

Preliminary Information

The following lawsuit was submitted to the U.S. District Court at Oakland, California on March 13, 2000. It describes in part the history of actions taken by federal judges, a CIA-front law firm, and cooperating lawyers and California judges, to block the reporting of a broad spectrum of criminal activities in the government's aviation safety offices, in the FBI, the CIA, and other government offices. Many of these corrupt activities created the conditions that enabled terrorists to carry out their scheme, and to hijack four airliners on 9/11, killing 3,000 people, and setting in motion other acts that would have additional devastating effects.

It is important to recognize what the parties in this lawsuit played in the misconduct, and the role of federal judges.

The court refused to allow it to be filed on the basis that San Francisco district judge Marilyn Patel had rendered an order in 1988 that permanently barred Rodney Stich from the federal courts, which also voided for him, for the remainder of his life, the rights and protections guaranteed by the laws and Constitution of the United States.

The purpose of that order was to block Stich from reporting the criminal activities implicating people in key government positions, including federal judges and Justice Department officials, and to block the exercise of federal remedies by him to defend against the violations of federally protected rights being judicially perpetrated. The federal crime reporting statute, Title 18 U.S.C. Section 4, makes it a felony for anyone, who knows of a possible federal crime, to fail to report it promptly "to a federal judge" or other officer. Stich was seeking to report criminal activities that he and his group of government whistleblowers had discovered, some of which are detailed in the three books, the third editions of *Defrauding America* and *Unfriendly Skies*, and the recent *Drugging America*.

The order barring Stich from federal court access and the rights and protections guaranteed under our form of government occurred when he exercised federal remedies for the violations of the following federally protected rights:

- Judicial orders taking Stich's life's assets, which consisted of \$10 million in real estate, which funded his exposure activities. The orders taking his assets were signed by Las Vegas judge Robert Jones, in chambers, without any notice of a hearing, without a hearing, without legally required cause. These were major violations of federal protections, but orders rendered by district court judges Milton Schwartz, Marilyn Patel, and Oakland Chapter 11 judge Edward Jellen barred Stich from filing any defenses in court.
- When Stich did file objections, as permitted by any other citizen, including illegal aliens, Judge Marilyn Patel and Edward Jellen charged him with criminal contempt of court.
- These violations of fundamental constitutional rights were perpetrated with the full knowledge of Ninth Circuit Court of Appeals judges and the justices of the U.S. Supreme Court. These violations of rights fundamental to our form of government, and the pattern of judicial corruption documented and stated in the lawsuit that was rejected for filing, shows the willingness of the judges now in control of the federal courts to subvert the laws and Constitution of the United States when necessary, such as when whistleblowers seek to expose high level corruption in government.
- Among the violations of federally protected rights for which he sought relief in the lawsuit that was refused filing, and for which everyone has federal remedies guaranteed to him under the laws and Constitution of the United States are included the following:
- The Civil Rights Act and other statutory defenses against such violations.

- Declaratory Judgment Act.
- Civil RICO.
- A report of criminal activities that Stich and his group of government whistleblowers had discovered, and a demand to provide evidence.

NATIONAL INTERESTS WERE INVOLVED

The matters stated in this lawsuit have national significance and constitute a threat to the internal security of the United States. Although Stich is the plaintiff in that lawsuit, vital national interests affecting everyone are raised, including:

- Documented corruption by federal judges.
- Judicial obstruction of justice in matters undermining the security of the United States and the welfare of its people.
- The selected withholding from certain persons or classes, such as whistleblowers, the protections guaranteed by the laws and Constitution of the United States.
- The willingness of federal judges to corruptly misuse their judicial positions and the courts to inflict great harm upon targeted individuals, such as whistleblowers, and simultaneously void for him the protections guaranteed under the laws and Constitution of the United States against the judicially inflicted violations of federally protected rights.
- A pattern of documented corruption by federal judges, from the district courts and appellate courts of the Ninth Circuit, up to and including the Justices of the U.S. Supreme Court.
- A pattern of obstruction of justice by these judges.
- A pattern of destruction of fundamental and primary rights and protections under the laws and Constitution of the United States. If that many federal judges will repeatedly perpetrate these violations through corrupt misuse of their judicial positions and the courts, it reflects a willingness to destroy the same lawful and constitutional protections that they are entrusted to protect and enforce. From here, the cancerous corruption will spread throughout government and throughout society.

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA (Oakland)

RODNEY F. STICH,
 WESTERN DIABLO ENTERPRISES, Inc.

Plaintiff,

) No.
) AMENDED COMPLAINT
) FOR DAMAGES UNDER CIVIL RIGHTS
) ACT (42 U.S.C. Sections 1983-1986);

4. This lawsuit further attempts to report and provide evidence of these criminal activities, as required to be reported to a federal judge by federal criminal statute, Title 18 U.S.C. § 4, which in turn requires a federal judge to receive the reports and the evidence being offered.

5. The scheme involving the violations of federally protected rights commenced with a bizarre lawsuit filed against plaintiff in the California courts by a San Francisco law firm that had been identified by two reliable sources as a front for the Central Intelligence Agency and the Federal Bureau of Investigation. That lawsuit was barred by large numbers of state and federal laws and constitutional safeguards, and was continued through an unprecedented numbers of procedural and substantive due process violations.

6. Although this lawsuit focuses upon the harm inflicted upon plaintiff and his solely owned corporation, the pattern of wrongs that are documented in this lawsuit have inflicted great harm upon the internal security of the United States, upon the rule of law, upon the courts, and has spread its cancerous-like corruption throughout the government and throughout society. The defendants' actions have misused the courts as a corrupt arm of government and other special interests.

7. RODNEY STICH and his solely owned corporation, WESTERN DIABLO ENTERPRISES, Inc, brings this lawsuit against the defendants named in this complaint, and those that may be added as their identity becomes known.

8. Plaintiff alleges that the matters set out in this complaint are based primarily on his personal knowledge and on court documents, and in the few remaining matters, on information and belief.

Jurisdiction

9. This action arises under the First, Fifth, and Fourteenth Amendments to the Constitution, as more fully stated in this Complaint. The matters in controversy exceed ten million dollars.

Jurisdiction is founded on:

a. Title 28 United States Code §1331, which provides to district courts original jurisdiction for civil actions arising under the Constitution, laws, or treaties of the United States.

b. Title 28 United States Code § 1343, which provides a federal court forum in which citizens may seek redress from the deprivation of rights, privileges and immunities under color of state law.

c. Civil Rights Act, Title 42 United States Code §§ 1983-1986, on the basis of continuous violations of plaintiff's civil rights, under color of state law.

d. Title 42 U.S.C. § 1985 Conspiracy to interfere with civil rights, based upon the conspiracy by the defendants to violate plaintiff's civil rights.

e. Title 42 United States Code § 1986, based upon the demand for damages from those defendants who had knowledge of the violations of plaintiff's civil rights, who had the duty and the ability to prevent or aid in the prevention of them, and who failed to perform that duty.

f. *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). The *Bivens* claim is based upon the violations of plaintiff's civil rights under color of federal law.

g. Title 18 United States Code §§1961-1964. The Racketeer Influenced and Corrupt Organizations act (hereafter "RICO") claim arises from the pattern of multiple predicate acts perpetrated by defendants over a 17-year span. The predicate acts of racketeering by multiple defendants affected interstate commerce.

h. Declaratory Judgment Act, Title 28 United States Code §§ 2201 and 2202, which provides for district courts to declare rights and legal relations that are in controversy, and provide whatever remedies are appropriate.

i. Title 18 United States Code § 4. This federal crime reporting statute requires any person who knows of a federal crime to promptly "report it to a federal judge" or other officer.

Venue

10. Most of the wrongful acts constituting these federal causes of action occurred in the Northern District of California, and most of the defendants reside in that district, other than the few defendants residing in Nevada, Oregon, and Texas. Venue lies in this district pursuant to 28 U.S.C. § 1391(a), and (b) to most of the defendants, and under Title 28 U.S.C. § 1332(a)(3) on the basis of diversity of citizenship to a minority of the defendants.

Statute Of Limitations

11. One of the last in the continuing series of wrongful acts occurred on March 25, 1999, when Chapter 11 judge Edward Jellen issued an order in plaintiff's Chapter 11 cases at Oakland, California disposing of the last of plaintiff's \$10 million in assets. The chapter 11 case was closed on September 3, 1999.

Plaintiffs

12. Rodney F. Stich is a former Navy pilot, airline pilot, a former inspector-investigator for the Federal Aviation Administration (FAA), and a private investigator. Because of tragedy-related corrupt activities he discovered on the part of rogue government personnel, plaintiff became a crusader against corruption in government offices. He has coordinated the misconduct that he discovered with several dozen other present and former government agents who also seek to expose these matters. Plaintiff, in his attempts to bring the perpetrators to justice and halt the criminal activities that the group discovered, used his assets to fund the investigations and exposure of these activities. He has published eight books, and appeared as guest and expert on over 3,000 radio and television shows since 1978.

13. Western Diablo Enterprises, incorporated in Nevada. Stich placed the bulk of his real estate properties into the name of Western Diablo Enterprises, which were de facto plaintiff's separate properties. No stock had been issued, there was no initial assets placed in the corporation at its incorporation, there were no director meetings and no minutes were ever recorded.

Defendants

14. California judges who perpetrated the wrongful acts stated in this complaint include Dwight Ely, Michael McInnis, William Jensen, Harold F. Wolters; John A. Deronde; Dennis Bunting, J. Clinton Peterson, Donald King, Harry Low, and Zerne Haning. They all became part of the conspiracy, that continued from 1982 to 1999. They all violated and conspired to violate plaintiff's civil rights. They all became part of a RICO "Enterprise" and RICO conspiracy.

15. Federal judges who expanded on the wrongful acts included Milton Schwartz, Raul Ramirez and Magistrate John Moulds; San Francisco Judges Marilyn Patel and Vaughn Walker; Las Vegas Chapter 11 judge Robert Jones, and Oakland Chapter 11 judge Edward Jellen.

16. Defendants who were attorneys and law firms include Stanley J. Friedman, Paul G. Sloan; Lawrence C. Gibbs; Jeffrey S. Ross; John W. Murray; Christopher A. Goelz; Carolyn E. Moore; Merle C. Meyers; Rene Feinstein; Joshua Landish; Estelle Mannis; Susan E. Weber; Friedman, Sloan and Ross, P.C.; Goldberg, Stinnet and Meyers, P.C.; Murray and Murray, P.C. All these defendants were part of the conspiracy, part of the RICO enterprise, who deliberately violated federally protected rights, engaged in fraud and deception upon the courts and upon plaintiff.

17. Defendants who were Chapter 11 trustees include Charles Duck and Jerome Robertson.

18. Other defendants include Robile, Inc and Concord Properties in the Concord, California area and Texas resident Emma Stich.

19. All defendants resided in or had their offices in the Northern District of California, except for the following: Judge Robert Jones (Las Vegas); Attorney Rene Feinstein (Las Vegas); Emma Stich (Texas).

Detailed Statement Of the Case

20. Plaintiff's initial investigative and exposure activities focused on corruption related to a series of fatal airline crashes at United Airlines and within the Federal Aviation Administration (FAA). He held safety federal air safety responsibilities for the most senior program at that airline. In this position, and while numerous fatal airline crashes were occurring in his area of air safety responsibilities for the federal government, he (and other inspectors) discovered a continuing pattern of major air safety violations and criminal cover-ups, compounded with threats against federal inspectors that prevented them from carrying out the federal government's responsibilities.

