.com, Inc.

Best,

Arturo

MedWhat Revised Term Sheet

Arturo Devesa <adevesa@medwhat.com>

to Margaret, SMC-Direct, Rick, Suzanne, , EXHIBIT I

from: Arturo Devesa <adevesa@medwhat.com>
to: "Jennings, Margaret" <margaret.jennings@stanford.edu>,
SMC-Direct Investments <direct@smc.stanford.edu>,
Rick Gibb <rick.gibb@stanford.edu>,
Suzanne Fletcher <suzanne@startx.stanford.edu>,
"ssf@startx.stanford.edu" <ssf@startx.stanford.edu>
date: Jan 21, 2016, 2:39 AM
subject: MedWhat Revised Term Sheet
mailed-by: medwhat.com

Hi Margaret,

We need you to sign the term sheet again after a revision.

We had in there an extra \$10,000 investment from Stanford-StartX Fund that didn't

Investor	Investment date	Closing	Amount	Interest Rate	Note Cap	Total Interest	Principal+Interest	Preferred
Stanford	2/28/2014	12/30/2015	\$ 55,600.00	5.0%	\$ 6,000,000.00	\$ 5,103.01	\$ 60,703.01	
Stanford	7/17/2014	12/30/2015	\$ 2,222.00	5.0%	\$ 6,000,000.00	\$ 161.63	\$ 2,383.63	
Stanford	5/13/2015	12/30/2015	\$ 58,333.33	5.0%	\$ 9,000,000.00	\$ 1,845.89	\$ 60,179.22	
Stanford	10/1/2015	12/30/2015	\$ 44,444.00	5.0%	\$ 10,000,000.00	\$ 547.94	\$ 44,991.94	
			\$ 160,599.33			\$ 7,658.47	\$ 168,257.80	

\$10M cap effective price per share \$ 0.810
 \$9M cap effective price per share \$ 0.729
 \$6M cap effective price per share \$ 0.486

qualify a few weeks ago for our last \$100K investment making the number of shares different and also the term sheet needs to reflect also each conversion price for each note since your fund has three different note caps. We apologize for the inconvenience.

Rick, these are the numbers you were asking about:

The Stanford-StartX Fund owns 267,969 preferred shares.

Best,

Arturo

Arturo Devesa
CEO & Founder

MedWhat.com, Inc.
 60 Spear Street, Suite 1100
 San Francisco, CA 94105,
 (650) 391-3863
www.medwhat.com

Download MedWhat Medical App

The content of this message is MedWhat privileged, confidential and protected from disclosure. If you are not the intended recipient and have received this message in error, any use or distribution is prohibited. Please notify me immediately by reply e-mail and delete this message from your computer system.

Attachments area

Margaret Jennings <mjenning@stanford.edu>

Thu, Jan 21, 2016,
12:38 PM

to Rick, SMC-Direct, me, Suzanne,

Thank you Arturo! The breakdown of the SSF's four convertible notes and different conversion prices is very helpful. Regarding the aggregate number of Preferred shares, what is the Preferred round's price per share - or in other words - what price should value the total number of shares?

Thank you for your help!

Best,
Margaret

Margaret Jennings
Stanford Management Company
635 Knight Way
Stanford, CA 94305
Office: 650-721-2302
Fax: 650-721-2454
Margaret.Jennings@stanford.edu

Margaret Jennings <mjenning@stanford.edu>

Thu, Jan 21, 2016,
5:30 PM

to me, Rick, Suzanne, SMC-Direct,

Fantastic. Thank you for your help! Please find attached the executed Memorandum of Terms on behalf of the Stanford StartX Fund.

Best,
Margaret

EXHIBIT L
PERJURY PROOF

2018-
09-19

REPLY IN SUPPORT OF APPLICATION FOR A RIGHT TO ATTACH ORDER AND WRIT
OF ATTACHMENT AGAINST MEDWHAT.COM INC. (TRANSACTION ID # 62471567)
FILED BY PLAINTIFF STANFORD-STARTX FUND, LLC; MAGIC STONE ALTERNATIVE
INVESTMENTS; REGENT CAPITAL VENTURE LTD.; STARTCAPS VENTURES

[View](#)

1 ALTO LITIGATION, PC
2 Bahram Seyedin-Noor (Bar No. 203244)
3 bahram@altolit.com
4 Bryan Ketrosier (Bar No. 239105)
5 bryan@altolit.com
6 Gabriel A. Peixoto (Bar No. 306758)
7 gabriel@altolit.com
8 4 Embarcadero Center, Suite 1400
9 San Francisco, CA 94111
10 Telephone: (415) 779-2586
11 Facsimile: (866) 654-7207

12 Attorneys for Plaintiffs,
13 MAGIC STONE ALTERNATIVE
14 INVESTMENTS; REGENT CAPITAL
15 VENTURE LTD.; STANFORD-STARTX
16 FUND, LLC; and STARTCAPS VENTURES

17
18
19
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21
22
23
24
25
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
STARTCAPS VENTURES,

Plaintiffs,

v.

MEDWHAT.COM INC.; ARTURO
DEVESA; AND DOES 1 THROUGH 50,
INCLUSIVE,

Defendants.

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco
09/19/2018
Clerk of the Court
BY: VANESSA WU
Deputy Clerk

Case No.: CGC-18-565596

REPLY IN SUPPORT OF
APPLICATION FOR A RIGHT TO
ATTACH ORDER AND WRIT OF
ATTACHMENT AGAINST
MEDWHAT.COM INC.

Hearing Date: September 21, 2018

Dept.: 302

Hearing Time: 9:30 AM

Hearing Reservation No.: 07300921-12

Date Action Filed: April 9, 2018

Judge: Hon. Richard B. Ufner

Trial Date: None set.

23 Fourth, Stanford (and presumably the other Noteholders) did not provide "written
24 consent" to the purported "amendment." Medwhat acknowledges that the only way to amend
25 the Notes was "upon the written consent of the Company and the Investors representing a
26 majority of all principal then owing pursuant to outstanding Notes issued pursuant to the

27 _____
28 ⁶ This was the same "Series A" that supposedly was anchored by a \$3.2 million investment by
Regent—an investment that Medwhat now admits did not happen. *See* Section II.A.2.a, *supra*.

7
REPLY ISO APPLICATION FOR RIGHT TO ATTACH ORDER & WRIT OF ATTACHMENT
Case No.: CGC-18-565596

1 Agreements (a "Majority in Interest of Investors")." Opp. at 7-8. But Medwhat conveniently
2 ignores the fact that such "consent" (and requests for same) could only take a defined form:

3 All notices, requests, demands, consents, instructions or other communications required
4 or permitted hereunder shall [be] in writing and faxed, mailed or delivered to each party
5 as follows: (i) if to the Investor, at such Investor's address or facsimile number set forth
6 on the signature page hereto, or at such other address as such Investor shall have
7 furnished the Company in writing, or (ii) if to the Company, Attn: President and 520 San
8 Antonio Road, Suite 100, Mountain View, CA, or at such other address as the Company
9 shall have furnished to the Investor in writing.

