

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

**Walied Shater,
Complainant,**

vs.

**Shell Oil Company,
Respondent.**

OCAHO Case No. 2022800025

**MOTION FOR REFERRAL TO THE SECURITIES AND EXCHANGE COMMISSION (SEC)
PURSUANT TO 28 C.F.R. § 68.11(a)**

TO THE HONORABLE JOHN A. HENDERSON

I. Introduction

Complainant, Walied Shater, respectfully moves this Honorable Court for the referral of the ongoing proceeding of Shater vs. Shell Oil Company to the Securities and Exchange Commission (SEC) pursuant to 28 C.F.R. § 68.11(a). This motion is based on compelling evidence indicating potential violations of specific SEC reporting requirements and securities laws, as outlined below.

II. Summary of Alleged Violations Warranting Referral

This motion for referral is grounded in serious allegations against Shell Oil Company, including potential violations that fall within the purview of the Securities and Exchange Commission (SEC):

1. **False Statements (Section 10(b) and Rule 10b-5):** Allegations of bribery activities and document fraud could involve making false statements, violating rules against deceptive practices in connection with the purchase or sale of securities.
2. **Failure to Disclose Material Information (Section 10(b) and Rule 10b-5):** Accusations of neglecting to disclose pertinent details, such as alleged human rights violations and

corruption claims, may contravene requirements to provide accurate and complete information.

3. Failure to Maintain Internal Controls (Section 13(b)(2)(B)): Claims of negligence leading to the death of Shell staff might implicate the company's responsibility to maintain effective internal controls, as mandated by SEC regulations.

III. Grounds for Referral

A. Potential Criminal Violations

The evidence indicates potential criminal violations, suggesting corporate misconduct. The SEC, with its regulatory oversight, is well-equipped to investigate and address securities-related criminal activities.

B. Human Rights Violations

Serious allegations of human rights violations necessitate an SEC review to assess potential breaches of federal securities laws, especially those related to disclosure and corporate responsibility.

C. Violations of Public Interest

Alleged corrupt business practices impact public interest, warranting SEC involvement to ensure fair and transparent securities markets.

D. Necessity of SEC Expertise

The SEC possesses the expertise and resources required for a thorough investigation into securities-related aspects of potential violations.

E. Federal Agent Experience

The Complainant's extensive background as a former federal agent uniquely positions him to recognize the gravity of potential violations. Leveraging this experience, the referral to the SEC emphasizes the seriousness of the allegations and underscores the imperative for a regulatory response.

IV. Shell's Response

It is noteworthy that Shell Oil Company has not denied or refuted any of the previously submitted allegations, reinforcing the need for an independent regulatory investigation.

V. Conclusion

In conclusion, the motion urges this Honorable Court to refer the ongoing proceeding of Shater vs. Shell Oil Company to the Securities and Exchange Commission (SEC) based on compelling evidence of potential violations of specific SEC reporting requirements, securities laws, and the public interest by Shell Oil Company. Notably, the Office of the Chief Administrative Hearing Officer (OCAHO), operating under the jurisdiction of the Department of Justice, shares a common mission with the SEC—to ensure fair and impartial administration of justice consistent with the principles governing both OCAHO and the broader regulatory framework of the Securities and Exchange Commission.