

1 DAVID J. VAN HAVERMAAT (Cal. Bar No. 175761)
Email: vanhavermaatd@sec.gov
2 DAVID S. BROWN (Cal. Bar No. 134569)
Email: browndav@sec.gov

FILED
CLERK, U.S. DISTRICT COURT
5/22/18
CENTRAL DISTRICT OF CALIFORNIA
BY: CS DEPUTY

3 Attorneys for Plaintiff
4 Securities and Exchange Commission

5 Joseph G. Sansone, Unit Chief (Market Abuse Unit)
New York Regional Office
6 200 Vesey Street, Suite 400
New York, New York 10281

LODGED
CLERK, U.S. DISTRICT COURT
5/22/18
CENTRAL DISTRICT OF CALIFORNIA
BY: CS DEPUTY

7 Robert A. Cohen, Unit Chief (Cyber Unit)
8 Headquarters
100 F Street, N.E.
9 Washington, District of Columbia 20549

10 Michele Wein Layne, Regional Director
Amy Jane Longo, Regional Trial Counsel
11 444 S. Flower Street, Suite 900
Los Angeles, California 90071
12 Telephone: (323) 965-3998
13 Facsimile: (213) 443-1904

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **WESTERN DIVISION**

17 SECURITIES AND EXCHANGE
18 COMMISSION,

19 Plaintiff,

20 vs.

21 TITANIUM BLOCKCHAIN
22 INFRASTRUCTURE SERVICES,
23 INC.; EHI INTERNETWORK AND
24 SYSTEMS MANAGEMENT, INC.
aka EHI-INSM, INC.; and MICHAEL
25 ALAN STOLLERY aka MICHAEL
STOLLAIRE,

26 Defendants.

Case No. CV18-4315-DSF(JPRx)
27 **DECLARATION OF NEIL S.**
28 **ROSOLINSKY**

DECLARATION OF NEIL S. ROSOLINSKY

1
2 I, Neil S. Rosolinsky, declare, pursuant to 28 U.S.C. § 1746, as follows:

3 1. I am employed by Citizens Financial Group, Inc. (“Citizens”) as its
4 Executive Vice President and Deputy General Counsel, Litigation and Employment.
5 I have personal knowledge of the matters set forth below and, if called as a witness,
6 would testify to these facts under oath.

7 2. I make this declaration at the request of the United States Securities and
8 Exchange Commission (“SEC”).

9 3. Citizens is one of the largest financial institutions in the United States,
10 with \$152.3 billion in assets as of December 31, 2017. Citizens offers a broad range
11 of retail and commercial banking products and services to individuals, small
12 businesses, middle-market companies, large corporations and institutions. Citizens
13 Bank is a brand name of Citizens Bank, N.A. Citizens was fully spun-off from The
14 Royal Bank of Scotland Group plc in November 2015.

15 4. On or about February 9, 2018, the SEC requested that Citizens provide it
16 with certain information concerning companies called Titanium Blockchain
17 Infrastructure Services, Inc. (“TBIS”) and EHI Internetwork and Systems
18 Management, Inc. (“EHI”), and an individual named Michael Stollaire aka Michael
19 Stollery or Michael Stoller (“Stollaire”).

20 5. In my capacity as Executive Vice President and Deputy General
21 Counsel, Litigation and Employment of Citizens, periodically and as needed, I
22 become familiar with the entities with which Citizens has contracts, agreements,
23 and/or other substantive business relationships including alliances and partnerships.
24 In addition, as an officer of Citizens and a member of its legal department, I share
25 responsibility with other members of the Citizens’s legal department, intellectual
26 property counsel, and others to protect Citizens’s trade name, trademarks, and service
27 marks from infringement and other unauthorized uses by third parties. In response to
28 the SEC’s request, and at my direction, Citizens personnel reviewed the books,

1 records, files, and computer systems of the business units within Citizens that might
2 reasonably be expected to have or to have had any type of business relationship with
3 TBIS or EHI or Stollaire including as a customer, client, vendor, employee,
4 contractor, consultant, or other type of business transaction.

5 6. Citizens keeps and maintains business records in the course of its
6 transactions and regularly conducted activities as a regular practice. It is Citizens's
7 practice to prepare such records at or near the time of the occurrence of the matters
8 set forth by, or from information transmitted by, a person with knowledge of those
9 matters. Citizens maintains books and records of entities and persons with which it
10 has contracts, agreements, and/or other substantive business relationships, such the
11 purchase and sale of a product or service, making an investment, or entering into an
12 alliance or partnership, including authorized uses by third parties of its trade name,
13 trademarks, and service marks. Citizens also maintains books and records of entities
14 and persons with which it has engaged as an employee, vendor, contractor, or
15 consultant. For the purposes of this declaration, as Executive Vice President and
16 Deputy General Counsel, Litigation and Employment of Citizens, I am qualified to
17 testify about them.

18 7. Based upon the information provided to me in response to the SEC's
19 request, Citizens's books and records are current as of the date of this declaration.
20 The search of these materials has not disclosed any current or past relationship
21 between Citizens and TBIS or EHI or Stollaire directly.

