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**RE: FORIS DAX CAN ULC**

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**From** OBSI / OSBI Assistance <ombudsman@obsi.ca>

**Date** Mon 2025-09-15 2:26 PM

**To** Mark Lepore <mlepore@hotmail.com>

Dear Mark:

Thank you for your email dated September 12<sup>th</sup>. You can verify James Grabow's employment with Foris Dax on the Canadian Securities Administrator's website at <https://www.securities-administrators.ca/investor-tools/are-they-registered/>.

As per our previous correspondence, you will need to write to James at [James.Grabow@crypto.com](mailto:James.Grabow@crypto.com) to discuss your concerns and to request a written response for our investigation.

If you have concerns about the service you have been provided, or OBSI's failure to meet our regulatory requirements, you can submit a Service or Compliance complaint. For information about this process, please visit our website at <https://www.obsi.ca/en/how-we-work/reconsiderations-and-complaints-about-obsi/>.

Once we have reviewed a copy of the final response from the Foris Dax Compliance department, we will be in touch to discuss next steps.

Sincerely,

**Laura Smith**  
*Manager, Case Assessment*

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**OBSI / OSBI**

T: 1.888.451.4519 x 2241

F: 1.888.422.2865

[lsmith@obsi.ca](mailto:lsmith@obsi.ca)

[www.obsi.ca](http://www.obsi.ca)

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**From:** Mark Lepore <mlepore@hotmail.com>  
**Sent:** Friday, September 12, 2025 5:30 AM  
**To:** CAO-Simo <cao-simo@obsi.ca>; Gabrielle B <gabrielleb@obsi.ca>; OBSI / OSBI Assistance <ombudsman@obsi.ca>  
**Subject:** Re: FORIS DAX CAN ULC

**Subject:** Formal Complaint and Request for Escalation – OBSI Case Mishandling

Dear Laura Smith, Gabrielle B, and OBSI Case Assessment Team,

I am writing to formally escalate my complaint regarding the handling of my case against Foris DAX CAN ULC (Crypto.com), and to express serious concerns about the conduct and procedural integrity demonstrated by Case Assessment Officer Simo B.

Despite my repeated efforts to comply with OBSI's documentation requests, the following issues have arisen:

**Procedural Failures and Delays**

- **Document 2 Mishandling:** Although Document 2 was sent with clear confirmation and supporting screenshots, OBSI repeatedly claimed it was missing. This created unnecessary delays and confusion, through several agents and escalations, with no resolution, despite my proactive follow-ups.
- **Mailbox Size Restrictions:** My emails containing attachments were rejected due to OBSI's seemingly intentional mailbox size restrictions after requesting document 2 a second time (36MB), which was not disclosed in advance. This forced me to reduce file size for submissions and resend materials multiple times, further delaying the process.
- **Incorrect Guidance on "Official" Complaint Submission:** OBSI insisted I submit my complaint directly to Crypto.com's "compliance department" via [James.Grabow@crypto.com](mailto:James.Grabow@crypto.com)—an individual whose role and contact details are not publicly verifiable as compliance officer. My request for confirmation or documentation of this contact was ignored.
- **Failure to Correct Internal Errors:** Despite pointing out that Crypto.com had already received my formal complaint through their official support channels, OBSI continued to push for redundant resubmission and claimed electronic transfer were not acceptable further delaying this submission. This suggests either a lack of review of the evidence provided or intentional disregard.
- **Inconsistent Application of the 90-Day Rule:** OBSI's interpretation of the regulatory timeline contradicts legal standards, which require a "reasonable" response time—typically under 9 days. OBSI's insistence on waiting 90 days before review appears to shield the institution from scrutiny rather than protect the complainant and the general public with potentially time sensitive material.

**Concerns About Impartiality and Oversight**

The cumulative effect of these issues suggests a troubling lack of care, concern, and procedural rigor in regards to regulatory oversight. OBSI's actions appear to favor the financial institution's interests by:

- Redirecting me to internal channels that lack transparency or accountability.

- Avoiding direct engagement with the substance of my complaint.
- Failing to verify or validate the legitimacy of the contacts they provide.

This undermines OBSI's mandate as an impartial and independent body tasked with protecting investor rights. Private settlement with Crypto.com was attempted several times through official channels without success forcing me to seek regulatory oversight and accountability not just for myself but for the safety of all Canadians through the OBSI.

### **Request for Immediate Action**

Despite providing comprehensive documentation—including evidence of illegal fund movement, theft, and fraud—OBSI has repeatedly directed me to engage directly with a named individual at Crypto.com (James Grabow), whose role and contact details are not publicly verifiable nor has OBSI provided any documentation or verifiable source confirming his role or authority to receive formal complaints. My request for such verification was ignored, and the referral was reiterated in an email sent at 8:04 PM on September 11, 2025. This referral made without supporting documentation and outside of standard business hours, raising serious questions about procedural integrity and impartiality.