8 *See, e.g.,* Yang Decl. ¶ 3, Ex. 1 (Note Subscription Agreement § 4(f); *see also* Promissory Note
9 § 7(c)). Thus, for instance, a "consent" from Stanford-StartX Fund would have to be requested
10 via "fax[], mail[] or deliver[y]" to "Stanford Management Company, Attn: Jeffrey Sefa-

1 Agreements (a "Majority in Interest of Investors")." Opp. at 7-8. But Medwhat conveniently
2 ignores the fact that such "consent" (and requests for same) could only take a defined form:

3 All notices, requests, demands, consents, instructions or other communications required
4 or permitted hereunder shall [be] in writing and faxed, mailed or delivered to each party
5 as follows: (i) if to the Investor, at such Investor's address or facsimile number set forth
6 on the signature page hereto, or at such other address as such Investor shall have
7 furnished the Company in writing, or (ii) if to the Company, Attn: President and 520 San
8 Antonio Road, Suite 100, Mountain View, CA, or at such other address as the Company
9 shall have furnished to the Investor in writing.

8 See, e.g., Yang Decl. ¶ 3, Ex. 1 (Note Subscription Agreement § 4(f); see also Promissory Note
9 § 7(c)). Thus, for instance, a "consent" from Stanford-StartX Fund would have to be requested
10 via "fax[], mail[] or deliver[y]" to "Stanford Management Company, Attn: Jeffrey Sefa-
11 Boakye, 635 Knight Way, Stanford, CA 94305-7297" (Devesa Decl. Exs. D-F), and similarly
12 returned to Devesa via "fax[], mail[] or deliver[y]." Not only is email an impermissible form of
13 conveying the "written consent" required to amend the Notes, but Suzanne Fletcher (whom
14 Devesa emailed) was not the person or entity that Devesa was required to seek consent from;
15 Stanford Management Company was. Thus, Ms. Fletcher's email cannot be considered "written
16 consent" to amendment of the Notes. And based on Medwhat's own math (see Opp. at 9),
17 without the support of Stanford-StartX Fund's "vote," less than the "Minimum Majority
18 Needed" "voted" to "amend" the Notes, even assuming *arguendo* that all of the other referenced
19 "YES" investors actually provided "written consent"—a doubtful proposition.

APPENDIX M

CONFIDENTIAL

MEDWILAT.COM INC.

MEMORANDUM OF TERMS

Except with respect to the provision entitled "Confidentiality", which is intended to be, and is, legally binding agreements among the parties hereto, this Memorandum of Terms represents only the current thinking of the parties with respect to certain of the major issues relating to the proposed private offering and does not constitute a legally binding agreement. This Memorandum of Terms does not constitute an offer to sell or a solicitation of an offer to buy securities in any state where the offer or sale is not permitted.

THE OFFERING

Issuer: **MEDWILAT.COM INC.**, a Delaware corporation (the "Company")

Securities: Series [Seed] Preferred Stock (the "Preferred")

[Valuation of the Company:] \$[10,000,000] pre-money

Amount of the offering: [\$1,734,599.00]

Consideration: [Cash]

Number of shares: [267,969] shares

Price per share: \$10M cap effective price per share \$0.810

\$9M cap effective price per share \$0.729

\$6M cap effective price per share \$0.486

Investors: [The Board of Trustees of the Leland Stanford Junior University] or its affiliated entities

Capitalization: 267,969 shares of 15,645,827 outstanding shares

Anticipated closing date: For one closing: On or before [12/30/2015]

Use of funds: Proceeds from the offering will be used for developing artificial intelligence technologies.

TERMS OF THE PREFERRED

any other company will be treated as a liquidation of the Company.¹ A deemed liquidation may be waived upon the election of the holders of a majority of the outstanding shares of preferred stock.

Redemption:

Outstanding shares of Preferred will be redeemable at the election of holders of at least a majority of the outstanding Preferred, when the company goes public or is acquired.

Conversion:

The Preferred may be converted at any time, at the option of the holder, into shares of common stock. The conversion rate will initially be 1:1, subject to anti-dilution and other customary adjustments.

Automatic conversion:

Each share of Preferred will automatically convert into common stock, at the then applicable conversion rate, upon (i) the closing of a firmly underwritten public offering of common stock at a price per share that is at least three times the purchase price of the Preferred with gross offering proceeds in excess of \$20 million (a "Qualified Public Offering"), or (ii) the consent of the holders of at least 50% of the then outstanding shares of Preferred.

Anti-dilution:

Adjustments. The conversion price of the Preferred will be subject to adjustment, on a full ratchet or narrow-based weighted average or broad-based weighted average basis, if the Company issues additional securities at a price per share less than the then applicable conversion price.

Exceptions. There will be no adjustment to the conversion price for (i) shares issued upon conversion of the Preferred; (ii) shares or options, warrants or other rights issued to employees, consultants or directors in accordance with plans, agreements or similar arrangements; (iii) shares issued upon exercise of options, warrants or convertible securities existing on the closing date; (iv) shares issued as a dividend or distribution on Preferred or for which adjustment is otherwise made pursuant to the certificate of incorporation (e.g., stock splits); (v) shares issued in connection with a registered public offering Qualified Public Offering; (vi) shares issued or issuable pursuant to an acquisition of another corporation or a joint venture agreement approved by the board; (vii) shares issued or issuable to banks, equipment lessors or other financial institutions pursuant to debt financing or commercial transactions approved by the board; (viii) shares issued or issuable in connection with any settlement approved by the board; (ix) shares issued or issuable in connection with sponsored research, collaboration, technology license, development, OEM, marketing or other similar arrangements or strategic partnerships approved by the board; (x) shares issued to suppliers of goods or services in connection with

the provision of goods or services pursuant to transactions approved by the board; or (xi) shares that are otherwise excluded by consent of holders of a majority of the Preferred.

"Pay-to-play" requirement:

If a holder of more than 5,000 shares of preferred stock fails to participate in this financing or any future Qualified Financing on a *pro rata* basis, then such holder will lose its anti-dilution protection for the financing or all prior and future financings on all preferred stock that it owns and will have the preferred stock that it owns converted to common stock and lose its right to maintain proportionate ownership, rights of first refusal, co-sale rights, information rights, registration rights and other investor rights. If such holder participates in such future Qualified Financing but not to the full extent of its *pro rata* share, then only a percentage of its preferred stock will lose its anti-dilution protection and will be converted to common stock, under the same terms as in the preceding sentence, with such percentage being equal to the percentage of its *pro rata* contribution that it failed to contribute.

INVESTOR RIGHTS

Registration rights:

Registrable securities. The common stock issued or issuable upon conversion of the Preferred will be "Registrable Securities".

Demand registration. Subject to customary exceptions, holders of at least 50% of the Registrable Securities will be entitled to demand that the Company effect up to two timely underwritten registrations (provided that each such registration has an offering price of at least \$10.00 per share with aggregate proceeds of at least \$20 million).