22 8. The search of these materials suggest that Citizens used the services of a
23 third party contractor to provide certain information technology ("IT") services to
24 Citizens and that Stollaire, using the name Stollery, worked on IT services between
25 approximately September 2008 and January 2010, at which time his involvement
26 ceased. Due to the passage of time, based on the information currently available,
27 Citizens is unable to provide further details concerning this individual's work at
28

1 Citizens, but it appears to have been unrelated to blockchain technology and digital
2 currency.

3 9. The SEC provided Citizens with a purported testimonial attributed to
4 “Philip Rogers, VP, Enterprise Monitoring and Reporting, Royal Bank of
5 Scotland/Citizens Bank” that appeared on the TBIS website. The search of Citizens’s
6 books and records has disclosed that Philip Rogers was employed by Citizens from
7 2006 to 2011 and held the title of “Vice President, Head of Service Protection.”
8 Based upon the information provided to me in response to the SEC’s request, the
9 company’s books and records suggest that the publication of the purported
10 testimonial by Mr. Rogers on the TBIS website was not authorized by Citizens.

11 10. The search of these materials has not disclosed that Citizens has
12 authorized TBIS or EHI or Stollaire to use any Citizens name or logo in their
13 marketing or advertising or for any other purpose. The “Citizens Bank” name and
14 logo are the intellectual property of the company. Citizens considers a third-party’s
15 unauthorized use of the “Citizens Bank” name or logo in marketing or advertising as
16 an infringement of its intellectual property.

17 11. Citizens sent Stollaire a cease and desist letter on February 16, 2018, a
18 true and correct copy of which is attached hereto as Exhibit 1. Citizens received a
19 reply from Stollaire dated February 20, 2018, a true and correct copy of which is
20 attached hereto as Exhibit 2.

21 I declare under penalty of perjury under the laws of the United States of
22 America that the foregoing is true and correct.

23 Executed this 13th day of March, 2018 at Jersey City, New Jersey.

24
25 
26 Neil S. Rosolinsky
27
28

EXHIBIT 1



Molly M. Frankel, Esq.
Senior Vice President, Senior Counsel
Citizen Financial Group, Inc.
MCD290
45 Dan Road
Canton, MA 02021
Telephone: (781) 302-7212
Molly.Frankel@citizensbank.com

February 16, 2018

VIA FEDERAL EXPRESS

Michael Stollaire
President & CEO
Titanium Blockchain Infrastructure, Inc.
15027 Dickens Street, Suite 4 North
Hollywood, CA 94103

Michael Stollaire
Principal
EHI-INSM, Inc.
2316 Delaware Avenue, Suite 266
Buffalo, NY 14216-2687

Dear Mr. Stollaire:

As in-house counsel, I represent Citizens Financial Group, Inc. ("Citizens"), a multibank holding company with combined assets of over \$150 billion and subsidiary banks operating in 11 states from New Hampshire to Michigan. I am writing to demand that two entities for which you serve as President and/or Principal, Titanium Blockchain Infrastructure, Inc. ("TBIS") and EHI-INSM, Inc. ("EHI") respectively, immediately cease and desist their unauthorized use of the "CITIZENS BANK" trademark on their respective company websites, <https://tbio.io> and www.ehiinism.com.

Citizens has for more than a century provided a full range of financial related products and services in the United States under the "CITIZENS" family of trademarks ("Marks"). Citizens holds numerous registrations for its "CITIZENS" Marks, including United States Registration No. 3269702 for the mark "CITIZENS BANK [& design]" which covers retail and commercial banking services. Citizens has invested significant effort and expense in creating, using, marketing and protecting its Marks.

It has recently come to our attention that TBIS and EHI have each included the "CITIZENS BANK" trademark on pages of their corporate websites on which they list various corporate entities with whom they purportedly do business. Similarly, we understand that TBIS has also included the "CITIZENS BANK" mark on a similar client page within its January 16, 2018



Michael Stollaire
February 16, 2018
Page 2

white paper entitled "Titanium Blockchain Infrastructure Services – White Paper". The inclusion of the "CITIZENS BANK" mark on these pages falsely suggests the existence of a professional relationship between these entities and Citizens. This unauthorized use of the "CITIZENS BANK" mark is likely to cause confusion among consumers, and constitutes an infringement and dilution of Citizens' federal trademark rights.

Accordingly, Citizens requests that you take immediate steps to remove the "CITIZENS BANK" trademark from the above-referenced corporate websites and white paper, and cease all further use of our Marks, regardless of form in connection with your commercial activities. Please confirm in writing no later than 5:00 p.m. EST Friday, February 23, 2018 as to your intentions in this matter. Failure to do so will constitute a willful infringement of Citizens' federally registered trademarks, a violation of 15 U.S.C. §§ 1114 and 1125, as well as a violation of state statutory and common laws. If Citizens is forced to pursue this, we will seek appropriate attorneys fees and damages as allowed under 15 U.S.C. § 1117. Citizens hereby reserves all rights and remedies with respect to this matter.