21. Implicated in the corrupt activities were management personnel at United Airlines and the Federal Aviation Administration. The misconduct reported in government documents included threats by United Airlines and FAA management against FAA inspectors, blocking the federal government's air safety responsibilities in such a manner that a series of fatal airline crashes occurred. These activities are documented and described in plaintiff's third edition of *Unfriendly Skies*.

22. Possibly because of the enormous implications between the pattern of corrupt and criminal acts and the great numbers of fatal crashes, and the liabilities incurred by the federal government if this information became known, a pattern of cover-up and obstruction of justice followed. Included in this activity were officials in the National Transportation Safety Board (called CAB Bureau of Safety at that time), Department of Justice attorneys, and after plaintiff filed federal actions exposing the crash-related corruption in Ninth Circuit courts, cover-ups and obstruction of justice by federal judges. These acts were felonies.

23. Plaintiff's aggressive attempts to expose these corrupt practices led to discovery of other pockets of corruption in government offices. Approximately 15 years ago other government agents and deep-cover operatives started providing plaintiff with information and documentation on other areas of criminal activities involving people in key government positions and in covert activities. These additional criminal acts are described in the third edition of *Defrauding America* and the first edition of *Drugging America*.

24. Plaintiff forced a four-month-long hearing upon the FAA during which he acted as a self-appointed independent prosecutor, during which numerous documents and testimony was entered into the record that further proved the relationship between the corrupt and criminal acts and a series of fatal airline crashes. Three other fatal crashes occurred during that hearing which were due to the air safety and criminal violations plaintiff and other inspectors had discovered.

25. Plaintiff suffered retaliation as an FAA inspector for attempting to comply with his air safety duties, as also suffered by other inspectors. This retaliation included threats from management at United Airlines and the Federal Aviation Administration and various forms of retaliation.

26. These retaliatory acts forced plaintiff to leave government employment. In an attempt to bring a halt to the corrupt activities, which continued to result in major air disasters, plaintiff published books, appeared as guest on hundreds of radio and television shows, and filed federal actions in San Francisco and Los Angeles district courts. *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S. 920 (1977); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.) (table), cert. denied, 459 U.S. 861 (1982)); *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.). As a result of these lawsuits, plaintiff encountered the initial stage of judicial cover-ups and obstruction of justice.

27. Plaintiff funded these activities through the income from his real estate assets, which were valued at \$10 million when the wrongful acts described in this lawsuit commenced.

28. The start of the wrongful acts to take the assets that funded plaintiff's exposure activities and which expanded on the obstruction of justice commenced with the filing of a sham and bizarre lawsuit against him on December 12, 1982. To immediately separate plaintiff from the assets that funded his investigative and exposure activities, the lawsuit was given a dissolution of marriage ("divorce") label. Plaintiff had been divorced for 20 years and several divorce judgments established that status as a matter of law.

29. The lawsuit was filed by the San Francisco law firm of Friedman, Sloan and Ross. ((In re the Marriage of Stich, 83472, Solano County Superior Court, Fairfield, California.) It was filed under the California Family Law Act as a dissolution of marriage proceeding (hereafter "divorce"). The Friedman law firm and their attorneys (hereinafter called "Friedman") who took part in the sham lawsuit fraudulently claimed that plaintiff was married to their client, Texas resident Emma Stich (hereafter "Emma"), and that she wanted a dissolution of the alleged marriage. That lawsuit also claimed that plaintiff's \$10 million in personal and corporate assets were community properties and that the Texas resident wanted half of these.

Legally Divorced for the Prior Two Decades

30. As a matter of law in several states of residence and under federal law, there was no marriage to terminate. The parties had been divorced for the prior two decades following a bilateral consent divorce proceeding from which a divorce judgment was rendered on January 31, 1966. Neither party had any contact with the State of California at that time, and neither party had any physical contact with each other after a 1964 separation in Colorado and the rendering of the 1966 divorce judgment.

31. As plaintiff changed residence over the years, he had the 1966 divorce judgment entered as a local judgment in the states of Texas, Oklahoma, Colorado, Nevada, and in two counties in the State of California (Contra Costa and Solano).

32. After the 1966 divorce, over 100 title insurance policies were subsequently issued on plaintiff's real estate properties, insuring him as the sole owner.

33. Subsequent to the 1966 divorce, plaintiff, in his various states of residence, and Emma in her resident State of Texas, repeatedly declared themselves divorced in real estate transactions and credit applications. After Friedman filed the California divorce action, claiming that Emma wanted a termination of an existing marriage with plaintiff, Emma applied to the Social Security Administration for higher Social Security benefits on the basis of the 1966 divorce judgment.

34. The federal government, through the Social Security Administration, recognized that 1966 divorce judgment.

35. Emma continued to declare herself divorced in the State of Texas after Friedman filed the "divorce" action in the State of California. When it became necessary, Emma fraudulently declared herself married to plaintiff in the California action, while simultaneously declaring herself divorced in Texas. This fraud, the false declarations, the perjury during trial, was suborned by Friedman.

36. To understand the bizarre nature of the California lawsuit, a corollary would be for plaintiff to be the subject of a probate proceeding to settle plaintiff's estate, disregarding the fact that he was still alive.

California Judges Knowingly and Repeatedly Violated Blocks of California Substantive and Procedural Due Process Laws

37. The California lawsuit violated and was barred by large numbers of California laws that required California judges to recognize each of the existing divorce judgments, and the divorced

status and property rights established in those judgments. California judges and Friedman repeatedly and knowingly:

a. Violated California law requiring recognition of the prior divorce judgments and the personal and property rights stated in those judgments: Civil Code §§ 4554, 5004, 5164; Code of Civil Procedure §§ 1699(b), 1713.3, 1908, 1913, 1915 (effective when the 1966 judgment was rendered and for nine years thereafter).

b. Violated California full faith and credit statutes that required recognition of each of the prior judgments and personal and property rights stated in those judgments: Civil Code §§ 5004 (Full Faith and Credit Requirement); § 4554 (final and conclusive effects of prior judgment, local, foreign state, foreign country); C.C. § 5164 (a filed custody decree has the same effect as a California judgment); C.C.P. § 1713 (a foreign state judgment is conclusive between the parties); C.C.P. § 1908 (effect of a California judgment is conclusive between the parties (and this conclusiveness applies to foreign judgments under, inter alia, C.C. § 5164).

c. Violated the laws relating to the Family Law Act depriving them of personal and subject matter jurisdiction. California law deprived California judges of personal and subject matter jurisdiction in Family Law Act proceedings on the basis of the absence of a marriage resulting from the divorce judgments: Rules 1201(c), 1211, 1212, 1215(b), 1215(c), 1222, 1229(a), 1281, and 1282; Civil Code " 4351, 4357(a), 4370, 4503, 4554.

d. Violated the laws depriving them of jurisdiction over separate properties. California law deprived California judges of jurisdiction over plaintiff's separate property, adjudicated as separate and acquired as a divorced person: Civil Code §§ 4800.1, 5102, 5103.

e. Violated the laws depriving them of jurisdiction on the basis that plaintiff had filed a timely motion to quash challenging the court's personal and subject matter jurisdiction. Until there was a hearing and a decision on that motion to quash, the judges and Friedman lacked jurisdiction over plaintiff. California judges rendered numerous orders adversely affecting plaintiff's personal and property rights for the next four years before they held a hearing on that motion, while knowingly lacking jurisdiction also on the basis of the motion to quash.

f. California law limits the hearing on the motion to quash to presenting evidence of a prior divorce. Instead, California judges, with Friedman's urging, conducted a full scale trial relitigating what had been litigated 20 years earlier, and which could not be relitigated. Under these continuing patterns of judicial corruption, misusing their positions as a corrupt arm of government, the decision, as expected, refused to recognize plaintiff's divorced status, the prior divorce judgments, and the laws and constitutions of the United States and the State of California.

g. Violated California Supreme Court decisions that required recognition of the prior divorce judgments and plaintiff's divorced status and property rights. (*Rediker v. Rediker* (1950) 35 Cal.2d 796; *Scott v. Scott* (1958) 51 C.2d 249; *Whealton v. Whealton* (1967)67 C.2d f 656). These early decisions were followed by statutes requiring the recognition of prior these rights.

h. Violated the statute of limitations. In addition to the statutory requirement to recognize the prior divorce judgments, the statute of limitations provided an additional bar to the sham lawsuit: Code of Civil Procedure §§ 318, 338, 343; Civil Code § 880.020, 880.250; mandatory requirement to recognize that the prior court acted in the lawful exercise of its jurisdiction when the judgment is under attack two decades after its exercise of jurisdiction, and the acceptance of the benefits by both parties: Evidence Code §§ 666, 665, 622.

i. Violated the res judicata doctrine, in that the divorce litigated two decades earlier could not be relitigated.

j. Violated estoppel doctrines, including collateral estoppel, equitable estoppel, estoppel by deed, estoppel by inaction, estoppel by judgment, estoppel by record, estoppel by oath, and estoppel in pais.

k. Violated the full faith and credit statute, Title 28 U.S.C. § 1738, which required recognizing plaintiff's divorced status and property rights established in the prior divorce judgments..

l. Violated the full faith and credit constitutional protection in Article IV, § 1, which also required recognizing the prior divorce judgments filed in several jurisdictions, and the divorce status, property rights, and no-spousal-support status.

m. Violated landmark decisions of the U.S. Supreme Court that required recognizing each of the prior divorce judgments and the personal and property rights arising in and from those judgments. *Vanderbilt v. Vanderbilt* (1957) 354 U.S. 416 (requiring the recognition of ex parte divorce judgments); *Estin v. Estin*, 334 U.S. 541 (1948)(requiring the recognition of prior divorce judgments); *Sherrer v. Sherrer* (1948) 334 U.S. 343; *Coe v. Coe* (1948) 334 U.S. 378 (requiring the recognition of prior divorce judgments and barring denial of such recognition by refusal to accept residence as basis for exercising personal jurisdiction); *Perrin v. Perrin*, 408 F.2d 107 (3rd Cir. 1969) (prohibiting denying recognition to prior judgments when exercised on one day's residence). The long-settled rights under these Supreme Court decisions existed years before blacks were no longer required to sit in the back of buses, to use separate drinking fountains, and separate toilets, and should have been capable of being recognized by California judges and Friedman!

n. Violated Fourteenth Amendment constitutional rights to due process and equal protection of the law. Violated substantive due process protections, violated procedural due process protections, and denied, solely to plaintiff, the right to have his personal and property rights that were acquired in prior states of residence to be recognized by California judges.

o. Violated the privileges and immunity clause under Article IV, § 1, by depriving plaintiff the right, while a resident of another state and jurisdiction, to obtain a divorce on a universally recognized basis, and deprived plaintiff of the right to change residence without losing previously acquired personal and property rights.

p. Violated the constitutional right to unbridged interstate travel, the right to change residence without losing previously adjudicated personal and property rights and previously acquired property rights as a divorced person. The right to travel is provided by the Commerce Clause, the Privileges and Immunities Clause of Art. IV, section 2; and the Privileges and Immunities Clause of the Fifth and Fourteenth Amendments.

q. Violated the Fifth and Fourteenth Amendment rights to the protection of property rights, the protection against being deprived of life, liberty or property without due process, and denying to plaintiff the equal protection of the law.

r. Violated procedural due process protections. California judges repeatedly:

i. Refused to address plaintiff's timely filed motion to quash.