Termination. The registration rights of a holder of Registrable Securities will terminate on the earlier of (i) such date, on or after the Company's initial public offering, on which such holder may immediately sell all shares of its Registrable Securities under Rule 144 during any 90-day period and (ii) three years after the initial public offering.

Transfer. Registration rights may be transferred by a holder of Registrable Securities to current and former partners and members, and affiliates of that holder and to other persons acquiring at least 40,000 shares of the Company's outstanding capital stock, provided the Company is given written notice.

Market stand-off. Holders of Registrable Securities will agree not to effect any transactions with respect to any of the Company's securities within 180 days following any the initial public offering by the Company, provided that all officers, directors and 1% stockholders of the Company are similarly bound all officers and

directors of the Company are similarly bound and that the Company uses all reasonable efforts to obtain a similar covenant from all holders of at least 1% of the Company's outstanding securities.

Other provisions. The Investor Rights Agreement will contain such other provisions with respect to registration rights as are customary, including with respect to indemnification, underwriting arrangements and restrictions on the grant of future registration rights.

Right to maintain proportionate ownership: Each holder of at least 45,000 shares of Preferred will have a right to purchase its *pro rata* share of any offering of new securities by the Company, subject to customary exceptions. The *pro rata* share will be based on the ratio of (x) the number of shares of Preferred held by such holder (on an as-converted basis) to (y) the Company's outstanding shares (on an as-converted basis) or the Company's fully-diluted capitalization (on an as-converted and as-exercised basis), or (the total number of shares of Preferred then outstanding. The holders exercising this right will be required to purchase all of the new securities to be offered. Participating holders will have the right to purchase, on a *pro rata* basis, any shares as to which eligible holders do not exercise their rights. This right will terminate immediately prior to the Company's initial public offering or a Qualified Public Offering.

"Drag-along" right:

Subject to customary exceptions, if holders of 60% of the Preferred approve a proposed sale of the Company to a third party (whether structured as a merger, reorganization, asset sale or otherwise), Arturo Davesa CEO and *founder*, will agree to approve the proposed sale. This right will terminate upon an initial public offering or a Qualified Public Offering.

Information rights:

The Company will deliver to each holder of at least 95,000 shares² of Preferred, (i) unaudited annual financial statements within 90 days following year-end, (ii) unaudited quarterly financial statements within [45] days following quarter-end, (iii) unaudited monthly financial statements within 30 days of month-end and a reconciliation to plan, and (iv) annual business plans. The information rights will terminate upon an initial public offering.

Confidentiality:

Until the initial closing of the financing contemplated by this Memorandum of Terms, the existence and terms of this Memorandum of Terms and the fact that negotiations may be

ongoing with the investors shall not be disclosed to any third party without the consent of the Company and other investor(s), except as may be (i) reasonably required to consummate the transactions contemplated hereby (provided that any persons receiving the information agree to the confidentiality restrictions contained herein or are otherwise subject to confidentiality obligations) or (ii) required by law.

(Signature page follows)

This Memorandum of Terms may be executed in counterparts, which together will constitute one document. Facsimile signatures shall have the same legal effect as original signatures. The legally binding portions of this Memorandum of Terms will be governed by California law, without regard to conflicts-of-law principles.

MedWhol.com, Inc.



Signature

Arturo Devesa

Print name

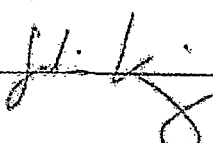
CEO & Founder

Print title

12/29/2015

Date

Investor Name:



Signature

Sabrina Liang

Print name Director

Private Investments
on behalf of The Stanford -

Print title SPARTX Fund

Date

(Signature page to Memorandum of Terms)

C:\Users\Arice\Desktop\MedWhol\MedWhol\WSGR\2015\Preferred Stock\Stanford\Stanford Term Sheet (1) doc

APPENDIX N

Amanda Holst <amanda@medwhat.com>

Apr 29, 2018,
5:53 PM

to Susan, bcc: me

Hi Susan,

Here is the copy of the money order for 2017 dividends sent to Stanford last week.

Attachments area

Amanda Holst <amanda@medwhat.com>

Apr 29, 2018,
5:55 PM

to Suzanne, bcc: me

Hi Suzanne,

Here is the copy of the money order for 2017 dividends that was sent to Stanford-StartX Fund last week.

Attachments area

Amanda Holst <amanda@medwhat.com>

Apr 29, 2018,
5:53 PM

to Susan, bcc: me

Hi Susan,

Here is the copy of the money order for 2017 dividends sent to Stanford last week.

Amanda Holst <amanda@medwhat.com>
to Susan, bcc: me

Apr 29, 2018, 5:53 PM ☆ ↩ ⋮

Hi Susan,
Here is the copy of the money order for 2017 dividends sent to Stanford last week.



Amanda Holst <amanda@medwhat.com>
to Suzanne, bcc: me

Apr 29, 2018, 5:55 PM ☆ ↩ ⋮

Hi Suzanne,
Here is the copy of the money order for 2017 dividends that was sent to Stanford-StartX Fund last week.



Amanda Holst <amanda@medwhat.com>

May 1, 2018,
11:10 AM

to Susan, bcc: me

Hi Susan,
I mailed it to:
450 Serra Mall
Stanford, CA 94305

My apologies, I don't think I put it to your attention...

On Mon, Apr 30, 2018 at 11:30 AM, Susan Weinstein <slw@stanford.edu> wrote:
Hi Amanda –

Thanks for letting me know.

Can you tell me where it was sent (ie, to what address) and to whose attention? I haven't seen it yet.

Thanks.
Susan

EXHIBIT P

2018-
09-19

REPLY IN SUPPORT OF APPLICATION FOR A RIGHT TO ATTACH ORDER AND WRIT
OF ATTACHMENT AGAINST MEDWHAT.COM INC. (TRANSACTION ID # 62471567)
FILED BY PLAINTIFF STANFORD-STARTX FUND, LLC; MAGIC STONE ALTERNATIVE
INVESTMENTS; REGENT CAPITAL VENTURE LTD.; STARTCAPS VENTURES

[View](#)

1 ALTO LITIGATION, PC
2 Bahrām Seyedin-Noor (Bar No. 203244)
3 bahrām@altolit.com
4 Bryan Ketrosier (Bar No. 239105)
5 bryan@altolit.com
6 Gabriel A. Peixoto (Bar No. 306758)
7 gabriel@altolit.com
8 4 Embarcadero Center, Suite 1400
9 San Francisco, CA 94111
10 Telephone: (415) 779-2586
11 Facsimile: (866) 654-7207
12
13 Attorneys for Plaintiffs,
14 MAGIC STONE ALTERNATIVE
15 INVESTMENTS; REGENT CAPITAL
16 VENTURE LTD.; STANFORD-STARTX
17 FUND, LLC; and STARTCAPS VENTURES

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO**

14 STANFORD-STARTX FUND, LLC; CAIXA
15 CAPITAL RISC; MAGIC STONE
16 ALTERNATIVE INVESTMENTS; REGENT
17 CAPITAL VENTURE LTD.; AND
18 STARTCAPS VENTURES,

17 Plaintiffs,

18 v.

