

RS

SEARCH WARRANT

IN THE MATTER OF

Eric Leak/Hot Shot Sports Management LLC/Inc

Date Issued 3/16/16 Time Issued 3:35 AM PM

Name Of Applicant S/A David L. Rose NC Secretary of State

Name Of Additional Affiant S/A Kevin P. Sneed NCSBI

Name Of Additional Affiant

RETURN OF SERVICE

I certify that this Search Warrant was received and executed as follows:

Date Received 3/16/16 Time Received 3:35 AM PM

Date Executed 3/16/16 Time Executed 4:15 AM PM

I made a search of 5022 Isabella Cannon Drive Raleigh, NC 27612

as commanded.

I seized the items listed on the attached inventory.

I did not seize any items.

This Warrant WAS NOT executed within forty-eight (48) hours of the date of issuance and I hereby return it not executed.

Name Of Officer Making Return (Type Of Print)

Signature Of Officer Making Return

Department Or Agency Or Officer

Wasec of State

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STATE OF NORTH CAROLINA

WAKE

County WAKE

In The General Court Of Justice District/Superior Court Division

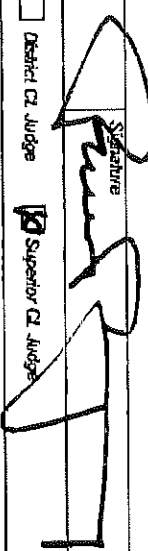
To any officer with authority and jurisdiction in Wake County authorized by this Search Warrant:

I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as described in the application.

You are commanded to search the premises, vehicle, person and other place or item described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.

You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this Warrant and make due return to the Clerk of the Issuing Court.

This Search Warrant is issued upon information furnished under oath or affirmation by the person(s) shown.

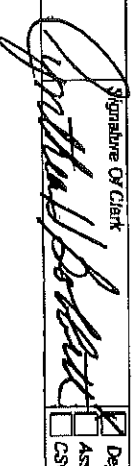
Date 3/16/16 Name (Type Or Print) P.R. Johnson Signature 

Deputy CSC Assistant CSC CSC Magistrate District Cl. Judge Superior Cl. Judge

This Search Warrant was delivered to me on the date and at the time shown below when the Office of the Clerk of Superior Court is closed for the transaction of business. By signing below, I certify that I will deliver this Search Warrant to the Office of the Clerk of Superior Court as soon as possible on the Clerk's next business day.

Date 3/17/16 Time 2:56 AM PM Name Of Clerk (Type Or Print) Cynthia H. Bobbit Signature Of Clerk 

This Search Warrant was returned to the undersigned clerk on the date and time shown below.

Date 3/17/16 Time 2:56 AM PM Name Of Clerk (Type Or Print) Cynthia H. Bobbit Signature Of Clerk 

(Over)

APPLICATION FOR SEARCH WARRANT

I, S/A David L. Rose, NCSOS, S/A Kevin P. Sneed NCSBI

(Insert name and address, or if law enforcement officer, name, rank and agency)

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that *(Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)*

See Attachment I

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)* Violation of NC Uniform Athlete Agent Act, Obtaining Property

By False Pretenses,

and is located *(Check appropriate box(es) and fill-in specified information)*

in the following premises *(Give address and, if useful, describe premises)*

See Attachment II

(and)

on the following person(s) *(Give name(s) and, if useful, describe person(s))*

(and)

in the following vehicle(s) *(Describe vehicle(s))*

(and)

(Name and/or describe other places or items to be searched, if applicable)

The applicant swears or affirms to the following facts to establish probable cause for the issuance of a search warrant:

See Attachment III

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

2/16/16

Date

Name Of Applicant (Type Or Print)

Signature

Signature of Applicant

Notary

Dep. CSC

Asst. CSC

Clerk Of Superior Court

Judge

In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by _____

In addition to the affidavit included above, this application is supported by sworn testimony, given by _____

This testimony has been *(check appropriate box)* reduced to writing tape recorded and I have filed each with the clerk.

NOTE: If more space is needed for any section, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.