ii. Refused to allow plaintiff to submit key evidence during the trial on the motion to quash hearing.

iii. Refused to issue mandatory findings of fact and conclusions of law which if they had been issued would have revealed in the judicial records the gross violations of state and federal laws and constitutional safeguards and the absence of jurisdiction arising from several quarters.

iv. Declared plaintiff in default and then refused to allow him to appear or submit evidence to defend against the takings of his liberties and properties. In 1986, Judge Wolters declared plaintiff in default for not appearing in San Francisco at a deposition by Friedman, after many other deposition appearances had occurred. Plaintiff resided in Nevada, and under California law he was

not required to travel that distance for a deposition. There were many other violations of due process that followed the same line of contempt for substantive and due process protections.

s. Defendant judge Denis Bunting refused to allow plaintiff to appear at a July 28, 1988 hearing where plaintiff's properties would be given to Emma, where money judgments would be rendered, and any takings of plaintiff's properties and liberties. This hearing violated one of the most important and fundamental constitutional due process protections that prevents the taking of a person's properties without a noticed hearing, a hearing, due process conduct, and legally required cause.

t. Violated procedural due process rights under the Fourteenth amendments, by:

i. Refusing to render a decision on the motion to quash within the time limit provided by law, refusing to recognize their absence of jurisdiction during this period on that basis alone, and rendered orders inflicting great personal and financial harm upon plaintiff. Without jurisdiction, their violated plaintiff's civil liberties and civil rights.

ii. Repeatedly refusing to render findings of fact and conclusions of law, which simplified their deliberate and arrogant violations of state and federal laws and constitutional safeguards.

iii. Placed plaintiff into a default status and then conducted a hearing at which plaintiff's assets were taken and money judgments were rendered, in violation of constitutional right to a hearing before taking property and liberty interests.

Filing Lis Pendens On Plaintiff's Personal and Corporate Properties

38. Despite lacking jurisdiction under several different California laws, despite the unprecedented numbers of state and federal laws and constitutional safeguards they were violating, and despite the fact that Emma continued to declare herself divorced in her resident State of Texas, Friedman filed lis pendens on over 60 of plaintiff's California properties, knowing that some of these properties would be lost when mortgages came due and could not be replaced. Losses of many hundreds of thousands of dollars in equities promptly occurred, including the loss of plaintiff's residence with an equity in excess of \$250,000. If Friedman had actually believed that there existed a marriage, and that plaintiff's real estate was community property, the law firm and its attorneys would have been guilty of malpractice for allowing these properties to be lost forever.

39. California Superior Court judges, California courts of appeal judges, and California Supreme Court judges, were made known of these violations through appeals, and repeatedly aided and abetted them, becoming involved in the conspiracy. In this way they violated, inter alia, Title 42 U.S.C. § 1986.

40. In 1987, plaintiff was ordered incarcerated by California Judge J. Clinton Peterson when plaintiff lacked funds to pay a money order to Friedman. The lis pendens filed by Friedman had halted plaintiff's source of funds, and plaintiff was unable to pay the order. Peterson knew of the lack of jurisdiction and the record-setting violations of state and federal laws and that he also lacked jurisdiction over plaintiff.

41. On or about March 1, 1988, Superior Court judge Harold F. Wolters, in violation of California law, placed plaintiff into a default status, and refused to advise plaintiff of subsequent hearings.

42. On July 28, 1988, Superior Court judge Dennis Bunting rendered a judgment purporting to terminate a marital relationship between plaintiff and Emma, and ordered plaintiff's separate properties divided with Emma, and made other money awards, while plaintiff was barred from the hearing.

California Courts Of Appeal Judges Aided and Abetted the Conspiracy

43. Plaintiff exercised appellate remedies specifically provided by California law, including appeals filed with California's First District Courts of Appeal in San Francisco. They were heard by Judges Donald King, Harry Low, and Zerne Haning, who enlarged upon the substantive and procedural due process violations:

a. Every appeal showing massive violations of California and federal laws and constitutional safeguards, knowingly acting without jurisdiction, were rejected. In this way they violated, inter alia, Title 42 U.S.C. § 1986 which required that anyone knowing of civil rights violations had a duty to prevent or aid in their prevention. They conspired to violated plaintiff's civil rights and engaged in fraud, misusing their positions and the courts as a corrupt enterprise.

b. Some appeals were simply returned without addressing them.

c. Refused to make the required findings of facts and conclusions of law, despite the requirement by California law to do so.

d. In one instance, Court of Appeal judges retaliated against plaintiff for exercising these due process remedies. They ordered plaintiff to pay \$100,000 to the Friedman law firm. It is a felony under 18 U.S.C. § 241 to retaliate against a person for exercising due process remedies.

Title 18 U.S.C. § 241. Conspiracy against rights of citizens

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; ... They shall be fined ... or imprisoned ... or both;

44. In an April 24, 1985 published decision signed by Judges Donald King, Harry Low, and Zerne P. Haning (In re Marriage of Stich, 167 Cal.App.3d 226), these judges upheld the record-setting violations of California and federal laws and constitutional safeguards and established as California case law the violations being inflicted upon plaintiff.

45. California Supreme Court judges also aided and abetted these legal and constitutional violations. The only California Supreme Court judge who initially supported plaintiff was California Supreme Court Justice Stanley Mosk, who held that plaintiff's appeal should be heard when plaintiff first appealed to that court. But Mosk's lone decision to grant plaintiff a hearing was undermined by other Supreme Court justices who aided and abetted the violations occurring in the lower courts. They became liable to plaintiff for damages under Title 42 U.S.C. § 1986.

Exercising Specific Federal Remedies

46. Federal laws existed to immediately halt and remedy these serious violations of federally protected rights. Federal judges had a mandatory duty to provide relief, including the duty arising under the oath they took as a federal judge to uphold and enforce the laws and Constitution of the United States. Several specific remedies existed in federal law and under the Constitution for plaintiff to use. Two of them were: the Declaratory Judgment Act and the Civil Rights Act.

47. The Declaratory Judgment Act is composed of two statutes:

Title 28 U.S.C. § 2201. Creation of remedy

“In a case of actual controversy within its jurisdiction, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.

Title 28 U.S.C. § 2202. Further relief.

Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment.

48. There obviously existed an actual controversy. A declaratory judgment would state the requirements under federal law to recognize the prior divorce judgments and the rights arising from them, including:

- a. Plaintiff's divorced status and property rights established in the prior divorce judgments.
- b. Plaintiff's properties acquired while a resident of other states after the 1966 divorce was rendered.
- c. His right to change residence without losing previously acquired personal and property rights.
- d. Halting the massive violations of civil liberties and civil rights occurring throughout the California courts by renegade judges.

49. After a declaratory judgment is rendered under Title 28 U.S.C. § 2201, the Declaratory Judgment Act provides for further remedies, including voiding the sham California divorce judgment and ordering financial damages to be paid to plaintiff.

Civil Rights Act

50. A second remedy, the Civil Rights Act, is intended to provide relief and damages to any citizen of the United States who is subjected to a violation of his or her civil rights under color of state law, as was occurring in record numbers in the sham California divorce action. The barrage of civil rights violations invoked the mandatory duty for federal judges to provide a federal court forum and relief under the Civil Rights Act. Judges lack authority to selectively withhold these fundamental protections from any citizen, or class of citizen, such as a whistleblower exposing high level corruption in government, including corruption in the courts.

Federal Judges Subverting Federal Laws and the Federal Constitution

51. After exhausting all state remedies, and suffering retaliation for exercising them, plaintiff exercised the specific federal remedies under the Civil Rights Act and Declaratory Judgment Act. His first lawsuit was filed in 1983 in the U.S. District Court at Sacramento, and assigned to Judge Raul Ramirez. He promptly dismissed it, continuing the judicial pattern of refusing to render findings of facts and conclusions of law. His actions:

- a. Violated federal law that barred dismissal when a federal cause of actions is alleged. All statements in the complaint must be accepted as true at that stage of the pleadings.
- b. Violated federal law that barred dismissal jury issues are involved (determination of the facts).
- c. Violated federal law requiring him to issue findings of fact and conclusion of law to justify the dismissal.
- d. Violated his judicial duty to halt the massive violations of federally protected rights, and instead, encouraged the escalation of these violations. He violated Title 48 U.S.C. § 1986, becoming liable to plaintiff for related losses.
- e. Continued the practice of making the courts into an accessory to the corruption and fraud, and playing a role in the obstruction of justice described within this complaint.

Repeated Duplication Of This Judicial Misconduct By Other Federal Judges

52. Judge Ramirez's dismissal started a documented pattern and conspiracy in federal courts that continued for the next 16 years, from 1983 to 1999, centering around covering up for the criminal activities plaintiff sought to expose and acting to destroy plaintiff's \$10 million in assets that funded his exposure activities.

Simultaneous Reporting Of Criminal Activities In Government Offices

53. As the sham California lawsuit continued with the aid of federal judges, plaintiff continued his investigations into corruption in government offices. Plaintiff's books, radio and television appearances, and articles written by others, caused an increasing number of present and former government agents and deep-cover operatives to provide plaintiff with information on other areas of corrupt activities by people in key government positions. These sources included agents from, inter alia, the Central Intelligence Agency, the Federal Bureau of Investigation, the Drug Enforcement Administration, Customs, and the Secret Service.

54. This additional information on major criminal activities caused plaintiff to add another issue to his lawsuits seeking civil rights and declaratory judgment relief. He reported the federal crimes that he and his group of government insiders had discovered and demanded to produce evidence that the group had accumulated. Federal law makes it a crime if any person, who knows of a possible or actual federal crime, does not promptly "report it to a federal judge or other federal officer."

Title 18 U.S.C. § 4 (misprision of felony).

"Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both."

Compounding Civil Rights Violations With Obstruction Of Justice

55. Continuing the conspiracy that resulted in obstruction of justice, federal judges responded by refusing to receive evidence of the criminal activities that federal criminal statutes required they receive. This refusal constituted obstruction of justice, made infinitely worse by the nature of the criminal activities that plaintiff and his group sought to report. Many of these criminal activities were subversive, and undermining the internal security of the United States.

Crisis In Federal Courts

56. The repeated and documented acts of judicial misconduct were reaching critical levels. Federal judges were now faced with the explosive combination of:

a. Aiding and abetting the record-setting violations of civil and constitutional rights against a former federal inspector and whistle-blower who had been reporting a pattern of major criminal activities involving people in key government positions.

b. Directly obstructing justice, blocking the reporting of criminal activities that had national consequences and that were already inflicting great harm upon the internal security of the United States.

c. Increasing the federal remedies available to plaintiff, which threatened to expose the explosive misconduct in the federal courts.

Enlarging On Prior Judicial Misconduct

57. Federal judges reacted to this crisis by enlarging on their previous misconduct. Starting with U.S. district court Judge Milton Schwartz, they:

a. Promptly dismissed every lawsuit plaintiff filed, despite the prohibition against doing so.

b. Rendered unlawful and unconstitutional orders barring plaintiff the right to federal court access, and voiding for him all relevant protections under the laws and Constitution of the United States.

c. Required plaintiff and his group of insiders to become an accessory to obstruction of justice in criminal activities that had national implications

58. Recognizing that these orders voiding large numbers of federally protected rights were unlawful and unconstitutional, and that no judge had the authority to obstruct justice, plaintiff filed a subsequent lawsuit seeking relief and reporting other criminal activities that had come to his attention from the group of government insiders.