19 MEDWHAT.COM INC.; ARTURO
20 DEVESA; AND DOES 1 THROUGH 50,
21 INCLUSIVE,

22 Defendants.

**ELECTRONICALLY
FILED**
Superior Court of California,
County of San Francisco
09/19/2018
Clerk of the Court
BY: VANESSA WU
Deputy Clerk

Case No.: CGC-18-565596

**REPLY IN SUPPORT OF
APPLICATION FOR A RIGHT TO
ATTACH ORDER AND WRIT OF
ATTACHMENT AGAINST
MEDWHAT.COM INC.**

Hearing Date: September 21, 2018

Dept.: 302

Hearing Time: 9:30 AM

Hearing Reservation No.: 07300921-12

Date Action Filed: April 9, 2018

Judge: Hon. Richard B. Ulmer

23 Fourth, Stanford (and presumably the other Noteholders) did not provide "written
24 consent" to the purported "amendment." Medwhat acknowledges that the only way to amend
25 the Notes was "upon the written consent of the Company and the Investors representing a
26 majority of all principal then owing pursuant to outstanding Notes issued pursuant to the

27
28 ⁶ This was the same "Series A" that supposedly was anchored by a \$3.2 million investment by
Regent—an investment that Medwhat now admits did not happen. See Section II.A.2.a, *supra*.

7
REPLY ISO APPLICATION FOR RIGHT TO ATTACH ORDER & WRIT OF ATTACHMENT
Case No.: CGC-18-565396

1 Agreements (a "Majority in Interest of Investors")." Opp. at 7-8. But Medwhat conveniently
2 ignores the fact that such "consent" (and requests for same) could only take a defined form:

3 All notices, requests, demands, consents, instructions or other communications required
4 or permitted hereunder shall [be] in writing and faxed, mailed or delivered to each party
5 as follows: (i) if to the Investor, at such Investor's address or facsimile number set forth
6 on the signature page hereto, or at such other address as such Investor shall have
7 furnished the Company in writing, or (ii) if to the Company, Attn: President and 520 San
8 Antonio Road, Suite 100, Mountain View, CA, or at such other address as the Company
9 shall have furnished to the Investor in writing.

8 See, e.g., Yang Decl. ¶ 3, Ex. 1 (Note Subscription Agreement § 4(f); see also Promissory Note
9 § 7(c)). Thus, for instance, a "consent" from Stanford-StartX Fund would have to be requested
10 via "fax[, mail] or deliver[y]" to "Stanford Management Company, Attn: Jeffrey Sefa-

1 Agreements (a 'Majority in Interest of Investors')." Opp. at 7-8. But Medwhat conveniently
2 ignores the fact that such "consent" (and requests for same) could only take a defined form:

3 All notices, requests, demands, consents, instructions or other communications required
4 or permitted hereunder shall [be] in writing and faxed, mailed or delivered to each party
5 as follows: (i) if to the Investor, at such Investor's address or facsimile number set forth
6 on the signature page hereto, or at such other address as such Investor shall have
7 furnished the Company in writing, or (ii) if to the Company, Attn: President and 520 San
8 Antonio Road, Suite 100, Mountain View, CA, or at such other address as the Company
9 shall have furnished to the Investor in writing.

8 See, e.g., Yang Decl. ¶ 3, Ex. 1 (Note Subscription Agreement § 4(f); see also Promissory Note
9 § 7(e)). Thus, for instance, a "consent" from Stanford-StartX Fund would have to be requested
10 via "fax[], mail[] or deliver[y]" to "Stanford Management Company, Attn: Jeffrey Sefá-
11 Bonkye, 635 Knight Way, Stanford, CA 94305-7297" (Devesa Decl. Exs. D-F), and similarly
12 returned to Devesa via "fax[,], mail[] or deliver[y]." Not only is email an impermissible form of
13 conveying the "written consent" required to amend the Notes, but Suzanne Fletcher (whom
14 Devesa emailed) was not the person or entity that Devesa was required to seek consent from;
15 Stanford Management Company was. Thus, Ms. Fletcher's email cannot be considered "written
16 consent" to amendment of the Notes. And based on Medwhat's own math (see Opp. at 9),
17 without the support of Stanford-StartX Fund's "vote," less than the "Minimum Majority
18 Needed" "voted" to "amend" the Notes, even assuming *arguendo* that all of the other referenced
19 "YES" investors actually provided "written consent"—a doubtful proposition.

1 ALTO LITIGATION, PC
Bahram Seyedin-Noor (Bar No. 203244)
2 bahram@altolit.com
Bryan Ketrosor (Bar No. 239105)
3 bryan@altolit.com
Gabriel A. Peixoto (Bar No. 306758)
4 gabriel@altolit.com
4 Embarcadero Center, Suite 1400
5 San Francisco, CA 94111
Telephone: (415) 779-2586
6 Facsimile: (866) 654-7207

7 Attorneys for Plaintiffs,
CAIXA CAPITAL RISC; MAGIC STONE
8 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF SAN FRANCISCO**
13

14 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
15 ALTERNATIVE INVESTMENTS; REGENT
16 CAPITAL VENTURE LTD.; AND
STARTCAPS VENTURES,

17 Plaintiffs,

18 v.
19

20 MEDWHAT.COM INC.; ARTURO
DEVESA; AND DOES 1 THROUGH 50,
21 INCLUSIVE,

22 Defendants.

ELECTRONICALLY
FILED

Superior Court of California,
County of San Francisco

07/23/2018

Clerk of the Court

BY: BOWMAN LIU

Deputy Clerk

Case No.: CGC-18-565596

**DECLARATION OF SUSAN
WEINSTEIN IN SUPPORT OF EX
PARTE APPLICATION FOR A RIGHT
TO ATTACH ORDER AND WRIT OF
ATTACHMENT AGAINST
MEDWHAT.COM INC.**

Hearing Date: July 24, 2018

Hearing Time: 11:00 a.m.

Dept.: 302

DECLARATION OF SUSAN WEINSTEIN ISO EX PARTE APPLICATION
Case No.: CGC-18-565596

1 I, Susan Weinstein, declare as follows:

2 1. I am the Assistant Vice President for Business Development at Stanford
3 University ("Stanford"). Stanford and Stanford Health Care provide StartX with a financial
4 operating grant and invest in qualified StartX program participants ("Participants") through
5 Stanford-StartX Fund, LLC ("Stanford-StartX" or "Fund"), which invests in up to 10% of a
6 Participant's financing round subject to the Participant and the financing meeting certain
7 criteria. I have personal knowledge of the facts set forth herein because I manage the
8 relationship between Stanford and StartX and the approval process for Fund investments. I am
9 aware of the Fund's communications and dealings with Medwhat.com Inc. ("MedWhat" or
10 "Company") described in this declaration, including the communications and dealings with
11 MedWhat's CEO, Arturo Devesa ("Devesa") described herein. If called upon to testify I could
12 and would testify competently as to the truth of the facts stated in this declaration.