I must emphasize again that private resolution with Crypto.com was attempted, and the function of the OBSI is regulation oversight, not customer support, and that I, or others, should not be redirected to unknown external agency channels that may circumvent regulatory oversight. My objective is to have this matter reviewed independently and transparently by OBSI, as mandated by its public accountability and regulatory framework.

I am concerned that OBSI's current approach risks undermining its role as an impartial arbiter and may inadvertently position itself as a support agent for the financial institution in question which undermines the integrity of this investigation. This is particularly troubling given the nature of my complaint and the potential for reputational harm or mischaracterization should I be forced into direct correspondence with Crypto.com's unlisted "compliance officer".

I respectfully request the following:

1. Escalation of this matter to a senior oversight officer or external regulatory body.
2. A formal review of OBSI's handling of my case, including communication records and procedural decisions.
3. Confirmation that OBSI will proceed with its independent review without requiring further direct engagement with Crypto.com. The OBSI's job is regulatory oversight, not institutional support through unverified channels.

I trust that OBSI will recognize the seriousness of these concerns and act accordingly. I am prepared to submit this complaint to CIRO and other regulatory authorities should this matter remain unresolved.

Sincerely, Mark Lepore

**To:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>

**Subject:** RE: FORIS DAX CAN ULC

Dear Mark Lepore,

Thank you for your message.

For matters related to investor complaints concerning Foris DAX CAN ULC (Crypto.com), please submit your complaint to the Compliance Department at [James.Grabow@crypto.com](mailto:James.Grabow@crypto.com). This contact has been provided for the purpose of facilitating communication regarding complaint resolution.

Sincerely,

**Simo B**

*Case Assessment Officer / Agent, Évaluation de dossiers*

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T: 1.888.451.4519

F: 416.225.4722 / 1.888.422.2865

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**From:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>

**Sent:** September 10, 2025 8:45 AM

**To:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>

**Subject:** Re: FORIS DAX CAN ULC

Dear Simo B,

Before proceeding to submit correspondence to individuals whose roles and contact details are not publicly disclosed, I kindly request that you provide documentation or a publicly accessible source confirming that [James.Grabow@crypto.com](mailto:James.Grabow@crypto.com) is the official compliance contact for Foris Dax CAN ULC in matters of regulatory dispute or investor complaint.

Given the nature of this case and the absence of any formal complaint-handling office listed by Crypto.com, it is essential that referrals made by OBSI are verifiable and traceable to publicly recognized channels. I trust you understand the importance of transparency and procedural integrity in this context.

I look forward to your clarification.

Sincerely, Mark Lepore

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**From:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>  
**Sent:** September 4, 2025 8:07 PM  
**To:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Subject:** RE: FORIS DAX CAN ULC

Dear Mark Lepore,

Thank you for your response.

Based on the documents you provided, you indicated that your initial complaint was submitted to Foris Dax CAN ULC customer support chat on July 19<sup>th</sup>, 2025.

The Ombudsman for Banking Services and Investments (OBSI) may begin its review of a complaint only if:

- 90 calendar days have passed since the complaint was escalated to the investment firm's compliance department and no response has been received, or
- You have received a final response from the investment firm's compliance department but are not satisfied with the outcome.

To ensure the process is followed correctly, please submit your complaint directly to the Foris Dax CAN ULC compliance department at [James.Grabow@crypto.com](mailto:James.Grabow@crypto.com) and cc us on the email. This step is necessary to confirm that your complaint has been formally escalated to the appropriate level within the firm.

Please let us know once this has been completed, or if you require any assistance.

Sincerely,

**Simo B**

*Case Assessment Officer / Agent, Évaluation de dossiers*

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**From:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Sent:** August 30, 2025 12:52 PM  
**To:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>; OBSI / OSBI Assistance <[ombudsman@obsi.ca](mailto:ombudsman@obsi.ca)>  
**Cc:** Gabrielle B <[gabrielleb@obsi.ca](mailto:gabrielleb@obsi.ca)>  
**Subject:** Re: FORIS DAX CAN ULC

Laura, Simo B, Gabrielle B,

Including supporting evidence and Document 2, attached to this email, as well as a screenshot of the previously sent email showing Document 2 delivered. Thank you for operating fairly, and as public funding intends, and without changing things for public safety. I will be making note of this matter.

Thank you and enjoy your day.

Best regards.  
Mark Lepore

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**From:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>  
**Sent:** August 28, 2025 6:41 PM  
**To:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Cc:** Gabrielle B <[gabrielleb@obsi.ca](mailto:gabrielleb@obsi.ca)>  
**Subject:** RE: FORIS DAX CAN ULC

Dear Mark Lepore,

Thank you for your recent emails. We confirm receipt of Document 1 and Document 3.  
To proceed with the review of your attachments, we kindly ask that you forward Document 2 at your earliest convenience.

