

February 20, 2017

Executive Office for U.S. Trustees

Office of Criminal Enforcement
441 G Street, NW, Suite 6150
Washington, DC 20530

RE: Bankruptcy Court, District of NH - Case # 08-11816 - USA Springs Inc. - Docket # 1108

Dear Office of Criminal Enforcement:

I am writing to report suspected fraud and fraudulent misrepresentation in the above-referenced case. I have prepared a written summary as requested on your website as follows:

Name and address of the person(s) or business you are reporting.

Richard Strachan, Managing Director, HighPort Ventures, LLC, 18 Shipyard Drive, Hingham, MA 02043
Kevin Delaney, Nottingham Springs, LLC, 155 Old Turnpike Road, Nottingham, NH 03290
Andrew Sullivan, Esq., 24 Eastman Avenue, Bedford, NH 03110 (attorney for Kevin Delaney)

The name of the bankruptcy case, case number, and the location of where the case was filed.

USA Springs, Inc.; Case No. 08-01816-JMD; filed 6/27/08; Bankruptcy Court–District of NH

Any identifying information you may have regarding the individual(s) or the business.

1. A Financial Commitment (Loan Commitment) letter for \$3,000,000 from Richard Strachan (lender), Managing Director of HighPort Ventures, LLC, signed by Kevin Delaney (borrower), of Nottingham Springs and submitted to the District of NH Bankruptcy Court on February 14, 2017 by his attorney, Andrew Sullivan under **Docket # 1108 (Attachment A)**.
2. The Loan Commitment letter is not signed by the lender (Richard Strachan, HighPort Ventures, LLC) and although signed by the borrower (Kevin Delaney), it is not notarized.
3. The detailed budget displayed within the Use of Funds Schedule contained in Exhibit D of the Loan Commitment letter totals \$3 billion dollars and not \$3 million (**Attachment B**).
4. The address shown on the Loan Commitment letterhead for HighPort Ventures, LLC is 18 Shipyard Drive, Hingham, MA. However, according to the landlord (Grace Gorham, Sr. Paralegal at Samuels and Associates of Boston, 617-247-3434) that handles leases at 18 Shipyard Drive in Hingham, MA, HighPort, LLC Ventures has never been a tenant at that location.
5. Richard Strachan is currently the Managing Director and Director of Business Development for the Vazza Real Estate Group in Quincy, MA. According to their website, it states, “Prior to joining the Vazza Real Estate Group, Richard Strachan was Co-founder of HighPort Ventures, LLC responsible for the strategic vision, identification and execution of development and acquisition investment opportunities as well as debt and equity finance” (**Attachment C**).
6. According to the MA Secretary of State’s Office, HighPort Ventures, LLC was Involuntarily Dissolved by them on June 30, 2013, for failure to file the necessary paperwork (**Attachment D**).
7. In the same Docket (#1108), Item 5, it states that, “The delay in closing was, in part, caused by Kevin Delaney’s original lender deciding to place its money elsewhere due to the delay in December 2016 when the Cell Tower was being negotiated”. Mr. Delaney’s first preferred lender was Fred Campbell at USAsset Corporation, located in Carson City, Nevada. However according to Ripoff Report.com this company has been involved in questionable loan practices. Investigations by both the FBI and SEC have been reported.

A brief description of the alleged fraud, including how you became aware of the fraud and when the fraud took place. Please include all supporting documentation.

1. I believe that this Loan Commitment letter (Attachment A) falls on the grounds of fraudulent misrepresentation. Representations contained in Docket #1108 include not only the Loan Commitment letter as detailed above, but also the Objection Movant's Motion for Relief from Automatic Stay, filed by Attorney Andrew Sullivan on behalf of his client Kevin Delaney.
2. **These representations made were false and reckless by both Kevin Delaney (borrower) and submitted by his attorney Andrew Sullivan.**
3. I have been following this bankruptcy case since it was filed by USA Springs in 2008. The project was first proposed in 2001 to build a water-bottling plant in Nottingham, NH. I was a Northwood selectman at the time and the project based on a required state pump test determined that it would have wide-spread adverse impacts to area wells, drinking water, wetlands and residential property values. Thus, it was determined to be a 'development of regional impact' and several towns became stakeholders and banded together to oppose it.
4. This bankruptcy case has been unnecessarily dragged out for more than eight years. The assigned Trustee (Attorney Tim Smith) does not attend many of the hearings nor does he return phone calls. He has assented to the relief requested in most, if not all of the requests. In this particular Docket #1108, Trustee Smith failed to discover that the obvious fraudulent misrepresentations made in the Loan Commitment letter were false and reckless.
5. The Town of Nottingham is owed in excess of \$1 million in back taxes and land use penalty fees which have accumulated since 2001. The Town's property taxpayers have also spent close to \$1 million in legal fees and other expenses in order to protect their groundwater, wells, property values, and the health and safety of their households.

Identify the type of asset that was concealed and its estimated dollar value, or the amount of any unreported income, undervalued asset, or other omitted asset or claim.

N/A

Your name, address, telephone number, email address. You are not required to identify yourself, though it is often helpful to do so if questions arise.

Jim Hadley, Chair-Neighborhood Guardians, PO Box 104, W. Nottingham, NH, 603-942-5630
jhadley@metrocast.net

Please note that the next hearing on this case is scheduled for Tuesday, February 21, 2017 at 10:00 a.m. to discuss the alleged fraudulent misrepresentations contained in this docket (Docket #1108).

If you have any questions, please do not hesitate to contact me either by telephone or by email at jhadley@metrocast.net. Your cooperation on this important matter is appreciated.

Sincerely,



Jim Hadley, Chair ~ Neighborhood Guardians