13 2. I am filing this Declaration in support of Plaintiffs' Ex Parte Application for a
14 Right to Attach Order and Writ of Attachment Against Medwhat.com Inc. ("Application").

1 ALTO LITIGATION, PC
Bahram Seyedin-Noor (Bar No. 203244)
2 bahram@altolit.com
Bryan Ketrosier (Bar No. 239105)
3 bryan@altolit.com
Gabriel A. Peixoto (Bar No. 306758)
4 gabriel@altolit.com
4 Embarcadero Center, Suite 1400
5 San Francisco, CA 94111
Telephone: (415) 779-2586
6 Facsimile: (866) 654-7207

7 Attorneys for Plaintiffs,
CAIXA CAPITAL RISC; MAGIC STONE
8 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF SAN FRANCISCO

14 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
15 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
16 STARTCAPS VENTURES,

17 Plaintiffs,

18 v.

19
20 MEDWHAT.COM INC.; ARTURO

ELECTRONICALLY
FILED

Superior Court of California,
County of San Francisco

07/23/2018

Clerk of the Court

BY: BOWMAN LIU

Deputy Clerk

Case No.: CGC-18-565596

DECLARATION OF SABRINA LIANG
IN SUPPORT OF EX PARTE
APPLICATION FOR A RIGHT TO
ATTACH ORDER AND WRIT OF
ATTACHMENT AGAINST
MEDWHAT.COM INC.

Hearing Date: July 24, 2018

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INCLUSIVE,

Defendants.

Dept.: 302

Judge: Hon. Harold E. Kahn

Date Action Filed: April 9, 2018

Trial Date: None set,

DECLARATION OF SABRINA LIANG ISO EX PARTE APPLICATION
Case No.: CGC-18-565596

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I, Sabrina Liang, declare as follows:

1. I am a Director of School and Department Funds at Stanford Management Company ("SMC"), a division of Stanford University ("Stanford"). I have personal knowledge of the facts set forth herein because I have been directly involved in administering the operations of Plaintiff Stanford-StartX Fund, LLC ("Stanford-StartX" or "Fund") and its investments in Medwhat.com Inc. ("Medwhat" or "Company"). If called upon to testify I could and would testify competently as to the truth of the facts stated in this declaration.

2. I am filing this Declaration in support of Plaintiffs' Ex Parte Application for a Right to Attach Order and Writ of Attachment Against Medwhat.com Inc. ("Application").

The Fund Promissory Notes

1	ALTO LITIGATION, PC	
2	Bahram Seyedin-Noor (Bar No. 203244)	
3	bahram@altolit.com	
4	Bryan Ketrosier (Bar No. 239105)	
5	bryan@altolit.com	
6	Monica Mucchetti Eno (Bar No. 164107)	
7	monica@altolit.com	
8	4 Embarcadero Center, Suite 1400	
9	San Francisco, CA 94111	
10	Telephone: (415) 779-2586	
11	Facsimile: (415) 306-8744	
12	Attorneys for Plaintiffs & Cross-Defendants,	
13	CAIXA CAPITAL RISC; MAGIC STONE	
14	ALTERNATIVE INVESTMENTS; REGENT	
15	CAPITAL VENTURE LTD.; STANFORD-	
16	STARTX FUND, LLC; STARTCAPS	
17	VENTURES; MARC TESSIER-LAVIGNE; and	
18	SUSAN WEINSTEIN	
19	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
20	FOR THE COUNTY OF SAN FRANCISCO	
21	STANFORD-STARTX FUND, LLC; CAIXA	Case No.: CGC-18-565596
22	CAPITAL RISC; MAGIC STONE	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR SANCTIONS PURSUANT TO CODE OF CIVIL PROCEDURE SECTIONS 128.5 and 128.7
23	ALTERNATIVE INVESTMENTS; REGENT	
24	CAPITAL VENTURE LTD.; AND	
25	STARTCAPS VENTURES,	
26	Plaintiffs,	Hearing Date: April 8, 2019
27	v.	Hearing Time: 9:30 AM
28	MEDWHAT.COM INC.; ARTURO	Dept.: 302
29	DEVESA; AND DOES 1 THROUGH 50,	Hearing Reservation No.: 02110408-14
30	INCLUSIVE,	
31	Defendants.	Date Action Filed: April 9, 2018
32	MEDWHAT.COM, INC. AND ARTURO	Judge: Hon. Ethan P. Schulman
33	DEVESA,	
34	Cross-Complainants,	

Allegations Against Movants Dr. Tessier-Lavigne and Ms. Weinstein

Consistent with its pattern of harassing individuals associated with Plaintiffs, the SACC attempts to sully the sterling reputations of Dr. Marc Tessier-Lavigne (the eleventh and current President of Stanford University) and Susan Weinstein (Assistant Vice President for Business Development at Stanford University (collectively, the "Stanford Officers"). Throughout the 24 pages of factual allegations in the SACC, Cross-Complainants never state (because they cannot) that Dr. Tessier-Lavigne ever communicated with Devesa or even knew of Devesa or Medwhat's existence. Nor, with one exception, do Cross-Complainants identify any communications or actions by Ms. Weinstein pertaining to Devesa or Medwhat.⁴ Instead, the SACC alleges only that the "STARTX Fund had the approval of . . . [Dr. Tessier-Lavigne]" and alleges (incorrectly) that Dr. Tessier-Lavigne, as the President of Stanford, "was very involved in the StartX program and fund." SACC ¶ 35. As to Ms. Weinstein, the SACC merely describes her (incorrectly) as "one of the managing partners" of StartX, and that, along with several others, she helped run the fund. *Id.* ¶¶ 11, 35.

The SACC does not identify any conduct by either of the Stanford Officers that would constitute fraud or defamation. *See* SACC ¶¶ 145-154 (failing to identify any misrepresentation, knowledge of falsity, or intent on the part of either Stanford Officer in connection with fraud claim); *id.* ¶¶ 155-168 (failing to identify any false statement by either Stanford Officer to a third party). This is not merely a demur-able omission (though it certainly

⁴ The SACC does allege in the Factual Allegations that Ms. Weinstein, along with a co-defendant, "sent a threatening [sic] email to DEVESA's father ... accusing DEVEESA [sic] of fraud." SACC at 25:1-3. But that supposed email is not alleged in the causes of action, and for good reason: more is required for a defamation claim than a statement to one's father. *Brodeur*

Bahram Seyedin-Noor
to me, Bryan, Nathalie, James ▾

Fri, May 10, 4:21 PM (2 days ago) ☆ ↩

Arturo --

Judge Schulman specifically admonished (and you agreed) that you not communicate directly with represented parties. The Leland Stanford Junior University is represented by our law firm, which means you may not communicate directly with them in this matter.

