

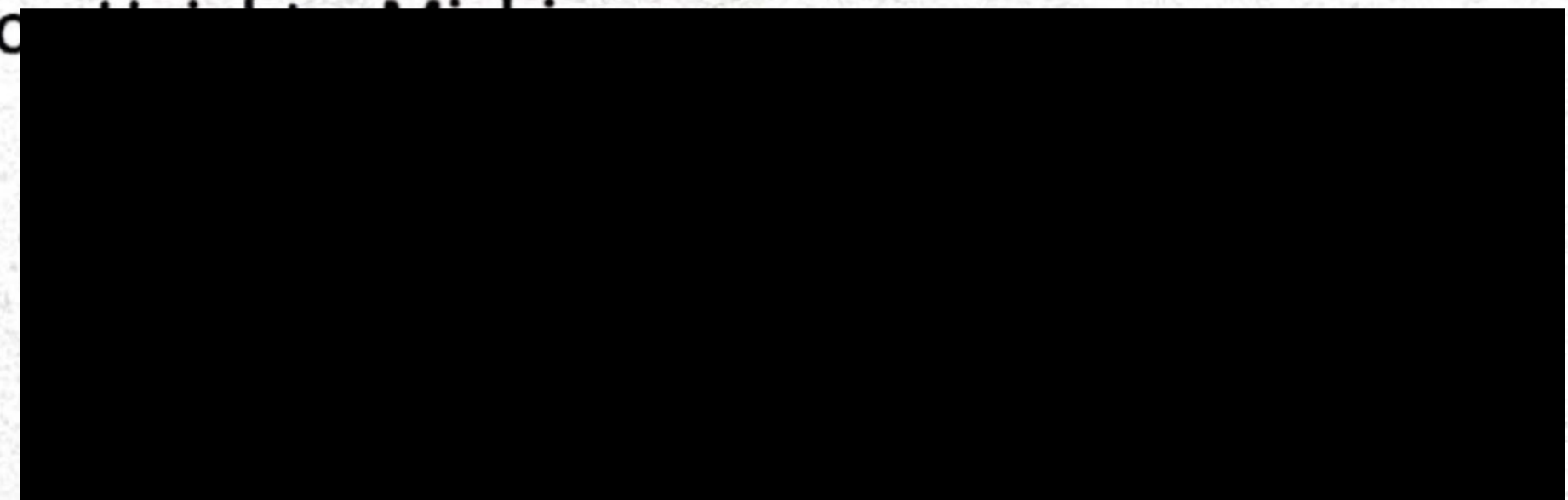
### Declaration of Tom J. Berman

I, Tom J. Berman, declare pursuant to Title 28, United States Code, Section 1746, as follows:

1. I make this supplemental declaration in connection with the Application of Petitioner Nano Magic Inc. ("Nano Magic") for an Award of Attorneys' Fees and Other Expenses Pursuant to 17 C.F.R. Section 201.31, *et seq.*, in *In the Matter of Nano Magic Inc.*, Administrative Proceeding File number 3-19787. I also make this supplemental declaration pursuant to the Order of Chief Administrative Law Judge Metry ordering that Nano Magic file an Exhibit detailing Nano Magic's net worth, as well as the net worth of any affiliates, when this proceeding was initiated. 17 C.F.R. §§ 201.34(f), .42(a). Admin. Proc. Rule Rel. No. 6935 (April 10, 2025).
2. I am the President and Chief Executive Officer of Nano Magic and have held those offices since before April 30, 2020.
3. On April 30, 2020, no individual or entity owned or controlled more than 50% of the outstanding common stock of Nano Magic. On that date, the only stock of Nano Magic outstanding was common stock.
4. On April 30, 2020, Nano Magic was the owner of 100% of the membership interests in Nano Magic LLC. On that date, Nano Magic was also the owner of 100% of the outstanding stock of Applied Nanotech, Inc. All of the assets and liabilities of Nano Magic LLC and of Applied Nanotech, Inc. were included in the consolidated balance sheet of Nano Magic.
5. As at December 31, 2020, and as reflected in the financial statements of Nano Magic audited by UHY LLP, certified public accountants, total consolidated assets of Nano Magic as at December 31, 2019 were \$1,320,087, and total consolidated liabilities were \$1,766,493, resulting in a net worth of (\$446,352).
6. As at December 31, 2020, Nano Magic's audited (by UHY LLP) financial statements reflected total consolidated assets of \$4,791,500 and total consolidated liabilities of \$3,394,080, resulting in a net worth of \$1,577,420.
7. As at December 31, 2021, Nano Magic's audited (by UHY LLP) financial statements reflected total consolidated assets of \$4,106,601 and total consolidated liabilities of \$2,190,784, resulting in a net worth of \$1,915,817.
8. As at December 31, 2022, Nano Magic's audited (by UHY LLP) financial statements reflected total consolidated assets of \$4,090,545 and total consolidated liabilities of \$2,473,083, resulting in a net worth of \$1,617,462.