Documented Judicial Retaliation

59. Federal judges reacted to this filing by retaliating against plaintiff. Judge Schwartz, aided by other federal judges, charged plaintiff with criminal contempt of court for having exercised procedural due process remedies and for reporting the criminal activities in which they themselves had been involved.

Justice Department's Obstruction Of Justice & Civil Rights Violations

60. Joining in this combined obstruction of justice and civil rights violations were Justice Department personnel. U.S. Attorney David Levi charged plaintiff with criminal contempt of court for filing the federal action.

61. Under law, Justice Department personnel have a duty to uphold and protect the laws and Constitution of the United States, to protect people's civil rights, and to receive evidence of criminal activities. They had a division solely focused on violations of civil rights. Justice Department prosecutors have charged hundreds of people with the crime of failing to report a federal crime while in this case they were acting to put plaintiff in prison for reporting the criminal activities that he was required to report under Title 18 U.S.C. § 4. They reversed their roles and joined the conspiracy that had been unfolding, conspiring with federal judges to block plaintiff's reporting of the crimes, to put plaintiff in prison, and as will be seen, assisting in the seizure of plaintiff's life's assets.

Prison For Exercising Federal Defenses & Reporting High-Level Crimes

62. While plaintiff was desperately seeking to force a federal judge to provide relief from the violations of federally protected rights, Justice Department prosecutor David Levi and Judge Milton Schwartz were subjecting plaintiff to a trial during which Levi had demanded that plaintiff be sentenced to prison for two years! Justice Department prosecutors argued that plaintiff should not be released pending the trial as he was a threat to the community! The constitutional right to a jury trial was denied to plaintiff, and he was tried by Sacramento Magistrate John Moulds, who then joined the conspiracy and judicial fraud.

63. The criminal activities that plaintiff and his group of government agents sought to report included personnel in the Department of Justice and the federal courts. Plaintiff's second and third editions of *Unfriendly Skies* and *Defrauding America* named them in the corrupt activities. Plaintiff was now being tried by people in these same government offices. It was a Kangaroo Court proceeding, and an extension of similar Kangaroo Court proceedings that plaintiff had endured in the California courts.

64. Without a jury, Moulds then held that plaintiff was guilty, and sentenced plaintiff to six months in prison. That prison sentence was carried out under conditions made harsher than would normally occur, forcing plaintiff to be bused from county jail to county jail in shackles.

65. Plaintiff appealed this bizarre conviction to the U.S. Court of Appeals at San Francisco. The entire court of appeals, en banc, including Justice Anthony Kennedy, upheld this misuse of the federal courts and the Justice Department. Plaintiff then filed a petition for writ of certiorari with the U.S. Supreme Court, and the Justices joined the chorus by upholding the gross violations of major segments of the laws and Constitution of the United States as they apply to civil liberties and civil rights. The Justices of the U.S. Supreme Court then joined the conspiracy.

66. Actually, the justices of the U.S. Supreme Court had become implicated in the obstruction of justice years earlier, as plaintiff filed petitions for writs of certiorari. (*Stich v. United States*, et al., 554 F.2d 1070 (9th Cir.) (table), cert. denied, 434 U.S. 920 (1977); *Stich v. National Transportation Safety Board*, 685 F.2d 446 (9th Cir.) (table), cert. denied, 459 U.S. 861 (1982)) (addressed repeated criminal falsification of official airline accident reports by NTSB personnel); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.) (addressing the long standing FAA misconduct, of which the cover-up of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct).

67. After the kangaroo trial was over, U.S. Attorney David Levi was promoted to a U.S. district court judge at Sacramento. Justice Anthony Kennedy, who had refused to intervene when I filed a petition for relief with him while he was a judge on the Ninth Circuit court of appeals, was promoted to a justice on the U.S. Supreme Court.

68. From 1987 to 1995, plaintiff was subjected to a continuing series of criminal contempt of court charges by San Francisco district court judges Marilyn Patel and Vaughn Walker, which reflected the organized determination to destroy every remedy in law that could be used by plaintiff to defend himself.

Desperately Seeking Relief In Chapter 11 Courts

69. Just prior to being charged with criminal contempt of court, plaintiff sought relief in an unusual manner from another federal court. Plaintiff sought relief by filing two Chapter 11 cases in the Las Vegas bankruptcy court on May 1, 1987, seeking to force a federal judge to address the barrage of civil and constitutional violations. Plaintiff sought to have the judge provide relief from the civil rights violations occurring in the California courts and to order the removal of the lis pendens that Friedman placed on plaintiff's properties.

70. One filing was for plaintiff's personal assets. The other filing was for his solely owned property in a corporate name, Western Diablo Enterprises.

71. The cases were assigned to Judge Robert Jones. (Rodney Stich, case # 4-87-05974-J and Western Diablo Enterprises, case # 4-87-05975-J, which contained most of plaintiff's \$10 million in real estate assets.

Unaware Of the Rampant Bankruptcy Court Corruption

72. Plaintiff was unaware of the endemic corruption in the Ninth Circuit bankruptcy courts when he sought relief in this unusual but legally-permissible manner. He later learned about this corruption through personal experience, through investigative work with undercover agents of the Central Intelligence Agency, and through contact with many of the bankruptcy court victims throughout the United States. This Chapter 11 corruption is detailed in the third editions of *Defrauding America* and *Unfriendly Skies*.

Death To Attorney Exposing Bankruptcy Court Corruption

73. Plaintiff coordinated his first-hand investigation into bankruptcy court fraud with San Francisco attorney Dexter Jacobson, who had been trying to expose the corruption in the bankruptcy courts that involved federal judges, judge-appointed trustees, attorneys, law firms, and Justice Department trustees. Jacobson forced the reluctant Federal Bureau of Investigation to receive his evidence and arranged a date to provide it to the FBI in San Francisco. The night before the scheduled appointment, Jacobson was killed, and his records and evidence were stolen. That ended Jacobson's threat to the bankruptcy court fraud, leaving the task of exposure to plaintiff. Another attorney, Paul Wilcher, in Washington, D.C., with whom plaintiff was in frequent contact

and who was exposing high-level government corruption in other areas, was found dead under mysterious circumstances shortly after he provided evidence to the Department of Justice.

Initially Providing Partial Relief

74. During a preliminary hearing in the Las Vegas Chapter 11 court on September 11, 1987, Judge Robert Jones rendered an order providing partial relief. This verbal order was to be prepared for Judge Jones' signing by plaintiff's Las Vegas attorney, Joshua Landish. The verbal order vacated the California lis pendens placed on plaintiff's properties by the Friedman law firm, which would permit plaintiff to refinance the mortgages that had been blocked by Friedman's lis pendens. Judge Jones' order also provided that plaintiff's personal and corporate Chapter 11 cases be dismissed in sixty days. (The purpose of this delay was to give plaintiff time to refinance mortgages that had come due.) As a matter of law, upon rendering that order, Judge Jones lost jurisdiction over the two cases, and the only remaining function was for the order of dismissal to be entered in the records.

Defendant Estelle Mannis, Robile, Inc., and Concord Properties

75. Immediately after hearing Judge Jones' order refusing to accept jurisdiction, and after he provided relief that would permit plaintiff to pay off the mortgages that had come due, Oakland, California, attorney Estelle Mannis, representing mortgage holders Robile, Inc and Concord Properties, filed a motion to remove the automatic stay on several mortgages involved in plaintiff's personal Chapter 11 filing. The removal of that stay and foreclosure of those mortgages would enrich the mortgage holders by many thousands of dollars, far exceeding the mortgage amounts. That motion on plaintiff's personal Chapter 11 case was calendared for a hearing on September 28, 1987. Judge Jones' previous refusal to accept jurisdiction deprived him of jurisdiction to hear that motion, which he ignored.

76. Plaintiff's attorney, Joshua Landish (hereafter "Landish"), was the attorney plaintiff hired to monitor Landish's conduct, Marin attorney, Vernon Bradley, withheld information about this hearing from plaintiff, causing the hearing to occur without plaintiff's presence.

Attorney Fraud Upon the Court and Upon Plaintiff

77. During that September 28, 1987 hearing for removal of the automatic stay on plaintiff's personal Chapter 11 case (which did not contain the \$10 million in real estate), the court's audio tapes and transcripts show plaintiff's attorney, Joshua Landish, aggressively sabotaging plaintiff and fraudulently, and in a conspiracy, working with plaintiff's adversaries, including the Friedman law firm. Landish urged Judge Jones to rescind the prior order of relief and to seize and liquidate plaintiff's assets in the personal and corporate cases.

78. The evidence indicates that some force behind the scenes changed the conduct of plaintiff's attorney and Judge Jones.

79. The conduct by plaintiff's attorney, perpetrated in full view of Judge Jones and the other attorneys appearing in the cases, constituted fraud of the worst type, and a gross violation of the rules of professional conduct for attorneys. Local rules of the Ninth Circuit district courts, Rule 11-3, states that attorneys must "practice with the honest, care, and decorum required for the fair and efficient administration of justice; and discharge the obligations owed to his or her clients and to the court." That rule says that "any violation of this policy should be brought to the attention [of the] judge." In this case, the disbarment conduct was perpetrated in full view of Judge Jones, who embraced the attorney's conduct!

"Stich Will Be Disappointed"

80. Judge Jellen admitted that plaintiff was unaware of the hearing and the proposed taking of plaintiff's assets. The court transcripts and audiotapes reveal Judge Jones stating, "Stich will be

disappointed by finding his assets turned over to a trustee.” It could be assumed that any citizen would be “disappointed” about having his life's assets taken in such a corrupt manner by a conspiracy of federal judges, attorneys and law firms, using the courts as a corrupt arm of government.

Signing the Verbal Order Refusing To Accept Jurisdiction

81. Landish never carried out his duty to prepare for Judge Jones' signature the prior verbal order removing the lis pendens from plaintiff's personal and corporate properties, the refusal to accept jurisdiction, and the order dismissing the two chapter 11 cases. If he had prepared the order, including the removal of the lis pendens, it would have undermined the primary tactic Friedman used in the California lawsuit to separate plaintiff from his assets. Instead, during that September 28th hearing, Las Vegas attorney Rene Feinstein, representing Emma and Friedman, submitted to Judge Jones for his signature the order verbally rendered on September 11, 1987. However, Feinstein omitted reference to the removal of the lis pendens, thereby preventing plaintiff from gaining access to his funds. The written order presented to Judge Jones stated:

Having reviewed the pleadings on file herein and heard the arguments of counsel, it is the determination of this Court that it should abstain from hearing the above-captioned bankruptcy cases and therefore, pursuant to 11 U.S.C. section 305, an order dismissing the cases will be entered within 60 days of the hearing.

Signing the Orders Refusing To Accept Jurisdiction

82. During that hearing, Judge Jones signed that order, putting into writing his prior verbal order refusing to accept jurisdiction over plaintiff's two cases. As long as that order existed, Judge Jones lacked personal and subject matter jurisdiction over plaintiff and the personal and corporate cases, and could not order the taking and destruction of plaintiff's assets.

Fraudulent Taking Of Plaintiff's Life's Assets

83. Ten days later, on October 8, 1987, in chambers and without the federally required noticed hearing and a hearing, Judge Jones signed two orders taking plaintiff's life's assets as the first step in their liquidation. The orders stated:

In the case of Rodney Frank Stich (BK-S-87-1376) and in the case of Western Diablo Enterprises, Inc. (BK-S-87-2067).