All communications must be directed to our law firm. Please confirm you understand and will abide by this.

Bahram Seyedin-Noor

Direct +1 415 868 5602

4 Embarcadero Center, Suite 1400
San Francisco, CA 94111
www.altolit.com

Susan Weinstein slw@stanford.edu

Mon, Feb 10, 2014, 6:47 PM

to Millicent, me, John, Cameron, Jennifer

The following meeting has been modified:

Subject: CALL: Stanford-StartX Fund (MedWhat) [MODIFIED]

Organizer: slw@stanford.edu

Sent By: "Weddy M. Nacionales" <weddy@stanford.edu>

Location: 1.855.749.4750 Code: 27600968 [MODIFIED]

Time: Wednesday, February 12, 2014, 11:00:00 AM - 11:30:00 AM GMT -08:00
US/Canada Pacific

Require maanglin@stanford.edu; adevesa@medwhat.com; john@startx.stanford.edu; cameron@startx.stanford.edu

Optional: jennifer@startx.stanford.edu

~~*~*~*~*~*~*~*

Attendees:

John Melas-Kyriazi

Pooja Garg

Susan Weinstein

Millicent Anglin

Arturo Devesa (MedWhat)

Arturo Devesa <adevesa@medwhat.com>

Mon, Feb 17, 2014,
2:50 PM

to maanglin, Pooja

from: **Arturo**

Devesa <adevesa@medwhat.com>

to: maanglin@stanford.edu

cc: Pooja Garg
<pooja@startx.stanford.edu>

date: Feb 17, 2014, 2:50 PM

subject: MedWhat

Hi Millicent,

It was a pleasure speaking with you last week and going over MedWhat.

Do you know how long it will take for the \$50,000 to be approved and wired to MedWhat's bank account?

Warm regards,

Arturo Devesa
CEO & Founder, MedWhat.com Inc.
650-391-3863
<http://www.medwhat.com>

EXHIBIT Q

1. Neural Network (NN) - software constructions modeled after the way adaptable neurons in the brain were understood to work instead of human guided rigid instructions.
2. Deep Learning - a type of neural network, the subset of machine learning composed of algorithms that permit software to train itself to perform tasks by processing multilayered networks of data.
3. Machine Learning - computers' ability to learn without being explicitly programed, with more than fifteen different approaches like Random Forest, Bayesian networks, Support Vector machine uses, computer algorithms to learn from examples and experiences (datasets) rather than predefined, hard rules-based methods.
4. Supervised Learning - an optimization , trial - and - error process based on labeled data , algorithm comparing outputs with the correct outputs during training.
5. Unsupervised Learning - training samples are not labeled , the algorithm just looks for patterns, teaches itself.
6. Convolutional Neural Network - using the principle of convolution, a mathematical operation that basically takes two functions to produce a third one, instead of feeding in the entire dataset, it is broken into overlapping tiles with small neural networks and maxpooling used especially for images.
7. Natural Language Processing - a machine's attempt to "understand" speech or written languages like humans.
8. Generative Adversarial Networks - a pair of jointly trained neural networks , one generative and the other discriminative, whereby the former generates fake images and the latter tries to distinguish them from real images.
9. Reinforcement Learning - a type of machine learning that shifts the focus to an abstract goal or decision making, a technology , a technology for learning and execution actions in the real world.
10. Recurrent Neural Networks - for task than involve sequential inputs, like speech or language, this neural network processes an input sequence one element at a time.
11. Backpropagation - an algorithm to indicate how a machine should change its internal parameters that are used to compute the representation in each layer from the representation on the previous layer passing values backward through the network; how the synapses get updated over time; signals are automatically sent back through the network to update and adjust the weighting values.
12. Representation Learning - set of methods that allow a machine with raw data to automatically discover the representations needed for detection or classification.
13. Transfer Learning - the ability of an AI to learn from different tasks and apply its precedent knowledge to a completely new task.
14. General Artificial Intelligence - perform a wide range of tasks, including, including any human task, without being explicitly programmed.

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7 Attorneys for Plaintiffs and Cross-Defendants,
CAIXA CAPITAL RISC; MAGIC STONE
8 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES, and Cross-Defendants THE LELAND
10 STANFORD JR. UNIVERSITY; STANFORD
MANAGEMENT COMPANY; SABRINA
11 LIANG; RANDY LIVINGSTON; MARC
TESSIER-LAVIGNE; ROBERT WALLACE,
12 and SUSAN WEINSTEIN

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF SAN FRANCISCO**

15 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
16 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
17 STARTCAPS VENTURES,

18 Plaintiffs,

19 v.

20 MEDWHAT.COM INC.; ARTURO
21 DEVESA; AND DOES 1 THROUGH 50,
22 INCLUSIVE,

23 Defendants.

24 MEDWHAT.COM, INC. AND ARTURO
25 DEVESA,

26 Cross-Complainants,

27 v.

28 STANFORD-STARTX FUND, LLC;
LELAND STANFORD JUNIOR

Case No.: CGC-18-565596

Related Case No. 19-CV-347760 (Santa
Clara County Sup. Court)

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' AND CROSS-
DEFENDANTS' NOTICE OF MOTION
AND MOTION TO TRANSFER AND
CONSOLIDATE ACTIONS**

Hearing Date: June 25, 2019

Hearing Time: 9:30 AM

Reservation No.: 05290625-08
05290625-09

Dept.: 302

Date Action Filed: April 9, 2018

Judge: Hon. Ethan P. Schulman

1 UNIVERSITY; STANFORD
2 MANAGEMENT COMPANY; CAIXA
3 CAPITAL RISC; MAGIC STONE
4 ALTERNATIVE INVESTMENTS; REGENT
5 CAPITAL VENTURE, LTD.; STARTCAP
6 VENTURES; INCWELL, INC.; ROBERT
7 WALLACE; SUSAN WEINSTEIN; RANDY
8 LIVINGSTON; SUZANNE FLETCHER;
9 MARC TESSIER-LAVIGNE; SABRINA
10 LIANG; FRANCISCO JAVIER GONZALEZ
11 MANZANO; BELTRAN VIVES
12 MONTOBBIO; XAVIER ALVAREZ;
13 JENNY ZENG; LILY YANG; IGNACIO
14 VILELA; TOM LA SORDA; SIMON BOAG;
15 RICARDO PAZ IGLESIAS; REDA JABER;
16 AND DOES 1-50, INCLUSIVE,

Cross-Defendants.

Trial Date: None set.

