

Appendix B – Summary of Facts

(These summaries may abridge or may not entirely articulate certain facts relevant to our claims).

Common Facts to Claims:

1. Teigen, Garman, Akason, Lehman, and Albrecht (collectively, the “Officials”) influence the State’s private sector and capital sources who are reliant upon or responsive to the State. Given the State’s small population and the private sector’s financial dependency upon the State, which controls a one-of-a-kind State central bank, the officials hold powers to direct, deter, or even prevent citizens’ capital access in North Dakota.
2. The Officials recruited Mr. Hoefer and Hoefer Group with a public and private sector financial stack and offered to facilitate the sale and financing of the sprawling Dunseith factory.
3. Back in 2015, top North Dakota officials obtained the Dunseith factory from Benchmark. After 2016, State and federal officials funded and facilitated Dunseith factory activities, some which were illicit and created national security and public safety risks. By 2019, something went terribly wrong and a major tenant disappeared. A bloody room was left behind. State and federal officials, including Lehman, then cut formal ties with the Dunseith factory and its tenants.
4. Lehman and Albrecht both have connections to the Dunseith factory’s aerospace work. Aspects of that work came under federal investigation, and Albrecht is or was connected in business to Tuttle and Benchmark who each became subjects of federal investigations.
5. Illicit aerospace and defense activities continued at the Dunseith factory after 2019 and after Mr. Hoefer and Hoefer Group were introduced to the property by Lehman. Items concealed onsite included crime scene evidence, and encumbrances of sensitive United States military technologies. An active criminal enterprise was laying a false paper trail of aerospace parts fraud against the factory that impacts global flight safety and billions of dollars of assets.
6. Lehman helped officials to offload the property and its liabilities on Mr. Hoefer and Hoefer Group. After the sale completed, Lehman told Mr. Hoefer, “Be careful what you wish for.”
7. After purchasing the Dunseith factory, Mr. Hoefer and Hoefer Group slowly realized they had been given a crime scene. Mr. Hoefer found the bloody room, and then Lehman lied again about the prior tenant, which caused the room to be cleaned and remodeled. The prevailing understanding through fact-finding was that the last tenant got in a fight, which Lehman advanced false facts to support the conclusion. In fact, the two individuals alleged to have

fought were best friends, the room had a large pool of blood and not a splatter, and one of the individuals – who the Hoefers cannot locate despite best efforts – was close to 80 years old, and his belongings were also discovered.

8. In August 2022, Teigen and Akason told Mr. Hoefer and Hoefer Group to report their suspicion of crimes to authorities with the full support of the State. Akason said to Mr. Hoefer, “You should trust me, because I was a lawyer before I joined Commerce and I can help you through this.” Teigen and Akason directed a subordinate who also wrote, “We think you act now. Political repercussions will be minimal.”
9. In September 2022, the Hoefers discovered, and were beginning to be threatened by, the criminal enterprise and those covering it up involving the Honeywell GG1320 Digital Ring Laser Gyroscope. The Hoefers didn’t know at the time that this all connected in various ways to: Commerce officials, Lehman, a cabinet member for Doug Burgum, the USDA State leadership, and officials working for U.S. Senators Hoeven and Cramer.
10. The Officials each flipped against the Hoefers as they each became aware – ahead of the Hoefers’ discovery – that the Hoefers’ federal reporting and cooperation with authorities in remediating the Dunseith factory was risking crawling up the Officials’ and/or their agencies’ officials’ rears. The Officials conspired to subject Mr. Hoefer and Hoefer Group to unique State treatment, taking actions to misuse State powers in pursuit of two main objectives:
11. First, the Officials (excluding Albrecht) conspired to deprive the Hoefers’ rights, interfering with Hoefers’ reporting and business, and controlling the Hoefers while concealing both facts critical to relief, and the Officials’ connections to reporting and factory encumbrances. This increased safety risks for the Hoefers, and the Officials subjected the Hoefers to extortion and coercion. Albrecht wasn’t part of the conspiracy yet, because he wasn’t yet aware of the subject matter, but he is now one of the lead conspirators.
12. Second, in July 2023 the Hoefers obtained copies of many public State records from an economic agency. These were some of the records that the Officials were concealing (including several Officials deceiving the Hoefers as to whether the records even existed). The records exposed prior Dunseith factory activities and revealed the Officials had been deceiving and manipulating the Hoefers. News of the records discovery sent the Officials into a tizzy, and they pursued retaliation and revenge against the Hoefers, especially after the Hoefers gave copies of the public records to requesting federal criminal investigators.
13. Some of the Officials’ acts are shocking, and all of their acts against the Hoefers’ rights reveal a reckless abuse of State powers as if the mafia was involved. The Officials have caused the Hoefers to suffer hell, and the Officials misused State powers to create, expose, and exploit weaknesses in the Hoefers.