Order Appointing Trustee

Pursuant to the hearing on October 8, 1987,

IT IS HEREBY ORDERED that CHARLES DUCK be appointed Trustee in the above-entitled bankruptcy.

IT IS HEREBY ORDERED that a bond shall be obtained for an amount equal to funds held by the trustee.

DATED this 8th day of October 1987.

ROBERT CLIVE JONES, Chief Judge

United States Bankruptcy Court

Judicial Taking of Constitutionally Protected Liberty and Property

84. Court records document that the taking of plaintiff's assets violated the most fundamental and primary protections under the laws and Constitution of the United States:

a. There was no hearing on that date for either of plaintiff's two Chapter 11 cases, or on any other date.

b. Judge Jones entered a false statement on those government documents in order to carry out the taking of plaintiff's assets that funded his exposure of corruption in government. Anyone who inserts a fraudulent statement in a government document commits a felony under Title 18 U.S.C. § 1001.

Title 18 U.S.C. § 1001. Whoever in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined ... or imprisoned ...

c. The statutory and constitutional requirements for a noticed hearing on the plaintiff's personal and Western Diablo cases never occurred.

d. The constitutional requirement for a hearing to defend never occurred.

e. Judge Jones lacked personal and subject matter jurisdiction, on the basis of the prior order refusing to accept jurisdiction.

f. There had never been the due process requirement for a hearing to vacate the prior order refusing to accept jurisdiction and taking away the previously rendered relief, on either the personal or the corporate cases.

g. There was no legal basis for taking plaintiff's properties. No creditor was at risk plaintiff's properties were in excellent financial shape. All loans and debt payments had been made on schedule.

h. Plaintiff was given no chance to defend against taking his life's assets, one of the most fundamental and primary protections under the laws and Constitution of the United States.

It is a fundamental doctrine of law that a party to be affected by a personal judgment must have his day in court, and an opportunity to be heard. *Renaud v. Abbott*, 116 US 277, 29 L Ed 629, 6 S Ct 1194. A judgment of a court without hearing the party or giving him an opportunity to be heard is not a judicial determination of his rights. *Sabariago v Maverick*, 124 US 261, 31 L Ed 430, 8 S Ct 461, and is not entitled to respect in any other tribunal.

85. Court transcripts reveal Judge Jones' convoluted statements and the sequence of events:

a. On October 5, 1987, Judge Jones again repeated that he intended to dismiss the case, as he had stated during the September 11, 1987 hearing:

Judge Jones: "I intend to dismiss the case" (TR Pg. 5 of court transcript.) He had already signed orders refusing to accept jurisdiction.

b. During a November 10, 1987, hearing, Judge Jones and attorney Meyers entered into a conversation in open court, referring to the prior order of abstention (TR Pg. 4):

Meyers: As I understand the order that Your Honor entered on September 28th, it provided for various things, including dismissal of the case sixty days hence, which would be the end of this month, upon the Court's decision to abstain.

c. On December 14, 1987, the court transcript again shows that an order of abstention existed. Attorney Merle C. Meyers, representing trustee Charles Duck, sought to have Judge Jones vacate the order of abstention. Making reference to that earlier order refusing to accept jurisdiction, Meyers made the following statements referring to the September 28, 1987, order refusing to accept jurisdiction and calling for dismissal in 60 days:

d. Court transcripts show Judge Jones saying:

"...especially where the Court doesn't intend to take jurisdiction of the case." (TR Pg 12)

Meyers: First, that order calls for the dismissal of the case ... (TR Pg 49)

Judge Jones: I'm not doing that, that's deleted. (TR pg.49)

Rescinding the Refusal To Accept Jurisdiction Order On December 14, 1987

Meyers: I understand that. And so I would ask that the Court enter an order simply stating that the Court's decision to abstain and dismiss in that order is rescinded. (TR pg.49)

Judge Jones: That's correct ... just rescind it.

86. That spur-of-the-moment utterance, vacating the prior orders refusing to accept jurisdiction, months after rendering orders seizing plaintiff's assets while an order refusing to accept jurisdiction was in effect, and without the Western Diablo Enterprises case on the calendar, violated major constitutional protections and reflected the fraud being judicially perpetrated against plaintiff.

87. Plaintiff was in court on that December 14, 1987 date, and court transcripts reveal what was said:

Stich: Do I understand that the Court's previous order to abstain is now being rescinded? (TR Pp.50)

Judge Jones: That's correct. I'm going to rescind that [order]. (TR Pg.50)

Judge Jones: I did not say I was going to abstain. ... And so as far as I'm concerned, the order could stand as it is, I have no present intention to abstain, in fact I'm changing venue and that moots the issue. Maybe that's the better way to treat it. (TR pg.50)

88. Plaintiff appealed this taking of his properties to the bankruptcy court of appeals, to U.S. district courts, to federal court of appeals at San Francisco, and to the U.S. Supreme Court. They all aided and abetted the trampling of major constitutional protections.

Void Orders Are Forever Void

89. As a matter of controlling law, orders rendered without jurisdiction are forever void. Orders rendered on the basis of such void orders are also void. Orders rendered through fraud upon the court (by federal judges) are also void. The October 8, 1987 orders signed in chambers, after signing the orders refusing to accept jurisdiction, are void. Orders rendered while violating major constitutional protections are also void.

It is a fundamental doctrine of law that a party to be affected by a personal judgment must have his day in court, and an opportunity to be heard. *Renaud v. Abbott*, 116 US 277, 29 L Ed 629, 6 S Ct 1194. Every person is entitled to an opportunity to be heard in a court of law upon every question involving his rights or interests, before he is affected by any judicial decision on the question. *Earle v McVeigh*, 91 US 503, 23 L Ed 398. A judgment of a court without hearing the party or giving him an opportunity to be heard is not a judicial determination of his rights. *Sabariego v Maverick*, 124 US 261, 31 L Ed 430, 8 S Ct 461, and is not entitled to respect in any other tribunal.

An order that exceeds the judge's jurisdiction is a void order, and can be either ignored, or attacked in any proceeding in any court where the validity of the judgment comes into issue. (See *Rose v. Himely* (1808) 4 Cranch 241, 2 L ed 608; *Pennoyer v. Neff* (1877) 95 US 714, 24 L ed 565; *Thompson v. Whitman* (1873) 18 Wall 457, 21 L ed 897; *Windsor v. McVeigh* (1876) 93 US 274, 23 L ed 914; *McDonald v. Mabee* (1917) 243 US 90, 37 S ct 343, 61 L ed 608.

Transferring the Two Cases From Las Vegas To Oakland

90. During the December 14, 1987 hearing, upon Friedman's request, plaintiff's two cases were transferred to the bankruptcy court in Oakland, California, where they were assigned to Judge Edward Jellen. The previous pattern of judicial fraud and violations of federally protected rights again escalated.

Judge Jones and Trustee Charles Duck Promptly Started Looting Plaintiff's Assets

91. Trustee Charles Duck promptly started looting plaintiff's personal and corporate assets:

a. He used the funds from the income and the liquidation of plaintiff's assets to distribute to attorneys and law firms heavily implicated in violating federally protected civil rights.

b. He paid off long-running mortgages as part of a mortgage churning scheme, replacing low interest mortgages that had not come due, with short term high-interest mortgages that generated large placement fees for himself and the cooperating attorneys and law firms.

c. He liquidated valuable properties for pennies on the dollar that had taken plaintiff years of hard work to accumulate.

d. He refused to make mortgage payments from the real estate income, causing most of the properties to go into foreclosure.

e. Money disappeared from plaintiff's estate, as Duck continued the looting of Chapter 11 cases that he had done for many years, as later exposed by the media in the San Francisco area.

Further Judicial Contempt For Constitutional Protections

92. In the Oakland bankruptcy court, Judge Edward Jellen promptly escalated the pattern of judicial fraud. He:

a. Escalated the liquidation of plaintiff's assets, selling them for pennies on the dollar.

b. Protected each of the attorneys and law firms violating plaintiff's civil rights, and rewarded them with sizeable legal fees taken from the liquidation of plaintiff's assets..

c. Refused to recognize the void status of Judge Robert Jones' orders seizing plaintiff's personal and corporate assets.

d. Ordered liquidation of plaintiff's assets to pay the void orders rendered by California judges in the sham California divorce action.

e. Ordered payment of legal fees to attorney Joshua Landish, whose fraud and conspiracy against his client assisted in the corrupt seizure of plaintiff's assets.

f. Refused to release to plaintiff, plaintiff's own funds to hire legal counsel, while concurrently using plaintiff's assets to pay attorney fees to plaintiff's adversaries.

g. After refusing to release funds for plaintiff to hire legal counsel, Judge Jones rendered an order refusing to allow plaintiff to appear without an attorney. These orders effectively stripped plaintiff of any opportunity to defend against the looting of his assets.

h. Ordered objections filed by plaintiff in pro se to be unfiled, depriving plaintiff of even an appearance of due process.

i. Charged plaintiff with criminal contempt of court when plaintiff filed an objection to a particular motion that would further destroy plaintiff's assets.

j. Denied legal counsel to plaintiff to defend against the criminal contempt of court charge.

k. Compounded these record-setting due process violation by refusing to allow plaintiff to testify in his own defense.

l. Rendered an order holding that plaintiff was guilty of criminal contempt of court for having filed an objection to the taking of his assets, and ordered plaintiff imprisoned. That order was never carried out as Chapter 11 judges lack jurisdiction to order the imprisonment of anyone on contempt of court charges.

Trustee Charged With Record-Setting Bankruptcy Fraud

93. In 1989, while looting plaintiff's assets, Duck was charged by U.S. attorney Joseph Russoniello at San Francisco with bankruptcy fraud in other cases after media publicity focused on the corruption in the bankruptcy courts. A full investigation of the bankruptcy court fraud, implicating federal judges, judge-appointed trustees, law firms, and attorneys, was halted by charging Trustee Charles Duck with fraud and then holding that the problem was now solved. Even though Duck was accused of the nation's largest trustee fraud, and as if prearranged, the charges

were followed by a quick plea agreement that provided for a short incarceration term in a federal prison camp where he received out-of-the-ordinary treatment.

Trustee Involvement With CIA, Contra Activities, and CIA Drug Smuggling

94. Plaintiff's government insiders said that Duck had close connections with the Central Intelligence Agency, was involved in covert and corrupt Contra activities, and involved with CIA drug smuggling activities. These matters are described in the third edition of Defrauding America.

Judicial Records Document the Pattern of Judicial Corruption

95. Court records document the pattern of corrupt acts stated in this Complaint. The pattern by judges in the California and the federal courts:

a. Repeatedly refused to provide the relief against massive violations of federally protected rights that they were required to provide.

b. Repeatedly violated and encouraged others to violate large numbers of protections in the laws and Constitution of the State of California and of the United States.

c. Repeatedly violated every available procedural due process protections.

d. Repeatedly retaliated against plaintiff for exercising procedural due process and threatened him if he again used these federal rights and protections.

e. Repeatedly refused to render findings of fact so as to avoid focusing attention on the many federal issues raised in the lawsuits and their grotesque violations of procedural and substantive protections.

f. In the federal courts, obstructed justice by refusing to receive evidence of criminal activities offered by plaintiff and his group of government insiders, thereby obstructing justice for which they should have received prison sentences.

g. Retaliating against plaintiff for seeking to report criminal activities, which directly violated federal criminal statutes 18 U.S.C. §§ 1505, 1510(a), 1512, 1513 relating to retaliating against a witness or informant.

h. By their obstruction of justice tactics and conspiracy they violated other criminal statutes, including 18 U.S.C. §§ 2 (becoming guilty as a principle through cover-up); § 3 (accessory after the fact, a crime arising when information of a crime is received and the perpetrators are assisted by cover-ups); ' 4 (misprision of felony, a crime arising from knowledge of a crime an failure to "make known the same to some judge or other person in civil or military authority;") § 35 (anyone conveying false information that results in an airline crash. plaintiff, as a federal investigator assigned to United Airlines, made numerous reports, as did other FAA inspectors, of a pattern of air safety and criminal violations associated with a series of fatal airline crashes, which continued for about 20 years.

i. Making false statements in orders taking plaintiff's assets in his personal and corporate Chapter 11 cases. Defendant Robert Jones stated in those orders that there had been a hearing on that date. These false statements are felonies under 18 U.S.C. § 1001.