1 The motion of Plaintiffs and Cross-Defendants Caixa Capital Risc, Magic Stone
2 Alternative Investments, Regent Capital Venture Ltd., Stanford-StartX Fund, LLC, and
3 Startcaps Ventures (collectively, "Plaintiffs"), as well as Cross-Defendants The Leland Stanford
4 Jr. University ("Stanford"), Stanford Management Company, Sabrina Liang, Randy Livingston,
5 Marc Tessier-Lavigne, Robert Wallace and Susan Weinstein (together with Plaintiffs,
6 "Movants") to transfer the case captioned *Devesa v. Stanford University*, Case No. 19-CV-
7 347760, now pending in Santa Clara County (the "Santa Clara Action") to the San Francisco
8 County Superior Court and consolidate it with the above-captioned action (the "San Francisco
9 Action") was heard on June __, 2019, at _____ a.m. in Department 302 of the above-
10 entitled Court, located at 400 McAllister Street, San Francisco, CA 94102. Movants and Cross-
11 Defendant Suzanne Fletcher appeared through counsel; Defendant and Cross-Complainant
12 Arturo Devesa appeared pro per. Medwhat is presently without counsel and did not appear.
13 After considering materials and argument presented to the Court, and FOR GOOD CAUSE
14 APPEARING:

15 **THE COURT SPECIFICALLY FINDS AS FOLLOWS:**

- 16 1. The San Francisco Action and Santa Clara Action are not complex.
- 17 2. Common questions of fact and law predominate and are significant to the San
18 Francisco Action and Santa Clara Action in that:
- 19 (a) All eleven of the causes of action asserted by Mr. Devesa in the Santa Clara
20 Action are also asserted in the Third Amended Cross-Complaints ("TACCs")
21 submitted by Mr. Devesa in the San Francisco Action on May 1 and May 8,
22 2019.
- 23 (b) Both the Santa Clara Action and San Francisco Action assert the same
24 eleven causes of action against dozens of the same parties.
- 25 (c) The Santa Clara Action also asserts three of the same claims asserted by Mr.
26 Devesa in the Second Amended Cross-Complaint ("SACC") in the San
27 Francisco Action (for breach of contract claim, defamation claim and trade secret
28 claim).

1 (d) The Santa Clara Action asserts four of the same claims asserted by Mr.
2 Devesa in the First Amended Cross-Complaint (for securities fraud, unfair
3 competition, wire fraud, and breach of fiduciary duty) he filed in the San
4 Francisco Action.

5 (e) The Santa Clara Action also shares commonalities with Plaintiffs' claims in
6 their Complaint in the San Francisco Action. For example, Plaintiffs allege in
7 the San Francisco Action that Medwhat breached its obligation to pay amounts
8 due on the Notes (SF Compl. ¶¶ 51-61; 77-85), while Mr. Devesa alleges in the
9 Santa Clara Action that he has no obligation to pay amounts due on the Notes
10 because they were converted to preferred shares (SC Compl. ¶¶ 291-308).
11 Further, Plaintiffs allege in their Complaint that Mr. Devesa and Medwhat
12 committed securities fraud by falsely representing that Plaintiff Regent Capital
13 Ventures, Ltd. ("Regent") had invested \$3.2 million in Medwhat's Series A. SF
14 Compl. ¶¶ 63-67. Similarly, Devesa alleges in his newly-filed action that
15 Stanford, SMC and the Stanford Trustees committed trade libel by falsely
16 disseminating information about the nature of Regents' investments in
17 Medwhat's Series A.

18 3. The convenience of the parties, witnesses and counsel would be served by transfer
19 and consolidation.

20 4. The relative development of the actions support transfer in that both litigations are in
21 their earliest stages. Depositions have yet to begin in the San Francisco Action and the
22 Complaint in the Santa Clara Action was only served on May 20, 2019.

23 5. Transfer and consolidation would promote judicial economy by saving time and
24 resources for the Court and the parties.

25 6. There is no material difference in the calendars of the San Francisco County and
26 Santa Clara County to impede transfer and consolidation.

27 7. Transfer and consolidation will avoid duplicative and inconsistent rulings.

28 8. Transfer and consolidation will help promote settlement.

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ACCORDINGLY, IT IS HEREBY ORDERED THAT the Santa Clara Action shall
be transferred to the San Francisco County Superior Court and consolidated with the Santa
Clara Action.

IT IS SO ORDERED.

Dated: _____, 2019

Honorable Ethan P. Schulman
Judge of the Superior Court

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CAIXA CAPITAL RISC; MAGIC STONE
8 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; STANFORD-
9 STARTX FUND, LLC; and STARTCAPS
VENTURES, and Cross-Defendants THE LELAND
10 STANFORD JR. UNIVERSITY; STANFORD
MANAGEMENT COMPANY; SABRINA
11 LIANG; RANDY LIVINGSTON; MARC
TESSIER-LAVIGNE; ROBERT WALLACE,
12 and SUSAN WEINSTEIN

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF SAN FRANCISCO**

15 STANFORD-STARTX FUND, LLC; CAIXA
CAPITAL RISC; MAGIC STONE
16 ALTERNATIVE INVESTMENTS; REGENT
CAPITAL VENTURE LTD.; AND
17 STARTCAPS VENTURES,

18 Plaintiffs,

19 v.

20 MEDWHAT.COM INC.; ARTURO
21 DEVESA; AND DOES 1 THROUGH 50,
INCLUSIVE,

22 Defendants.

23
24 MEDWHAT.COM, INC. AND ARTURO
25 DEVESA,

26 Cross-Complainants,

27 v.

28 STANFORD-STARTX FUND, LLC;
LELAND STANFORD JUNIOR

Case No.: CGC-18-565596

PROOF OF SERVICE

1 UNIVERSITY; STANFORD
2 MANAGEMENT COMPANY; CAIXA
3 CAPITAL RISC; MAGIC STONE
4 ALTERNATIVE INVESTMENTS; REGENT
5 CAPITAL VENTURE, LTD.; STARTCAP
6 VENTURES; INCWELL, INC.; ROBERT
7 WALLACE; SUSAN WEINSTEIN; RANDY
8 LIVINGSTON; SUZANNE FLETCHER;
9 MARC TESSIER-LAVIGNE; SABRINA
10 LIANG; FRANCISCO JAVIER GONZALEZ
11 MANZANO; BELTRAN VIVES
12 MONTOBBIO; XAVIER ALVAREZ;
13 JENNY ZENG; LILY YANG; IGNACIO
14 VILELA; TOM LA SORDA; SIMON BOAG;
15 RICARDO PAZ IGLESIAS; REDA JABER;
16 AND DOES 1-50, INCLUSIVE,

17
18
19
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28
Cross-Defendants.

1 **PROOF OF SERVICE**

2 I, James Jaeger, declare:

3 I am employed in San Francisco County, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is Alto Litigation PC, 4
5 Embarcadero Center, Suite 1400, San Francisco, California 94111. My electronic service
6 address is jim@altolit.com.