ATTACHMENT I

APPLICATION FOR SEARCH WARRANT

PROPERTY TO BE SEIZED

I. Certain Property and documents, to wit:

A) Any and all records, documents, and/or other items related to violations of the North Carolina Uniform Athlete Agents Act and contain evidence and/or are evidence of crimes committed by Eric Leak and/or Hot Shot Sports Management LLC and/or Hot Shot Sports Management Inc. and/or associated co-conspirators.

B) All of the above records, documents, information and data in whatever form and by whatever means they (and their drafts and modifications) may have been created or stored, including handmade form, photographic form, mechanical form, electrical, electronic, optical or magnetic form as well as printouts or readouts from any electronic optical or magnetic storage device. The electronic magnetic or optical media could include, but would not be limited to, floppy diskettes, fixed hard disks or hard drives, removable hard disk cartridges, tapes, laser discs, (all variations of CD, DVD formats), flash media, "thumb drives" or other USB device, videocassettes and any other media capable of storing such coding including media associated with personal digital assistants, (PDAs) and other wireless handheld communication and data devices, such as cellular phones, Blackberrys, or smart phones.

 3/16/16  3/16/16  3/16/16
Superior Court Judge Date David L. Rose, Affiant Date Kevin P. Snead, Affiant Date

II. Computer hardware, to wit:


Any and all electronic devices and equipment which are capable of collecting, creating, analyzing, displaying, converting, storing, concealing, or transmitting electronic, optical, magnetic, or similar computer impulses or data. These devices would include, but are not limited to, i) data-processing devices such as computer system units, memory typewriters, and self contained laptop or notebook computers and Personal Digital Assistants (PDAs); ii) internal and peripheral storage devices, such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, transistor-like binary devices, flash memory or "thumb drives" and other digital storage devices; iii) peripheral input/output devices; and, iv) related communications or network devices such as routers, modems, cables and connectors, recording devices, RAM or ROM units; v) hand-held communication and data devices such as "tablets", cellular phones, "smart phones", BlackBerrys, iPhones and similar devices; as well as any devices, mechanisms or parts that can be used to restrict access to computer hardware such as physical keys and locks.

III. Computer software, to wit:

Any and all digital information, instruction, algorithm or program stored in the form of electronic, optical or magnetic media, which is capable of being interpreted by a computer or any of its related components to direct the manner in which such computer or components work. Software is stored in electronic, magnetic, optical or other digital form. Software commonly includes, but is not limited to, programs to run operating systems, applications such as word processing, graphics or spreadsheet programs, utility programs, compilers interpreters, and communications programs used to communicate with computer hardware or peripherals either directly, telephonically or through other transmission media.

IV. Computer related documentation and manuals, to wit:

~~Any and all written, recorded, printed or digitally stored material which explains or illustrates how to configure or use computer hardware, software or other related items.~~



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V. Computer passwords and data security devices, to wit:

Any and all computer hardware, software or other programming code, in whatever form stored, designed or used to restrict access to or hide computer software, documentation or data. Passwords usually take the form of strings of alphanumeric characters which operate as a digital key to unlock particular security devices or to decrypt encrypted data. Data security hardware may take the form of encryption devices, chips, circuit boards, "dongles" or similar device. Data security software or digital code may include programming code which creates "test" or "hot" keys which perform certain pre-set security functions when pressed; such software or code may also encrypt, compress, hide or otherwise obfuscate protected data to make it inaccessible or unusable.

VI. Authorization for off-site analysis of computer data:


In addition to the seizure of relevant hardware and computer systems, this warrant specifically authorizes the creation of a "forensic image" of a hard drive or other storage device or media for use in an off-site analysis. Furthermore, this warrant specifically authorizes qualified agents of the Department of the Secretary of State to conduct a forensic computer examination upon any computer or other storage or communication device seized during the execution of this warrant or upon a "forensic image" created pursuant to this warrant. The scope of any such analysis shall be limited to the search for records, documents, materials, communication and other data that would show Bennett Wilson Jayroe, III as an employee of Hot Shot Sports.



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David L. Rose, Affiant Date 3/16/16



Kevin P. Snead, Affiant Date 3/16/16

ATTACHMENT II


APPLICATION FOR SEARCH WARRANT


PREMISES TO BE SEARCHED

5022 Isabella Cannon Drive
Raleigh, NC 27612

Including all buildings, structures, and vehicles on the premises and or within the curtilage.