9. As at December 31, 2023, Nano Magic's audited (by UHY LLP) financial statements reflected total consolidated assets of \$3,515,104 and total consolidated liabilities of \$2,205,366, resulting in a net worth of \$1,309,738.
10. As at December 31, 2024, Nano Magic's financial statements (unaudited) reflect total consolidated assets of \$1,895,378 and total consolidated liabilities of \$2,808,178, resulting in a net worth of (\$912,800).
11. In my opinion, the ten-day suspension of trading in the common stock of Nano Magic imposed by the Securities and Exchange Commission ("Commission") on April 30, 2020, and vacated on October 10, 2024 by Order of the Commission *nunc pro tunc* to April 30, 2020 materially and adversely impacted Nano Magic's assets, liabilities and net worth throughout the past five years. The effect of the lack of a public trading market for Nano Magic stock, and the overhang of the ongoing dispute with the Commission about the trading suspension, resulted in potential business partners declining to do business with the company and new investors being wary of investing in a company against which the Commission made unwarranted allegations. I also believe that customers left us and prospective customers determined not to do business with us, thereby impacting negatively and directly the company's financial statements. The four plus years of the SEC proceedings increased unnecessarily the time and resources necessary to finance the business, diverted significantly management time from business operations and caused substantial harm to Nano Magic's business and its stockholders.
12. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 1st day of May, 2025, in Madison, Wisconsin



**STATEMENT OF ELECTRONIC FILING AND CERTIFICATE OF SERVICE**

The undersigned filed electronically with the Commission this Petitioner Nano Magic Inc.'s Declaration of Tom J. Berman in connection with the Application of Petitioner Nano Magic Inc. ("Nano Magic") for an Award of Attorneys' Fees and Other Expenses Pursuant to 17 C.F.R. Section 201.31, *et seq.*, in *In the Matter of Nano Magic Inc.*, Administrative Proceeding File number 3-19787, and pursuant to the Order entered April 10, 2025 (Administrative Proceedings Rulings Release No. 6935) of the Chief Administrative Law Judge, via the eFap filing system and served or delivered courtesy copies to the following parties and other persons entitled to notice in the manner set forth to the right of each served party:

Securities and Exchange Commission  
c/o Hon. Vanessa A. Countryman, Secretary (via e-mail)  
100 F St., N.E.  
Washington, DC 20549

Office of Administrative Law Judges (via e-mail to [alj@sec.gov](mailto:alj@sec.gov))

Division of Enforcement, Washington, DC  
Attn: Patrick R. Costello, Esq. (via e-mail to [costello@sec.gov](mailto:costello@sec.gov))  
Attn: Gregory R. Bockin, Esq. (via e-mail to [bocking@sec.gov](mailto:bocking@sec.gov))  
100 F Street, N.E.  
Washington, DC 20549-5949

Dated: May 2, 2025

Respectfully submitted,

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