Thank you for your anticipated cooperation and prompt attention to this issue.

Very truly yours,

A handwritten signature in black ink that reads "Molly M. Frankel/meh".

Molly M. Frankel
Senior Vice President, Senior Counsel
Citizens Financial Group, Inc.

MMF:meh

ORIGIN ID:PVDA (401) 734-7338
MARY HASSANI
CITIZENS BANK
100 SIOUXANOSSETT CROSS ROAD
RD-C200F
CRANSTON, RI 02920
UNITED STATES US
SHIP DATE: 16FEB18
ACTWGT: 0.50 LB
CAD: 108715700MSX12500
BILL SENDER

TO MICHAEL STOLLAIRE, PRINCIPAL

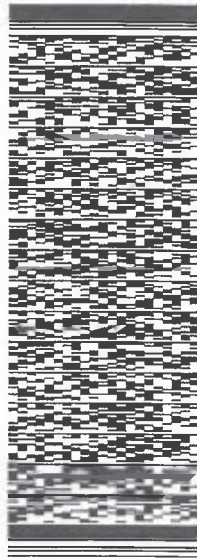
EHI-INSM, INC.

2316 DELAWARE AVENUE

SUITE 266

BUFFALO NY 14216

(866) 434-0212 REF: 8801143
INV. DEPT



552J11122D/DC45

TUE - 20 FEB 4:30P

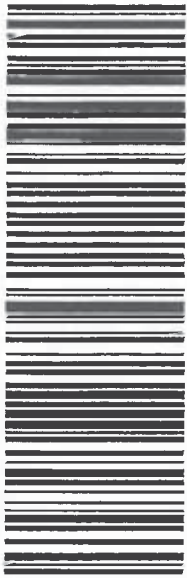
** 2DAY **

TRK# 7897 7031 2354
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EXHIBIT 2



15027 Dickens Street
Suite 4
Sherman Oaks, CA 91403

Tuesday, February 20, 2018

Citizens Bank
ATTN: Molly M. Frankel,
Senior Vice President
Senior Counsel
Citizen Financial Group Inc.
45 Dan Road
Canton, MA 02021

Miss Frankel:

As per the enclosed letter from you, of course, I immediately removed both logos from both websites.

My sincere apologies for the misunderstanding, as I did not know that a procedure would need to be followed, etc.

It will not happen again, I assure you.

Michael Stollaire

EHI-INSM Inc., 15027 Dickens Street, Suite 4, Sherman Oaks, CA 91403



Molly M. Frankel, Esq.
Senior Vice President, Senior Counsel
Citizen Financial Group, Inc.
MCD290
45 Dan Road
Canton, MA 02021
Telephone: (781) 302-7212
Molly.Frankel@citizensbank.com

February 16, 2018

VIA FEDERAL EXPRESS

Michael Stollaire
President & CEO
Titanium Blockchain Infrastructure, Inc.
15027 Dickens Street, Suite 4 North
Hollywood, CA 94103

Michael Stollaire
Principal
EHI-INSM, Inc.
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Buffalo, NY 14216-2687

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Michael Stollaire
February 16, 2018
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Thank you for your anticipated cooperation and prompt attention to this issue.

Very truly yours,

A handwritten signature in black ink that reads "Molly M. Frankel/meh".

Molly M. Frankel
Senior Vice President, Senior Counsel
Citizens Financial Group, Inc.

MMF:meh

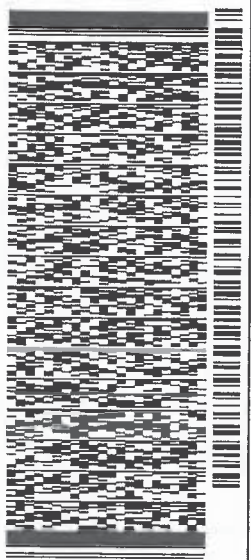
ORIGIN ID:PYDA (401) 734-7358
MARY HASSAN
CITIZENS BANK
100 SOCKANOSSET CROSS ROAD
RDC200F
CRANSTON, RI 02920
UNITED STATES US

SHIP DATE: 16FEB18
ACTWGT: 0.50 LB
CAD: 108115100M/SX12500
BILL SENDER

TO MICHAEL STOLLAIRE, PRESIDENT & CEO
TITANIUM BLOCKCHAIN INFRASTRUCTURE
15027 DICKENS STREET
SUITE 4 NORTH
HOLLYWOOD CA 94103

(866) 434-0212 REF: 8801143

DEPT



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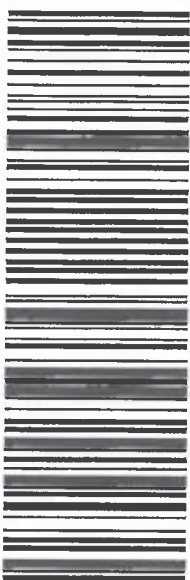
TRK# 7897 7023 3522
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** 2DAY **

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