Should you have any questions, please feel free to contact us.

Sincerely,

**Simo B**  
*Case Assessment Officer / Agent, Évaluation de dossiers*

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**From:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Sent:** August 26, 2025 12:09 PM  
**To:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>  
**Cc:** Gabrielle B <[gabrielleb@obsi.ca](mailto:gabrielleb@obsi.ca)>  
**Subject:** Re: FORIS DAX CAN ULC

These documents will be delivered in 3 emails to keep the attachments down in size, and to show time frames, and relevance as evidence has been disclosed during investigation.

MEXC and Crypto.com, are in collusion with one another for illegal security / crypto currency movements.

IMMEDIATE REMIDY REQUESTED FOR PROTECTION OF CANADIAN PUBLIC

DOCUMENT 3 ATTACHED, AND IMAGES

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**From:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>  
**Sent:** August 20, 2025 8:17 PM  
**To:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Cc:** Gabrielle B <[gabrielleb@obsi.ca](mailto:gabrielleb@obsi.ca)>  
**Subject:** RE: FORIS DAX CAN ULC

Dear Mark,

Thank you for your response. We are currently awaiting the documents that you'll be sending this week.

With regard to your request, please note that OBSI does not use employee ID numbers. My name and email address are sufficient for identification purposes, as I am the only Simo at OBSI. My manager, Gabrielle, has been copied on this email for your reference.

Please let us know once the documents have been sent.

Sincerely,

**Simo B**

*Case Assessment Officer / Agent, Évaluation de dossiers*

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**From:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Sent:** August 18, 2025 5:05 PM  
**To:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>  
**Subject:** Re: FORIS DAX CAN ULC

Yes, I can provide direct attachments this week, however, I will still need your supervisors name, contact information, and your employee ID number please.

Best regards,  
Mark Lepore

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**From:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>  
**Sent:** August 18, 2025 7:45 PM  
**To:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>  
**Subject:** RE: FORIS DAX CAN ULC

Dear Mark Lepore:

Thank you for your response.

We have received your report, however, please note that it contains links to an external Google Drive. Unfortunately, we are unable to access content hosted on external cloud platforms due to our IT security policy and compliance procedures.

To proceed with your file, please provide the following information directly in your reply or as attachments:

1. The date on which you contacted FORIS DAX CAN ULC support to submit your complaint. (Please include a screenshot of the complaint you submitted through the Crypto.com app)
2. The final decision letter from FORIS DAX CAN ULC's complaint-handling office.

Once we receive these items, we'll be able to continue reviewing your case.

Sincerely,



**Simo B**

*Case Assessment Officer / Agent, Évaluation de dossiers*

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**From:** Mark Lepore <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>

**Sent:** August 16, 2025 10:28 AM

**To:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>

**Subject:** Re: FORIS DAX CAN ULC

Dear Simo B,

Have you reviewed the attached documentation to this complaint?

1. All official correspondence between Crypto.com, the "complaint letter" being submitted to Crypto.com through their official application being made with an official Crypto.com support representative. The links to the images of discussions of the complaint between Crypto.com and I can be downloaded for your review.
2. Please forward your full name, employee ID number, as well as the full name of your superior, and your superiors ID number, and email as well.
3. If you still require a print of the "official documentation" and for it to be delivered in print, please forward to me personally.

Best regards,  
Mark Lepore

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**From:** CAO-Simo <[cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)>

**Sent:** August 15, 2025 3:39 PM

**To:** [mlepore@hotmail.com](mailto:mlepore@hotmail.com) <[mlepore@hotmail.com](mailto:mlepore@hotmail.com)>

**Subject:** FORIS DAX CAN ULC

Dear Mark Lepore:

Thank you for contacting the Ombudsman for Banking Services and Investments (OBSI) and giving us the opportunity to review your complaint against FORIS DAX CAN ULC. To begin our review of your complaint, we require copies of:

1. The complaint letter you sent to FORIS DAX CAN ULC, or the date on which you called in to make your complaint
2. The final decision letter from FORIS DAX CAN ULC's complaint-handling office

Please send this information, along with any other supporting documents, within the next 14 days to: 20 Queen Street West, Suite 2400, P.O. Box 8, Toronto ON M5H 3R3, or by email to [cao-simo@obsi.ca](mailto:cao-simo@obsi.ca)

We will contact you once we have reviewed these documents to let you know what will happen next. Please note we are currently experiencing higher than normal volumes and we will be in touch as soon as possible.

Sincerely,

**Simo B**

*Case Assessment Officer / Agent, Évaluation de dossiers*

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