Violating Criminal Statutes

96. Defendants documented acts repeatedly violated and assisted in the violations of federal criminal statutes.

a. Title 18 U.S.C. § 241, as defendant California and federal judges retaliated against plaintiff for exercising constitutional due process remedies.

b. 18 U.S.C. § 242, by acting "under color of any law," subjected plaintiff to the deprivation of rights, privileges and immunities secured and the protections under the Constitution and laws of the United States.

c. 18 U.S.C. § 245 (b)(1)(B), by willfully injuring plaintiff, intimidating him and interfering, with a class of person, in this case, a whistle-blower seeking to report high level corruption in government, and to keep plaintiff from participating in or enjoying benefits, privileges, court facilities, or activities provided or administered by the United States.

d. 18 U.S.C. § 246, by directly and indirectly depriving, or attempting to deprive, plaintiff of benefits provided by an act of Congress, on account of plaintiff's affiliation with whistleblowers seeking to expose corrupt government personnel.

e. 42 U.S.C. § 1986, by conspiring to violate plaintiff's civil rights.

f. 18 U.S.C. § 1505, by interfering with plaintiff's attempt to report criminal activities, and thereby obstructing justice. Applies to anyone who interferes with the reporting of criminal activities.

g. 18 U.S.C. § 1510, by obstruction of criminal investigation.

(a) Whoever willfully endeavors [to] prevent the communication of information relating to a violation of any criminal statute of the United States by any person ... shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

h. 18 U.S.C. § 1512, Tampering with a witness, victim, or an informant.

(b) Whoever knowingly uses intimidation ... with intent to--

(3) hinder, delay, or prevent the communication to a ... judge of the United States of information relating to the commission or possible commission of a Federal offense ... shall be fined under this title or imprisoned not more than ten years, or both.

i. 18 U.S.C. § 371, Participated in a conspiracy to commit offenses against the United States, including joining the existing the conspiracy, conspiring to violate federally protected rights that were inflicted upon plaintiff, defrauding the United States by converting the court into a corrupt enterprise, defrauding the United States by destroying plaintiff's businesses and properties that would otherwise have generated taxable income.

j. 18 U.S.C. § 372, conspiracy to impede or injure government agent. This crime occurred during an earlier part of the retaliation against plaintiff, while he was an inspector-investigator responsible for air safety at United Airlines, as management personnel at United Airlines and within the FAA threatened, harassed, intimidated, and retaliated against plaintiff, and other inspectors--to prevent them from reporting air safety and criminal acts playing a continuing role in a series of fatal airline crashes.

k. 18 U.S.C. § 1001, by making false statements in the two orders that took plaintiff's life assets.

l. Conspiracy against plaintiff, as documented in court records.

m. 18 U.S.C. § 2, Title 18 U.S.C. § 2. Principals. defendants directly or indirectly committed an offense against the United States by aiding and abetting efforts to block plaintiff's reporting of criminal activities. In this manner, their willful acts made them guilty as the principles perpetrating the crimes stated in this complaint, making them punishable as the principles.

n. 18 U.S.C. § 3, Title 18 U.S.C. § 3. Accessory after the fact. Whoever, knowing that an offense against the United States had been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

o. 18 U.S.C. § 4, Title 18 U.S.C. § 4 (misprision of felony). "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority

under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both.”

p. Title 18 U.S.C. § 1515 (a)(3)(A). Misleading conduct, includes making a false statement; intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact and thereby creating a false impression; intent to mislead, submitting or inviting reliance on a writing or recording that is false, or otherwise lacking in authenticity; with intend to mislead; using a trick, scheme, or device with intent to mislead.

q. Conspiracy. The conspiracy is shown by the enormous numbers of documented wrongful acts as stated in the complaint. These include the 17 year pattern of record-setting violations of state and federal laws and constitutional safeguards; the pattern of repeated procedural due process violations by California and federal judges; the repeated dismissal of lawsuits that violated federal laws and constitutional safeguards; the repeated refusal to receive evidence of the criminal activities which were documented acts of obstruction of justice; and other evidence.

Pattern Of Civil Rights and Civil Liberty Violations

97. To this long list must be added each of the repeated violations of major federally protected rights, the repeated violations of large numbers of California laws, the acting without jurisdiction, in an obvious conspiracy and corrupt misuse of California and federal courts.

Powerful Forces Orchestrating the Corrupt Judicial Activities

98. The documented court records reveal that these record-setting number of violations of state and federal laws and constitutional safeguards could not be the result of judicial ignorance. The pattern of outrageous judicial acts indicate that a powerful force orchestrated these events, to block the reporting of vast areas of criminal and subversive activities, and that this powerful source protected each of the defendants involved described within this lawsuit.

Defendants Inflicted Enormous Harm Upon the United States

99. All defendants, directly and indirectly, inflicted great harm upon the United States, including its people, the rule of law, the courts, respect for government, all of which also affected interstate commerce:

a. Deaths in documented fraud related air disasters.

b. Continuation of years of drug smuggling by certain elements within the Central Intelligence Agency, and its cover-up by other government personnel. Plaintiff and his group of insiders, including former heads of secret CIA airlines and CIA financial institutions, have provided plaintiff with affidavits, data, documentation, proving the existence of these criminal and even subversive activities against the United States and its people.

c. Massive fraud in the bankruptcy courts that has made these courts a corrupt arm of government and against the people exercising the statutory protections of Chapter 11..

d. Other fraud as described in the third editions of Defrauding America and Unfriendly Skies and the first edition of Drugging America and Disavow.

Grossly Shocking and Outrageous Conduct By All Defendants

100. The conduct by all defendants, especially the judicial defendants, was so grossly shocking and so outrageous as to violate the universal sense of justice. Supervisory power by higher level judges was misused to aid and abet the grotesque judicial violations by lower level judges. The documented wrongful acts leave no doubt that there existed a conspiracy among all defendants.

All Defendants Became Implicated in the Tortious Acts

101. All defendants:

a. Became parties in the continuing conspiracy and pattern violating major rights and protections under the laws and Constitution of the State of California and of the United States. Under law, once the evidence of a conspiracy is shown, only a slight connection to the conspiracy is needed to show a defendant's involvement.

b. Participated in fraud upon the courts, inflicting great harm upon the system of justice and the courts in the state of California and of the United States.

c. Became parties in the wrongful acts and conspiracies against plaintiff.

d. Involved in the California action repeatedly violated plaintiff's due process rights, equal protection rights, property rights, liberty rights, under the U.S. Constitution.

e. Failed to perform a duty, to comply with the laws and Constitution of the United States, and to make known the violations of these federally protected rights.

f. Had knowledge of the violations that had occurred and were occurring.

g. Participated in the civil rights violations.

h. Participated in the conspiracy against plaintiff.

i. Participated in the RICO predicate acts affecting interstate commerce.

j. Used the mail and the wires to carry out their role in these wrongful acts, becoming guilty of mail and wire fraud.

k. Devised a scheme to defraud plaintiff, or joined the existing scheme, with the intent of inflicting great harm upon him.

l. Engaged in conduct that was conscience-shocking, oppressive in a constitutional sense, interfered with fundamental rights under the laws and Constitution of the United States, and displayed a reckless disregard for the rights and protections under the laws and Constitution of the United States.

m. Became part of the conspiracy that inflicted great harm upon plaintiff.

n. Engaged in fraud against the United States, corrupting the courts, the legal process, the rule of law, the laws and constitution of the United States and the State of California.

o. Obstructed justice, making possible the continuation of the crimes against the United States that plaintiff and his group of government insiders sought to expose and bring to justice.

Neither California Nor Federal Judges Have Judicial Immunity

102. The defendant California and federal judges have no judicial immunity on the basis that they repeatedly, knowingly, deliberately, and viciously misused their judicial positions and the courts in a criminal manner. This absence of immunity is shown in such Supreme Court decisions as *Pulliam v. Allen*, 466 US 522., and *Harlow v. Fitzgerald*, 457 US 800; by the clear wording of federal civil rights and criminal statutes that clearly state they apply to anyone, and on the basis that no such offenses have ever before been documented and brought to the attention of the court. The corrupt judges listed in this complaint knowingly:

a. Acted without jurisdiction as described in this complaint, which is a major judicial wrongdoing under law.

b. Inflicted deliberately and maliciously great and irreparable personal and financial harm upon plaintiff.

c. Feloniously obstructed justice and aided and abetted the crimes against the United States.

d. Feloniously retaliated against a witness and informant who sought to report and provide evidence of corrupt personnel in government offices.

e. Feloniously retaliated against a citizen desperately seeking relief from massive violations of federally protected rights.

f. Aided and abetted, protected, and rewarded those who were violating the federally protected rights stated in this complaint.

g. Engaged in a conspiracy and fraud to commit the wrongful acts stated in this complaint.

h. Knowingly and repeatedly misused their judicial position and the courts as a corrupt arm of government.

i. Violated their duty and oath of office to uphold and protect the laws and Constitution of the United States when massive violations of these protected were brought to them.

j. Defrauded the United States out of revenue that would have been provided by plaintiff's real estate business if it had not been corruptly destroyed.

103. Plaintiff, who is now 78 years old, files this lawsuit for several reasons, including:

a. Reclaiming properties that were corruptly seized by rogue federal judges.

b. Exposing the criminal activities against the United States that plaintiff started exposing years earlier while a federal investigator, and exposing the criminal activities that he and his group of other government agents and deep-cover operatives discovered.

c. Exposing the judicial corruption occurring in the California and federal courts that are making a mockery of the laws and constitution of the United States and corrupting the courts.

RELIEF DEMANDED BY THIS LAWSUIT

(Declaratory Judgment Relief)

104. Title 28 U.S.C. § 2201 of the Declaratory Judgment Act requires that a federal judge provide a remedy “in case of actual controversy [to] declare the rights and other legal relations of any interested party seeking such declaration.”

105. Title 28 U.S.C. § 2202 of that act provides for appropriate relief, including damages, following the declaration of these rights. There obviously exists actual controversies adversely affecting plaintiff that have inflicted enormous personal and financial harm upon him and which continues to this day.