7 On this date, I served the following documents:

- 8
- 9 • **PLAINTIFFS' AND CROSS-DEFENDANTS' NOTICE OF MOTION AND
MOTION TO TRANSFER AND CONSOLIDATE ACTIONS**
 - 10 • **PLAINTIFFS' AND CROSS-DEFENDANTS' MEMORANDUM OF POINTS
11 AND AUTHORITIES IN SUPPORT OF MOTION TO TRANSFER AND
12 CONSOLIDATE ACTIONS**
 - 13 • **DECLARATION OF BRYAN KETROSER IN SUPPORT OF MOTION TO
TRANSFER AND CONSOLIDATE ACTIONS**
 - 14 • **PROPOSED ORDER GRANTING PLAINTIFFS' AND CROSS-
15 DEFENDANTS' NOTICE OF MOTION AND MOTION TO TRANSFER
AND CONSOLIDATE ACTIONS**
 - 16 • **PROOF OF SERVICE**
- 17

18 ☐ **BY FIRST CLASS MAIL:** I placed the envelope for collection and mailing, following
19 our ordinary business practices. I am readily familiar with this firm's practice for collecting and
20 processing correspondence for mailing. On the same day that correspondence is placed for
21 collection and mailing, it is deposited in the ordinary course of business with the United States
Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in
the county where the mailing occurred. The envelope or package was placed in the mail at San
Francisco, California.

22 ☒ **FEDERAL EXPRESS:** I caused such envelope(s) to be delivered to Federal Express
23 for overnight courier service to the office(s) of the addressee(s). I am familiar with our business
24 practices for collecting and processing of mail for overnight courier service. Mail placed by me
25 within the office for the collection by an overnight courier service would normally be deposited
with the overnight courier service that same day in the ordinary course of business. The
envelope(s) bearing the address(es) above was sealed and placed for collection and mailing on
the date below following our ordinary business practices.

26 ☒ **BY EMAIL:** By causing to be transmitted via e-mail a courtesy copy of the
27 document(s) listed above to the addressee(s) at the email address(es) listed below, and such was
transmitted without error.

28 Arturo Devesa

3370 Opportunity Avenue
Spring Hill, FL 34609
Email Address: adevesa@medwhat.com
Defendant/Cross-Complainant in Pro Per

MedWhat.com, Inc.
3370 Opportunity Avenue
Spring Hill, FL 34609
Email Address: adevesa@medwhat.com
Defendant/Cross-Complainant in Pro Per

Defendants and Cross-Complainants

☐ **BY PERSONAL SERVICE:** I caused such envelope to be delivered by a process server employed by Wheels of Justice.

☐ **BY EMAIL:** By causing to be transmitted via e-mail a courtesy copy of the document(s) listed above to the addressee(s) at the email address(es) listed below, and such was transmitted without error.

☒ **BY ELECTRONIC SERVICE:** By causing to be transmitted via File & Serve Xpress the document(s) listed above to the addressee(s) at the email address(es) listed below, and such was transmitted without error.

Nathalie Fayad
Lewis & Llewellyn
505 Montgomery St Suite 1300,
San Francisco, CA 94111
nfayad@lewisllewellyn.com
Counsel for Suzanne Fletcher

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on May 29, 2019.

By: 
James Jaeger

THE FOREGOING INSTRUMENT IS
A CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

JUL 19 2019

Clerk of the Court
SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA CLARA
BY R. TIEN DEPUTY

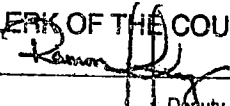


1 ALTO LITIGATION, PC
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2 bahram@altolit.com
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3 bryan@altolit.com
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4 monica@altolit.com
4 Embarcadero Center, Suite 1400
5 San Francisco, CA 94111
Telephone: (415) 779-2586
6 Facsimile: (415) 306-8744

7 Attorneys for Defendant
STANFORD UNIVERSITY

FILED
San Francisco County Superior Court

JUL 30 2019

CLERK OF THE COURT
BY: 
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA CGC - 19 - 577904

11 ARTURO DEVESA
12 Plaintiff,
13 v.

Case No. 19CV347760

Related Case No. CGC-18-565596 (San
Francisco County Sup. Court)

14 STANFORD UNIVERSITY; THE BOARD
OF TRUSTEES OF THE LELAND
15 STANFORD JUNIOR UNIVERSITY;
DEBRA ZUMWALT; STANFORD
16 MANAGEMENT COMPANY; ROBERT
WALLACE; RANDY LIVINGSTON; MARC
17 TESSIER-LAVIGNE; SUZANNE
FLETCHER; SUSAN WEINSTEIN;
18 SABRINA LIANG; FELIX J. BAKER;
MARY T. BARRA; BRET E. COMOLLI;
19 ROANN COSTIN; MICHELLE R.
CLAYMAN; DIPANJAN DEB; HENRY A
20 FERNANDEZ; ANGELA S. FILO; RUTH
PORAT; SAKURAKO D. FISHER;
21 FRADLEY A. GEIER; JAMES D. HALPER;
RONALD B. JOHNSON; MARC E. JONES;
22 TONIA G. KARR; CAROL C. LAM;
CHRISTY MACLEAR; KENNETH E.
23 OLIVIER; CARRIE W. PENNER;
LAURENE POWELL JOBS; JEFFREY S
24 RAIKES; MINDY B ROGERS; VICTORIA
B. ROGERS; KAVITARK RAM SHRIRAM;
25 RONALD P. SPOGLI; JEFFREY E.
STONES; GENE T SYKES; JERRY YANG;
26 CHARLES D. YOUNG; STARTX;
CAMERON TEITELMAN;
27 AND DOES 1-50, INCLUSIVE

28 Defendants,

PROOF OF SERVICE

1 **PROOF OF SERVICE**

2 I, Sy Vang, declare:

3 I am employed in San Francisco County, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is Alto Litigation, PC, 4
5 Embarcadero Center, Suite 1400, San Francisco, California 94111. My electronic service
6 address is sy@altolit.com.

7 On this date, I served the following documents:

- 8 • **NOTICE OF MOTION TO TRANSFER AND CONSOLIDATE ACTIONS**
9 • **EXHIBIT 1 TO NOTICE OF MOTION TO TRANSFER AND**
10 **CONSOLIDATE ACTIONS**
11 • **PROOF OF SERVICE**

12 ☒ **BY EMAIL:** By causing to be transmitted via e-mail the document(s) listed above to the
13 addressee(s) at the email address(es) listed below, and such was transmitted without error.

14 ☒ **BY ELECTRONIC SERVICE:** By causing to be transmitted via One Legal the
15 document(s) listed above to the addressee(s) at the email address(es) listed below, and
16 such was transmitted without error.

17 ☒ **FEDERAL EXPRESS:** I caused such envelope(s) to be delivered to Federal Express for
18 overnight courier service to the office(s) of the addressee(s). I am familiar with our
19 business practices for collecting and processing of mail for overnight courier service. Mail
20 placed by me within the office for the collection by an overnight courier service would
21 normally be deposited with the overnight courier service that same day in the ordinary
22 course of business. The envelope(s) bearing the address(es) below was sealed and placed
23 for collection and mailing on the date below following our ordinary business practices.

24 **Plaintiff in PRO PER**

ARTURO DEVESA
3370 Opportunity Ave.
Spring Hill, FL 34609
Tel: (650) 391-3863
Email: adevesa@medwhat.com

25 I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct. Executed at San Francisco, California on May 30, 2019.
27

28 By: 

SY VANG