

October 10, 2019

VIA EMAIL

Emmett Moore
Trading Schools.Org
c/o- support@wpxhosting.com

Re: Cease and Desist demand regarding false representations about Guy Gentile and Sure Trader

Dear Mr. Moore:

This firm represents Mr. Guy Gentile, Founder of SureTrader (“SureTrader”). We write to demand that you immediately remove the blog post on www.TradingSchools.org entitled *Sure Trader: Everything you need to know* dated September 27, 2019 (the “Article”).

The Article is replete with false and defamatory statements, all of which are harmful to Mr. Gentile’s reputation and businesses. These statements include, but are not limited to the following:

1. Allegations about the Bahamas Securities Commission temporary suspension

During the temporary suspension at the behest of the Bahamas Securities Commission (subsequently resolved within three business days), customers were not met with a “blue screen of death.” Rather, they were able to log into their accounts and access the SureTrader platform. SureTrader worked to make good on this unforeseen disruption to customers, and as soon as the platform was live, waived commission on all trades for one full week.

2. Allegations about prior alleged “pump and dump” indictment

While it is true that Mr. Gentile was indicted for Securities Fraud in 2016 (which is a matter of public record and much reporting), he has never been convicted of a crime in connection with that indictment and was certainly never found to have “orchestrated a ‘pump and dump’ stock manipulation scheme.” This statement, which accuses Mr. Gentile of the commission of a crime is defamation *per se*, for which Mr. Gentile is not required to prove damages to prevail in at trial. The Article further alleges that the United States Securities and Exchange Commission (“SEC”) “sued [Mr. Gentile] for securities violations tied to his continued solicitation of customers within the United

States. This statement is also false and defamatory on its face. Mr. Gentile has never been sued by the SEC, or other regulatory body for that matter, for improper solicitation of clients.

3. Allegations about the operations of SureTrader

The Article alleges that SureTrader is a “‘pump and dump’ brokerage.” This statement is false and defamatory. SureTrader does not trade in penny stocks and nor does it allow customers to deposit stock into the firm. The Article also alleges that Sure Trader lacks customer protections such as segregation of client funds which is mandated by United States law. This allegation is also false and defamatory. SureTrader does, as required by Bahamian law, hold client funds in segregated client accounts.

4. Allegations about Mr. Gentile’s application to the Office of the Commissioner of Financial Institutions in Puerto Rico

The article alleges that Mr. Gentile “fibbed” on his application to the OCFI. This statement is false and defamatory. First and foremost, no court of law has ever determined that a misrepresentation was made in Mr. Gentile’s application to the OCFI – nor has any regulatory agency made such an accusation. In fact, and as set out in numerous court pleadings, Mr. Gentile’s application to OCFI was undertaken by a third party experienced in such applications, who provided all requested information.

5. Allegations about the “SureTrader Insurance Company”

The Article alleges that because getting insurance was “nearly impossible,” Mr. Gentile founded an insurance company and that the “SureTrader Insurance Company” (the “Company”) insures client deposits: “what if SureTrader suddenly shuts down and you want your money back?”. This statement is false and defamatory. The Company does not insure client deposits and no representation has ever been made to that effect. The Company in fact insures SureTrader for professional indemnification and is entirely solvent, possessing funds far in excess of the policy maximum. There is nothing improper about a captive insurance company and allegations to the contrary are actionable.

These are but a small subset of the numerous false and defamatory statements that are interwoven into every aspect of the article. Because the false and defamatory statements so overwhelm the article, we demand that you remove the entire Article from your website. In light of the ongoing damage to Mr. Gentile’s reputation, we request that this is undertaken immediately.

Be advised that we are monitoring this matter closely, and Mr. Gentile will promptly move to enforce his rights should you fail to comply, and seek all injunctive and monetary relief for your conduct, which may include actual and punitive damages, and Mr. Gentile’s attorneys’ fees.

This letter is written without prejudice to Mr. Gentile's rights and remedies, all of which are expressly reserved. Should you have any questions related to this matter, please do not hesitate to contact me at (212) 858-0040.

Very truly yours,

A handwritten signature in black ink that reads "Adam Ford". The signature is written in a cursive style with a large, prominent "A" and "F".

Adam Ford
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Attorneys for Mr. Guy Gentile