106. This court should render the following orders under the Declaratory Judgment Act, stating that:

a. Plaintiff's divorced status and property rights adjudicated and stated in divorce judgments filed in various jurisdictions throughout the United States, showing a divorce to have occurred between plaintiff and Emma on January 31, 1966, must be recognized by all judges, along with the personal and property rights and the absence of any financial obligations between the parties.

b. The July 28, 1988 California “divorce” judgment (dissolution of marriage) is void. As a matter of law in plaintiff's prior states of residence, under federal law, and under California controlling law, there was no marriage to terminate. Further, that California judgment was rendered while lacking jurisdiction, in violation of large numbers of state and federal laws and constitutional protections, denying plaintiff the right to even appear at the hearing, making a mockery of due process.

c. The property rights acquired by plaintiff after the January 31, 1966 divorce must be recognized as being the properties solely owned by plaintiff, and that his prior wife had no claim on these properties as a result of the terminated marital relationship.

d. The orders and judgments rendered by California judges in the “divorce” action violated federally protected rights, including:

i. The Full Faith and Credit Clause in the federal Constitution and federal statute.

ii. The constitutional right to unabridged interstate travel.

iii. The due process and equal protection clause.

e. That the holdings in the published decision by Judges Donald King, Harry Low, and Zerne Haning, of the First District California Court of Appeal, violates federally protected rights and constitutes an unlawful and unconstitutional attack upon fundamental rights and protections guaranteed by the laws and Constitution of the United States. (*In re Marriage of Stich*, 167 Cal.App.3d 226 (April 24, 1985))

f. Further importance of such a decision arises from the fact that the published decision constitutes a threat to other divorced people who exercise the constitutional right to change residence without losing previously adjudicated and previously acquired personal and property rights.. California Rule of Court Rule 976(b) provides that a published decision “establishes a new rule of law ... involves a legal issue of continuing public interest; ...makes a significant contribution to legal literature by reviewing either the development of a common law rule or the legislative or judicial history of a provision of a constitution, statute, or other written law.”

g. That the orders by California judges for plaintiff to pay money sanctions to Friedman, in retaliation for exercising procedural due process rights, and the threat of additional retaliation, are unlawful, unconstitutional, and criminal acts under Title 18 U.S.C. § 241.

h. That any other money order rendered in the sham California divorce action is void.

i. Damages should be ordered against those who received money as a result of the sham 1988 California divorce judgment, and those attorneys and law firms who were responsible for initiating the bogus divorce action.

Void Orders By Renegade Chapter 11 Judges

j. Declare as void Judge Robert Jones' October 8, 1988 orders taking plaintiff's assets, and the return to plaintiff of these properties, on the basis that:

i. The orders were rendered without personal and subject matter jurisdiction, based upon the prior verbal and written orders refusing to accept jurisdiction.

ii. The orders knowingly and willfully violated major and fundamental constitutionally protected rights.

iii. The orders and proceedings constituted fraud upon the court and upon plaintiff.

k. Declare as void all subsequent orders rendered by Chapter 11 judges, including mortgages or loans or any other legal filing on plaintiff's real estate and assets, and any other order rendered in the two Chapter 11 cases. This would include documents relating to replacement loans, transfer of real and personal properties, and liens.

l. Declare as void all actions taken by the trustees, the law firms and other persons or organizations that they employed, and any other party who had an affect upon plaintiff's assets and properties, and require them to reimburse plaintiff for the value of these matters, increased in consideration of what their value would be today.

m. Declare that all such personal and real properties shall be immediately returned to plaintiff, and require defendants to pay for all costs associated with the return of these assets and properties.

n. Declare all money orders rendered by Chapter 11 judges as void, and all money paid out from plaintiff's assets to be promptly refunded to plaintiff, including interest.

o. Provide for financial penalties and contempt of court against those who fail to carry out these remedies.

p. Declare that orders rendered by U.S. District Courts voiding plaintiff's procedural due process rights, barring him from court access, and voiding for him the fundamental protections in the laws and Constitution of the United States, to be unlawful and unconstitutional orders, and outside the judge's authority.

q. Declare that federal judges' retaliation against plaintiff, by charging him with criminal contempt of court, from 1987 to 1995, for exercising procedural due process remedies, to be unlawful and unconstitutional, and felonies under Title 18 U.S.C. § 241.

r. Declare that federal judges' retaliation against plaintiff for seeking to provide evidence of criminal activities under the mandatory crime report statute, Title 18 U.S.C. § 4, to be felonies under Title 18 U.S.C. §§1505, 1512, 1513, and in turn, other felonies related to obstruction of justice.

s. Order financial damages, under Title 28 U.S.C. § 2202 , against every defendant.

t. A March 7, 2000 Ninth Circuit court of appeals decision, Grava v. Immigration and Nationalization Service, No 98-70981, INS No. A70-186-394, held that a whistle-blower from the Philippines, suffering retaliation for reporting drug smuggling by government personnel, can obtain political asylum in the United States. Using that reasoning, plaintiff requests a ruling as to the type of asylum plaintiff is entitled to, for reporting similar drug smuggling (and other corrupt activities), and suffering retaliation from federal judges in the United States for reporting such crimes.

u. Render other relief as appropriate.

Defendant Attorneys and Law Firms Are Not Immune

107. Defendants who are attorneys or law firms are not immune for their violations of plaintiff's civil rights. They initiated and/or continued the sham lawsuit in the California courts when they knew it violated dozens of California and federal statutes, rules of court, and constitutional protections, combined with statutory absence of jurisdiction and Emma's continued declarations that she was divorced in 1966. They committed fraud against plaintiff and the courts, acted in a conspiracy, made a mockery of the rule of law and the courts, and maliciously inflicted great and irreparable harm upon plaintiff. By their deliberate and malicious acts, they lost any immunity that they might otherwise have had.

Statement Of Other Claims

COUNT ONE

(Violation of Civil Rights Act, Title 42 U.S.C. Section 1983)

108. Plaintiff repeats and realleges all preceding paragraphs by reference, as if fully stated in this Count.

109. All defendants directly and indirectly violated, and aided and abetted the violations, of plaintiff's civil and constitutional rights under color of state law, and caused plaintiff to suffer great and irreparable personal and financial harm. They violated Title 42 U.S.C. Sections 1983-1986.

COUNT TWO

(Conspiracy To Interfere With Civil Rights, Title 42 U.S.C. Section 1985)

110. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

111. All defendants violated Title 42 U.S.C. Section 1985, by entering into a conspiracy to violate, and to aid and abet the violations in the California lawsuit. The sequence of events in the California and federal courts clearly meet the criteria of a conspiracy.

COUNT THREE

(Failure To Prevent Civil Rights Violations, Title 42 USC § 1986)

112. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

113. All defendants violated their responsibilities under Title 42 U.S.C. § 1986, by refusing to prevent or aid in the prevention of the civil rights violations which they had the ability to do, and which they knew existed.

COUNT FOUR
(Civil RICO Violations, Title 18 USC §§ 1961-1965)

114. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

115. Each defendant engaged in a pattern of racketeering activities affecting interstate and foreign commerce as defined in the RICO statutes, in Title 18 U.S.C. § 1961(1)(5), and as stated in this complaint.

116. Defendants' predicate acts consisting of the racketeering activities continued without interruption from December 1982 to March 1999, and involved two or more predicate acts by each defendant, affecting interstate commerce, as described in this complaint.

117. Each defendant directly and indirectly played roles in obstructing justice by preventing plaintiff from reporting the criminal activities detailed in plaintiff's third editions of Defrauding America and Unfriendly Skies and the first edition of Drugging America.

118. Each defendant named in this action is a "person" within the meaning of Title 18 U.S.C. § 1961(3).

119. Each defendant, by their words and their actions, showed that they had agreed to participate, directly or indirectly, in the affairs of the enterprise through the perpetration of multiple predicate acts.

120. Each defendant acted within the scope of the enterprise. Defendants combined to form an "association-in-fact" enterprise under RICO for a common purpose of engaging in a course of conduct that defrauded plaintiff, that affected interstate commerce, and indirectly defrauded the United States, as stated in this complaint.

121. Each defendant, in violation of Title 18 U.S.C. § 1962(a) and § 1962(b), persons within the meaning of RICO, through their predicate racketeering activities, acquired and maintained an interest in the enterprise and to continue their acts in the conspiracy, furthering the cause of the enterprise. The proceeds of their predicate acts came from void, unlawful and unconstitutional orders rendered in the California and federal courts. These predicate acts, and the proceeds from them, affected interstate and foreign commerce.

122. Each defendant participated directly and indirectly in the conduct of the enterprise, and violated Title 18 U.S.C. § 1962(c), which provides that "it shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity"

123. Plaintiff is entitled to an order, under 18 U.S.C. § 1964(a), requiring defendants to divert themselves of any interest, direct or indirect, that they received from their predicate acts against plaintiff, and for plaintiff to recover threefold the damages plaintiff sustained, including attorney's fees.

124. Under 18 U.S.C. § 1964(c), plaintiff is entitled to sue "in any appropriate United States district court and shall recover threefold the damages he sustained and the cost of the suit, including a reasonable attorney's fee."

125. The predicate acts affecting interstate commerce occurring in the California and federal courts include:

a. Rendering orders, and aiding and abetting such orders, that violated the constitutional right under the commerce clause to change residence without losing previously adjudicated and previously acquired property rights, and thereby affected interstate commerce.

b. Subverting the laws and Constitution of the United States that protect the right to interstate commerce including interstate travel under the commerce.

c. Blocking, directly and indirectly, and as part of the conspiracy, plaintiff's reporting of corrupt acts involving domestic and international aviation, which plaintiff personally discovered while an inspector and investigator for the Federal Aviation Administration. By blocking the reporting of these corrupt activities that played a key role in a series of fatal airline crashes, other crashes occurred and other people were killed. Interstate and foreign commerce were affected.

d. Blocking plaintiff's reporting of criminal activities that affected interstate and foreign commerce. These criminal activities included drug smuggling into and throughout the United States, corruption in the nation's bankruptcy courts that affect interstate commerce, and other wrongful acts.

e. Fraudulently, and in violation of federally protected rights, taking plaintiff's properties located in two different states, thereby affected interstate commerce.

f. Corruptly and in a pattern of fraud, taking plaintiff's assets that funded his investigative and exposure activities. These acts affected interstate commerce.

g. Halting plaintiff's real estate activities in two or more states.

h. Blocking plaintiff from reporting the corruption in the bankruptcy courts that affected interstate commerce.

i. Directly and indirectly assisting in converting the federal courts into a corrupt arm of government, adversely affecting the public's trust in the courts, in the system of justice, in the constitutional protections, and thereby affecting interstate commerce.

126. Each of the defendants knew of the corrupt role of the other defendants, with the exception that the California judges assumably did not know of the subsequent conspiracy acts in the Chapter 11 courts, although they were a part of the overall conspiracy.

California and Federal Judges and Courts Were Part of the Enterprise

127. Defendants, a RICO enterprise, consisted of a group of individuals who were California and federal judges, attorneys and law firms, and other persons not yet known. They acted in concert, misusing in a corrupt manner the federal courts in the Ninth Circuit and the California courts, as stated in this complaint. This enterprise includes the California and federal courts. Government offices and courts have been recognized as RICO enterprises.

(See *United States v. Thompson*, 685 F.2d 993 (6th Cir. 1982), alleging that governor's office in Tennessee was a criminal enterprise.) See also *United States v. Stratton*, 649 F.2d 1066 (1981) alleging that Florida's Third Judicial Circuit met the requisite of a RICO enterprise; *United States v. Clark*, 646 F.2d 1259 (8th Cir. 1981), holding that a governmental agency can be a RICO enterprise, and listed several, including examples: the office of county judge to be an "enterprise" under the RICO Act and any other government agencies or offices; *United States v. Altomare*, 625 F.2d 5, 7, n.7 (4th Cir. 1980, the office of county prosecutor; *United States v. Grzywacz*, 603 F.2d 682, 686 (7th Cir. 1979), the city police department.