From I 440 in Raleigh travel west to Glenwood Avenue. Take Glenwood Avenue to NC50/Creedmoor Road. Turn right onto NC50/Creedmoor Road traveling north. Go approximately ¼ of a mile and turn left onto Isabella Cannon Drive. The property is the 6th townhouse on the right. The numbers "5022" are on the white post by the front door.

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Kevin P. Snead, Affiant Date

ATTACHMENT III

APPLICATION FOR SEARCH WARRANT

AFFIDAVIT TO ESTABLISH PROBABLE CAUSE


I, the undersigned affiant, David L. Rose, being first duly sworn, do state the following:

I am currently employed as a full time, sworn law enforcement agent by the North Carolina Department of the Secretary of State. I am currently assigned to the Securities Division in which I am responsible for conducting administrative and criminal investigations into violations of the North Carolina Securities and Investment Advisers Acts and the North Carolina Uniform Athlete Agent Act (Chapters 78A and 78C of the North Carolina General Statutes). I have been a sworn law enforcement officer in the State of North Carolina for over twenty-eight years. I am a certified general law enforcement instructor by the North Carolina Criminal Justice and Education Standards Commission. I have received detailed training in arrest, search and seizure, elements of criminal law, criminal investigation, and constitutional law. During the course of my law enforcement career, I have investigated numerous felonious violations of the law, including: homicides, sexual crimes, sexual crimes against children, assaults, thefts, robberies, domestic violence offenses, narcotics violations, and embezzlements. I have also investigated fraudulent and financial crimes such as obtaining property by false pretenses, identity theft, credit card fraud, and securities fraud.

I, the undersigned affiant, Kevin P. Snead, being first duly sworn, do state the following:

I am currently employed as full time, sworn law enforcement agent by the North Carolina State Bureau of Investigation (NCSBI). From December 2004 to present, I have been employed as a Special Agent (SA) with the NCSBI assigned to the Financial Crime Investigations Division. I currently investigate cases involving financial crimes in violation of North Carolina criminal laws. These matters include but are not limited to embezzlement, obtaining property by false pretense (fraud), forgery, bribery, misconduct of public employees and officials, and malfeasance of corporate officers and agents. I have received extensive specialized training in ~~those areas of investigation listed above and have approximately 16 years of experience in~~ conducting financial criminal investigations.

In my capacity of Financial Crimes Investigator, I have been assigned to investigate the activities of Eric Leak and his business entities Hot Shot Sports Management, LLC and Hot Shots Sports Management, Inc. as to Leak's alleged involvement in a scheme whereby he fraudulently obtained funds from Keenan Allen, David Amerson, and other professional sports athletes. The investigation was initiated at the request of then Wake County District Attorney Colon Willoughby, Jr. on December 27, 2013.



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David L. Rose, Affiant Date 3/16/16



Kevin P. Snead, Affiant Date 3/16/16

The NCSBI investigation consisted of interviews with Allen and Amerson, examination of bank records, and examination of business documents related to Leak and Hot Shot Sports Management obtained during the Interview with Allen.

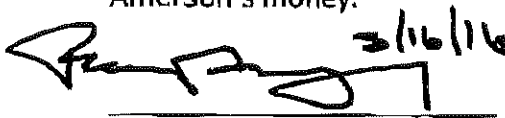
SA Snead interviewed Keenan Allen, Wide Receiver for the San Diego Chargers, on May 14, 2014. Allen said he signed with the Chargers in May 2013 after signing with Sports Agent J. T. Johnson and Leak's business enterprise Hot Shot Sports Management. Through Leak's business enterprise Hot Shot Sports Management, Allen and Leak entered into an agreement whereby Leak would manage Allen's finances. Allen requested the Chargers send his paychecks to Leak and authorized all of his bills to be sent to Leak. In return, Leak was supposed to deposit Allen's paycheck and pay Allen's bills. Although Allen admitted this agreement existed, he advised he never signed a Power of Attorney for Leak to handle his finances.

Examination of the documents provided by Allen, coupled with Allen's testimony, indicated Leak allegedly prepared a Power of Attorney fraudulently representing he was entitled to conduct financial business on behalf of Allen. Leak subsequently used the fraudulent Power of Attorney, which allegedly contained Allen's forged signature, to obtain a \$100,000.00 Line of Credit from Capstar Bank located in Tennessee without Allen's knowledge and permission. SA Snead showed Allen a copy of the Power of Attorney which appeared to contain Allen's signature. However, Allen said it was not his signature and he did not sign the Power of Attorney.