14. Albrecht says if Mr. Hoefer is scared he should leave North Dakota. The Development Fund CEO, who extorted the Hoefers under direction of Teigen, Akason, and others, told the Hoefers that she herself could not have stayed and endured the safety risks. Akason says that if the Hoefers leave the factory, he will wield State powers to pursue and financially ruin Mr. Hoefer. Akason admits that he stopped the Hoefers' access to third party capital, which destroys the business. The Officials made the Hoefers their slaves, with no exit that doesn't end in destruction.
15. The Officials' acts to deprive Hoefers' rights are separate from the rights or obligations of Hoefer Group's Development Fund contract.
16. The Officials have wielded great powers afforded to them by the State-influenced financial system and owing to their controlling the State's nexus of startup and business capital stacks: to influence third parties and public opinion against the Hoefers; to sabotage, coerce, and ruin the Hoefers and their business, including their relationships with third parties and others important to their field of work worldwide; and the Officials act with the obvious goal to scare the Hoefers into leaving North Dakota in shame and financial ruin, unable to pick up the pieces, and unable to restart elsewhere.
17. The Officials have controlled Hoefers' speech in various ways. When a federal agent who threatened and terrified Mr. Hoefer was arrested and charged with murdering another federal officer, and the facts appeared circumstantially connected to the Dunseith factory, Akason and Garman refused to let Mr. Hoefer speak about the matter.
18. Akason insists that Mr. Hoefer must overlook the crimes and encumbrances at the factory, as well as the terrorizing Mr. Hoefer endured, and just "look forward". Garman trained a team to gaslight Mr. Hoefer and to describe the factory crimes as "local issues" and to insist that Mr. Hoefer has faced "local issues", and that "every city in North Dakota has them". Albrecht asserted to elected officials that the Hoefers should just move past the situation, because 'every startup has its challenges', and then Albrecht proceeded to berate Mr. Hoefer and to lie about Mr. Hoefer in order to stop officials from offering assistance to Mr. Hoefer.
19. The suggestion by the Officials was always that: If Mr. Hoefer does not comply with them, he will lose Hoefer Group's State financing and incentives, whether promised or already deployed. If Mr. Hoefer does comply, he might get the State financing and incentives and promises of State financing and incentives back (but that promise or representation has always been a lie each time it was made).
20. The Officials targeted the Hoefers for unique treatment as borrowers of State funds.

21. The Hoefers were reliant, as are many North Dakotans, on the Officials for loans, incentives, and grants that were either promised or deployed through their agencies or under their coordination, or which are either prevented or granted by their influence over other public and private entities. The officials used the weakness of the Hoefers, a weakness shared by many North Dakotans, as a weapon the Officials exploited for willy-nilly extortions, coercion, and to control the actions and even the speech and emotions of Mr. Hoefer in order to serve their self-interests.
22. Teigen and Akason directed a subordinate to repeatedly threaten that the Hoefers would lose State funds and their business if the Hoefers reported the crimes to media as a means of relief, while the Dunseith factory was encumbered with sensitive United States missile parts that kept causing panic and confusion among federal authorities. The Hoefers were also restrained from speaking to other third parties under the same threat. But the Hoefers were falsely promised new and additional State funds if they complied with these extortion demands.
23. Akason and Lehman said they needed to visit the Dunseith factory as Hoefers' lender, but claimed they could not do so unless the Hoefers' signed away free speech rights and entered into a gag order encompassing all State agencies. They surreptitiously presented the document as a 'customary' State non-disclosure agreement, but it would have given the Officials open license to target the Hoefers, conceal records forever, and even threaten legal action if the Hoefers spoke to third parties about how the Officials were harming the Hoefers.
24. The officials targeted the Hoefers for unique treatment outside the borrower relationship, because they were infuriated with the Hoefers' discovery of public records and that the Hoefers federally reported those records to investigators.
25. Akason and Garman offered to meet with a third party investment broker and express State support for the Hoefers after a binding terms sheet was entered between Hoefer Group and a third party for Hoefer Group to receive \$5.475 million, which was to coincide with millions more from other third parties. Akason had prior recently published horrific statements in the media about the Hoefers, and the investor wanted to make sure the State would not interfere. The Officials deceived the Hoefers, and, while at the meeting, Akason proceeded to accuse the Hoefers of criminal misconduct without any basis or due process.
26. Garman, Akason, and, on information and belief, others, conspired to commit wire fraud and steal the Hoefers' property, which was insured for \$10 million. Akason and Garman directed a subordinate to instruct Mr. Hoefer to sign a 21-month backdated mortgage security instrument, including with a 21-month backdated notary. The effort was also an attempt to entrap the Hoefers. The backdated mortgage contained language promising more funds if the Hoefers signed it, and the Officials had just frozen Hoefers' State funds

again. Signing the document would have made the Hoefers liable for the commission of State and federal crimes of forgery and wire fraud.

27. After the Hoefers refused to sign the unlawful mortgage instrument, Akason wrote to a subordinate that the Officials needed to figure out how to take a position on Hoefer Group's assets. Akason instructed a subordinate to hunt through years-old State video presentations by Mr. Hoefer to see if Mr. Hoefer made any false statements.
28. These actions pertain to same agency that writes off, charges off, or impairs most of its investments to private entities without a fuss, and which has given millions of dollars in loans to benefit its board members that it will not collect, and an agency the State Auditor recently accused of misusing State credit cards, failing to keep proper accounting, and improperly writing off loans. This is an agency that is mandated to offer the most flexible financing in the State of North Dakota, accessible to all North Dakotans. The Officials have weaponized this agency and other State powers and enlisted the help of other State agencies to create a living hell for Mr. Hoefer in North Dakota.
29. Akason and other Officials made accusations of criminal misconduct against Mr. Hoefer and Hoefer Group. The Officials never had any basis for the accusations. Akason caused the financially ruinous statements to be published anyway worldwide.
30. Akason, Garman, Albrecht, and possibly others, including coordinating assistance from other State agencies, investigated Hoefer Group and Mr. Hoefer, searching for signs of misuse of State funds. Akason, Garman, and Albrecht told third parties they were "going to find misuse". They abandoned the unlawful investigation, which violated the Hoefers' rights and was costly to, and interfering with, Hoefers' business, but Akason and other Officials continued to publish false accusations of criminal misconduct against the Hoefers, which the Hoefers could not defend through any due process. This was a retaliation for the Hoefers' discovery of public records and for the Hoefers' reporting of those records to federal authorities.