COUNT FIVE

(Violating Bivens Doctrine)

128. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

129. All defendants violated plaintiff's civil rights under the color of federal law, with the exception that the direct involvement of the California judges named in this complaint occurred earlier. Federal judges, trustees, attorneys, law firms, appearing in federal courts, all acted under

color of federal law, violating plaintiff's civil rights, and causing plaintiff to suffer great and irreparable personal and financial harm.

COUNT SIX

(Intentional Violation and Deprivation of Common Law Torts)

130. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

131. All defendants intentionally perpetrated torts against plaintiff, and aided and abetted such wrongful acts. These acts inflicted great and irreparable harm upon plaintiff.

COUNT SEVEN

(Fraud Against Plaintiff)

132. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

133. All defendants engaged in a pattern of fraud against plaintiff, and entered a conspiracy to do so, which inflicted great and irreparable harm upon plaintiff.

COUNT EIGHT

(Conspiracy)

134. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

135. All defendants engaged in a conspiracy against plaintiff, which consisted of criminal acts which caused great and irreparable harm upon plaintiff. The conspiracy is proven by inference, in accordance with law (*United States v. Calaway* (9th Cir. 524 F.2d 609), by the conduct, statements, documents, and facts and circumstances. These requirements are amply shown within this complaint.

COUNT NINE

(Fraudulent and Intentional Interference with Prospective Economic Advantage)

136. Plaintiff repeats and realleges all preceding paragraphs by reference, as if fully stated in this Count.

137. All defendants either directly or indirectly, interfered with plaintiff's prospective economic advantage.

COUNT TEN

(Negligent Interference with Prospective Economic Advantage)

138. Plaintiff repeats and realleges all preceding paragraphs by reference, as if fully stated in this Count.

139. All defendants negligently interfered with plaintiff's prospective economic advantage.

COUNT ELEVEN

(Intentional Infliction of Emotional Distress)

140. Plaintiff repeats and realleges all preceding paragraphs by reference, as if fully stated in this Count.

141. All defendants intentionally inflicted upon plaintiff emotional distress during the time frame covered by this Complaint.

COUNT TWELVE

(Negligent Infliction of Emotional Distress)

142. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

143. As a result of the above wrongful acts, plaintiff suffered negligent infliction of emotional distress during the time frame covered by this Complaint.

COUNT THIRTEEN
(Destruction of Quality of Life)

144. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

145. As a result of defendants' deliberate and predicate acts, plaintiff lost the quality of life that he had previously enjoyed. This loss started in 1982 and continues to this date, and will probably continue until plaintiff dies.

COUNT FOURTEEN
(Destruction of Plaintiff's Credit Worthiness)

146. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

147. As a result of defendants' deliberate wrongful acts, plaintiff suffered a loss of his credit worthiness, which prevented him from engaging in his former real estate business.

COUNT FIFTEEN
(Breach of Fiduciary Duty and Fraud)

148. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

149. As a proximate result of the fraud and breach of fiduciary duty by defendant Joshua Landish, while acting as plaintiff's attorney in the Chapter 11 proceedings, plaintiff suffered great and irreparable financial and personal harm.

COUNT SIXTEEN
(Breach of Duty)

150. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

151. As a proximate result of a breach of duty by Marin County attorney Vernon Lester Bradley, who was hired by plaintiff to monitor the performance of Landish, plaintiff suffered the loss of his real estate and the other harms stated in this complaint.

COUNT SEVENTEEN
(Invasion of Privacy)

152. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

153. All defendants engaged in wrongful acts, or aided and abetted in such wrongful acts, that constituted an invasion of plaintiff's privacy.

COUNT EIGHTEEN
(Interference With Professional and Business Relations)

154. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

155. All defendants conspired to willfully and intentionally engage in the tortious disruption of, and interference with, plaintiff's advantageous professional and business relations.

COUNT NINETEEN
(Violation of Constitutional Due Process Clause)

156. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

157. Defendants knowingly and repeatedly violated plaintiff's right to procedural and substantive due process in the courts of the State of California and the United States.

COUNT TWENTY
(Vicarious Liability)

158. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

159. Defendant California and federal judges had a responsibility to the United States and to plaintiff to uphold and protect the laws and Constitution of the United States. Instead, they used their positions and courts to violate, to aid and abet the violations, and to encourage the violations. They are liable to plaintiff for damages under the vicarious liability doctrine.

COUNT TWENTY-ONE
(Malicious Omission Of A Duty)

160. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

161. All defendants were guilty of malicious omission of a duty to plaintiff, to the court, and to the United States. The omission of a duty is, in law, the equivalent of an act, and when harm results, the person or persons refusing to perform a duty is guilty of a wrong and liable to the victim of such wrongdoing. The principle of culpable omissions is no stranger to federal law. The financial liability for this omission of a duty is found in Title 28 U.S.C. § 1343 and also found in 42 U.S.C § 1986.

162. Federal judges repeatedly refused to perform a mandatory duty to provide a federal court forum for the federal issues stated in plaintiff's complaints, aided and abetted the violations through a corrupt misuse of their judicial positions and the courts, and refused to receive evidence of criminal activities, thereby obstructing justice. It is a federal offense for any officer or judge to refuse to perform a duty owed to another, and especially in light of the serious issues raised in this complaint.

COUNT TWENTY-TWO
(Fraudulent Taking of Real Estate and Businesses)

163. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

164. As a proximate result of defendants wrongful acts, plaintiff suffered the loss of his real estate holdings, which in 1987 were valued at \$10 million.

COUNT TWENTY-THREE
(Taking Earning Capability)

165. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

166. As a result of the above deliberate wrongful acts, plaintiff suffered the loss of earnings from his real estate investments and business for the period 1982 through 1999, and this loss will continue for the remainder of plaintiff's life.

COUNT TWENTY-FOUR
(Retaliation For Reporting Criminal Activities)

167. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

168. The federal judges named in this complaint retaliated against plaintiff for seeking to report criminal activities involving high government personnel, despite the fact that plaintiff was required to report such crimes to a federal judge under 18 U.S.C. § 4. Further, that plaintiff, and any other citizen, such misconduct by government employees under the First Amendment to the Constitution, and a further right under 28 U.S.C. § 261.

COUNT TWENTY-FIVE

(Retaliation for Exercising Due Process Remedies In California Courts)

169. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

170. Defendant California judges and Friedman acted in unison to retaliate against plaintiff for exercising due process procedural remedies in the sham California lawsuit.

COUNT TWENTY-SIX

(Retaliation For Exercising Due Process Remedies In Federal Courts)

171. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

172. Defendant federal judges retaliated against plaintiff for exercising due process procedural remedies in the federal courts.

COUNT TWENTY-SEVEN

(Retaliation For Reporting Air Disaster Related Corruption)

173. Plaintiff repeats and realleges all preceding paragraphs by reference, as if stated fully in this Count.

174. In earlier retaliation by government personnel, plaintiff was forced to leave his position as an inspector-investigator for the Federal Aviation Administration (FAA). Plaintiff had discovered, and documented (as did other FAA inspectors), a pattern of corruption among management at United Airlines and the FAA that played a key role in a series of fatal airline crashes. In retaliation for attempting to carry out the air safety responsibilities of the federal government, plaintiff lost his government position, his chance for advancement, and other financial losses. Consideration should be given to compensate plaintiff for these losses.

Damages Demanded From Defendants

175. Plaintiff demands from defendants, damages, punitive damages, costs, and attorney fees, and whatever other relief is provided by a jury and the court.

176. As to Counts One and Two, under the Civil Rights Act, judgment in an amount not less than \$10 million against Friedman and the defendant California judges.

177. As to Count Three, Failure To Prevent Civil Rights Violations, judgment in the amount of not less than \$20 million, individually and collectively, against all defendants.

178. As to Count Four, civil RICO, judgment in the amount of not less than \$10 million, and triple damages, individually and collectively against all defendants.

179. As to Count Five, Bivens, violation of plaintiff's civil rights under color of federal law, judgment in the amount of not less than \$10 million, individually and collectively, against all judicial and non-judicial defendants appearing in the Chapter 11 cases.

180. As to Count Six, Common Law Torts, judgment in the amount of not less than \$10 million, against Friedman.

181. As to Count Seven, Fraud Against plaintiff, judgment in the amount of not less than \$10 million, individually and collectively against all defendants.

182. As to Count Eight, Fraudulent and Intentional Interference with Prospective Economic Advantage, in the amount of not less than \$10 million, individually and collectively against all defendants.

183. As to Count Nine, Conspiracy Against plaintiff, in the amount of not less than \$10 million, individually and collectively against all defendants.

184. As to Count Ten, Negligent Interference with Prospective Economic Advantage, judgment in the amount of not less than \$5 million, individually and collectively against all defendants.

185. As to Count Eleven, Intentional Infliction of Emotional Distress, judgment in the amount of not less than \$5 million, individually and collectively against all defendants.

186. As to Count Twelve, Negligent Infliction of Emotional Distress, judgment in the amount of not less than \$5 million, individually and collectively against all defendants.

187. As to Count Thirteen, Destruction of Quality of Life, judgment in the amount of not less than \$10 million, individually and collectively against all defendants.

188. As to Count Fourteen, Destruction of plaintiff's Credit Worthiness, judgment in the amount of not less than \$5 million, individually and collectively against all defendants.

189. As to Count Fifteen, Breach of Fiduciary Duty and fraud by plaintiff's attorney, judgment in the amount of not less than \$15 million against Joshua Landish.

190. As to Count Sixteen, Breach of Duty, judgment in the amount of not less than \$10 million, against Joshua Landish.

191. As to Count Seventeen, Invasion of Privacy, judgment in the amount of not less than \$5 million, individually and collectively, against Friedman.

192. As to Count Eighteen, Interference with Professional and Business Relations, judgment in the amount of not less than \$10 million, individually and collectively, against all non-judicial defendants.

193. As to Count Nineteen, Violation of Constitutional Due Process, judgment in the amount of not less than \$10 million, individually and collectively against all defendants.

194. As to Count Twenty, Vicarious Liability, judgment in the amount of not less than \$5 million against those defendants having a duty to perform and who did not.

195. As to Count Twenty One, Malicious Omission of a Duty, judgment in the amount of not less than \$10 million.

196. As to Count Twenty Two, Fraudulent Taking of Property, judgment in the amount of not less than \$15 million.

197. As to Count Twenty Three, Taking Earnings, judgment in the amount of not less than \$5 million.

198. As to Count Twenty Four, Retaliation for reporting Criminal Activities, judgment in the amount of not less than \$2 million.

199. As to Count Twenty Five, Retaliation For Exercising Due Process Remedies in California Courts, judgment in the amount of not less than \$10 million.

200. As to Count Twenty Six, Retaliation For Exercising Federal Process Remedies in Federal Courts, judgment in the amount of not less than \$20 million.

201. As to Count Twenty Seven, Retaliation For Reporting Crash Related Corruption, judgment in the amount of not less than \$10 million.

202. Punitive damages on all counts.

203. Plaintiff demands a jury trial on all claims for which a jury trial is a right.

Rodney Stich

VERIFICATION

I, Rodney Stich, declare that the facts stated in this Complaint are known to me personally, and for those few that I do not know personally, are stated here on the basis of information and belief. Executed this 16th day of March 2000.

Rodney Stich