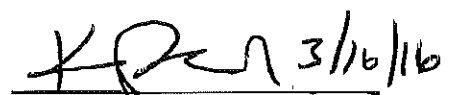
Examination of the financial documents provided by Allen revealed Leak used the \$100,000.00 Line of Credit he obtained using the fraudulent Power of Attorney to open a bank account under the name The Keenan Allen Foundation allegedly without Allen's knowledge. Furthermore, the investigation revealed Leak used the funds from The Keenan Allen Foundation for his own personal use and expenditures. Money was also transferred from The Keenan Allen Foundation bank account to Leak's Hot Shot Sports Management Account held at Wells Fargo. Allen said he never gave Leak permission to use his funds for Leak's own personal use.

Your affiants SA Snead and SA Rose interviewed David Amerson, former Defensive Back for the Washington Redskins, on August 27, 2015. During the interview, Amerson alleged Leak stole approximately \$300,000.00 from a bank account Amerson had at Bank of America. Amerson explained the bank account was supposed to contain the signing bonus Amerson received when he signed with the Washington Redskins. Amerson allegedly went to close his account at Bank of America to open an account at Wells Fargo but he learned the money was gone.

Amerson hired Sports Agent P. J. Augustin as his new manager in early 2015 after he learned Leak took his money. According to Amerson, Augustin hired an investigator to trace the financial transactions related to Amerson's financial accounts. Amerson alleged he and Augustin had a conference call with Leak during which Leak admitted he mismanaged Amerson's money.


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David L. Rose, Affiant Date


Kevin P. Snead, Affiant Date

In addition to the \$300,000.00 noted above, Amerson also alleged Leak obtained a \$100,000.00 loan from Capstar Bank in Amerson's name, without Amerson's knowledge or permission. Amerson claimed he had to personally repay the loan Leak obtained without his knowledge.

Amerson stated he did not remember signing a Power of Attorney and did not think he ever signed a Power of Attorney for Leak to have access his finances. Amerson added that, even if he did sign a Power of Attorney giving Leak access to his accounts, he did not give Leak permission to open financial accounts without his knowledge and/or use Amerson's funds for Leak's personal benefit.


Information obtained during the investigation revealed Leak conducted business with other professional athletes to include; but not limited to; Terrell Manning, Tobias Palmer, Earl Wolf, CJ Leslie, Tracy Smith, and Andrew Wiggins. Based on my training and experience into criminal enterprises, it is probable that Leak committed other criminal violations against other individuals.

A criminal investigation into Hot Shot Sports and Eric Leak, was also undertaken by the Securities Division of the North Carolina Department of the Secretary of State, for violations of the North Carolina Uniform Athlete Agent Act.

Hot Shot Sports Management, LLC was a North Carolina Limited Liability Company that was formed in January of 2011. The company was initially formed as Hot Shot Sports and Financial Management, LLC. The registered agent of the company was Emily Leak. In December of 2012, the company filed an amendment of articles changing the name to Hot Shot Sports Management, LLC. The last annual report filed with the Corporations Division of the North Carolina Department of the Secretary of State in May of 2013, indicated the nature of the business was a sports management agency. In February of 2014, Hot Shot Sports Management, LLC filed articles of conversion with the Corporations Division of the North Carolina Department of the Secretary of State, changing the entity from an LLC to a corporation and moving the company to the State of Delaware.

Information concerning Hot Shot Sports and Eric Leak ("Leak") began to appear in the news media beginning in November of 2011. A local television station in Raleigh, North Carolina, WRAL, published a news article on November 11, 2011 pertaining to a member of the NC State University men's basketball team. The article stated that forward guard, C.J. Leslie ("Leslie") had been suspended by the National Collegiate Athletic Association ("NCAA") for three games as a result of an investigation undertaken by the NCAA that Leslie received improper benefits from a former NC State student. The article stated that Leslie borrowed a car in May of 2011 and used the car for about a week. It was later determined that Leak loaned Leslie the vehicle. The article also stated that the former student paid apartment application fees for Leslie's half brother.

A subsequent article published by WRAL on November 30, 2011, stated that Eric Leak and his wife, Emily Leak had been disassociated from NC State athletics for providing Leslie and his half


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David L. Rose, Affiant Date


Kevin P. Sneed, Affiant Date

brother with impermissible benefits to, at that time, a current student athlete. NC State, in addition to disassociating both Eric and Emily Leak, NC State also disassociated any businesses the Leaks owned from participating in any contact with current student athletes, purchasing season tickets to athletic events, and denied access to any non public areas of any athletic facilities owned by the university.

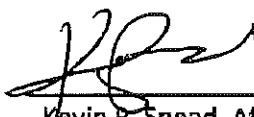
During the execution of the search of 5022 Isabella Cannon Drive, in Raleigh NC, pursuant to a search warrant issued by Superior Court Judge Paul Ridgeway, in relation to a separate investigation, S/A David Rose discovered a document revealing that Leak provided improper benefits to a student athlete in violation of the North Carolina Uniform Athlete Agents Act. At the time this benefit was given, the athlete was a student-athlete at the University of North Carolina at Chapel Hill. At the time of the violation, Leak was not a registered athlete agent with the Securities Division of the North Carolina Department of the Secretary of State. Additionally documents related to David Amerson and Keenan Allen were also discovered during the search of the above mentioned address.


It is reasonable and prudent to expect that items requested pursuant to this search warrant are maintained at 5022 Isabella Cannon Drive, Raleigh, NC. It is also reasonable and prudent to expect that some of the items requested pursuant to this search warrant reside in digital form on a computer, affiliated storage device or wireless communication device at this location.

Based on this affidavit, your affiants respectfully requests of the Court to issue a search warrant for evidence of obtaining property by false pretenses at 5022 Isabella Cannon Drive, Raleigh, NC.



Superior Court Judge 3/16/16 Date


David L. Rose, Affiant 3/16/16 Date


Kevin P. Snead, Affiant 3/16/16 Date



David L. Rose, Affiant



Kevin P. Snead, Affiant

Sworn to and Subscribed to before me, this the

16th day of March, 2016



Signature of Issuing Official

Superior Court Judge Date

David L. Rose, Affiant Date

Kevin P. Snead, Affiant Date

STATE OF NORTH CAROLINA

File No.

WAKE County

In The General Court Of Justice
 District Superior Court Division

IN THE MATTER OF:

Name

Eric Leak / Hot Shot Sports Management LLC/Inc

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

G.S. 15A-223, 15A-254, -257

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

5022 Isabella Cannon Drive
Raleigh, NC 27612

Date Of Search

03/16/2016

This search was made pursuant to

1. a search warrant issued by: Superior Court Judge P. Ridgeway
2. consent to search given by: _____
3. other legal justification for the search: _____

The following items were seized:

Credit cards and receipts from nightstand drawer of window-side night stand beside bed in downstairs bedroom (Room M).
 Checks for Nu Blac, Inc. from rack in closet of upstairs office (Room Q).
 Two signatures stamps, player cards, mailing labels from center drawer of grey file under computer table (Room Q).
 Various documentary items from trash can under computer table (Room Q).
 Various documents from 2nd black drawer of computer table (Room Q).
 Miscellaneous documents from top of computer table (Room Q).
 Miscellaneous documents from left middle desk drawer of 1st basement office (Room A).
 Assorted documents from top left desk drawer (Room A).
 Assorted documents from trays on top of desk (Room A).
 Assorted documents from top right desk drawer (Room A).
 Assorted documents from bottom right desk drawer (Room A).
 Assorted files from bottom left desk drawer (Room A).
 Four boxes stacked against the wall containing miscellaneous notebooks, files and documents (Room A).
 Assorted notebooks and files from top of desk (Room A).
 Miscellaneous files from file cabinet in HVAC closet (Room A).
 Envelope from floor behind door (Room A).
 Miscellaneous documents from top of desk in 2nd basement office (Room C).
 Miscellaneous notebooks from top of desk (Room C).
 Miscellaneous papers from top of bar in basement entertainment area (Room D).
 Miscellaneous paper documents from closet of basement bedroom with poker table (Room E).
 Fedex box addressed to "Bennett Jayroe" from front hallway closet in dining room (Room I).

-----No Further Items-----