

## **Last Federal Filing—Prior to 9-11—to Report Corrupt and Criminal Activities Related to Prior Aviation Disasters**

The following is a copy of the amended complaint filed in the U.S. district court at Reno, Nevada on March 23, 2000. Understanding the pattern of misconduct by the defendants will reveal how the safeguards that should have prevented the terrorists from succeeding were blocked by corrupt actions of people in the FAA, NTSB, Department of Transportation, Justice Department personnel, members of Congress, federal judges, lawyers and law firms.

The results of this ongoing misconduct has been a series of continuing tragedies inflicted upon Americans (and people throughout the world). In the aviation environment, the results of this misconduct, the cover-ups, the retaliation against former federal agents, include numerous fatal hijackings, fraud-related air disasters, and the September 11, 2001, terrorist hijackings. These people, their culture, and their misconduct, are still in position, continuing the pattern of cover-ups, and lying, that bode ominously for the American people.

The documented charges in the lawsuit include:

- **Federal judges repeatedly blocking the reports of criminal activities being made by a former federal air safety inspector. These reports were being made under the [federal crime reporting statute](#) by former federal agent Rodney Stich and his group of other federal agents. Among the many areas of criminal activities that federal judges blocked from being reported were those that not only insured the success of the September 11, 2001, hijackers but also encouraged them to carry out their scheme. The judges who refused to perform their administrative duties to receive the information and evidence committed [felonies](#). If the documented information concerning misconduct within the FAA had not been blocked by federal judges, and if they had performed their administrative duties to received the evidence, it is very probable that many prior air disasters, many prior fatal hijackings, and the 5,000 deaths due to the successful hijackings on September 11, 2001, would not have happened. The responsibility of FAA management to take the corrective steps recommended by federal air safety inspectors were repeatedly refused due to the pattern of corruption within the FAA.**
- **Federal judges repeatedly retaliated against Stich for attempting to report the criminal activities. These judicial acts**

are felonies under Title [18 U.S.C. §§ 35, 111, 153, 241, 242, 245\(b\)\(1\)\(B\), 246, 371, 1341, 1343, 1503, 1505, 1512, 1513\(b\), 1515\(a\)](#). This judicial retaliation blocked the reporting of corrupt and criminal acts that had been involved in numerous fatalities. The judicial retaliation against Stich blocked the exposure of the corruption in the FAA and other government offices that resulted in that one day, 5,000 deaths! The continued judicial cover-ups will make possible future tragedies.

- Federal judges seized Stich's \$10 million in real estate assets, which funded his exposure activities, as part of the scheme to silence this former federal air safety inspector. The assets were corruptly seized, violating the legal and constitutional requirements of a notice of hearing, a hearing, and legally required cause. Federal judges then issued orders denying Stich the right to file objections. When an objection was filed, a federal judge (Judge Edward Jellen, Oakland, California) charged him with criminal contempt of court, denied him legal counsel, and sentenced him to federal prison. When Stich filed for relief in a higher court, he was again charged with criminal contempt of court and spent six months in federal prison (on the basis that federal judges had terminated his right to federal court access for the remainder of Stich's life--which exists to this day). Among the consequences: September 11, 2001.
- Federal judges worked in liaison with a CIA-front law firm (San Francisco law firm of Friedman, Sloan and Ross) that filed a sham lawsuit against Stich that was barred by dozens of state and federal laws and constitutional protections. Every federal defense was blocked by federal judges working in unison. The lawsuit sought relief under the Civil Rights Act, the Declaratory Judgment Act, Civil RICO, and damages.
- These are only highlights. There is much more in the corruption by federal judges (and California judges) in that lawsuit that raises alarming national issues with national implications--including but not limited to the events of September 11, 2001. A start to a college education on hard-core corruption in the three branches of government can be found here, and the role played by federal judges and Justices of the U.S. Supreme Court.

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**plaintiff in pro se**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF NEVADA**

RODNEY F. STICH,	) No. CV-N-00-0152-ECR-PHA
WESTERN DIABLO ENTERPRISES, Inc.	)
	) AMENDED COMPLAINT
Plaintiff,	)
	) FOR DAMAGES UNDER CIVIL
vs.	RIGHTS
	) ACT (42 U.S.C. Sections 1983-1986);
Estelle C. Mannis; Kent L. Mannis;	) RICO (18 U.S.C. Sections 1961-1965);
Friedman, Sloan & Ross, P.C.;	) BIVENS DOCTRINE; FRAUD;
Joshua Landish; Vernon Bradley;	) DECLARATORY JUDGMENT
Stanley J. Friedman; Paul G. Sloan;	) (28 U.S.C. Sections 2201, 2202);
Lawrence A. Gibbs; Jeffrey S. Ross;	) CONSTITUTIONAL VIOLATIONS;
Charles Duck; Carolyn E. Moore;	) REPORTING FEDERAL CRIMES
Goldberg, Stinnet & Macdonald;	) (18 U.S.C. Section 4);
Lawrence Goldberg; Terrance C. Stinnnett;	) 28 U.S.C. Section 1361 REQUIRING
Iam Macdonald;	) FEDERAL OFFICER TO PERFORM A
Christopher A. Goelz; Merle C.	DUTY
Meyers; Jerome Robertson;	)
John W. Murray; Susan E. Weber;	) DEMAND FOR JURY TRIAL ON ALL
Murray & Murray, P.C.;	) JURY ISSUES
Rene Feinstein;	)
David Levi; Edward Jellen;	)
Michael McInnis; Harold F. Wolters;	)
William Jensen; J. Clinton Peterson;	)
Donald King; Harry Low;	)
Zerne Haning; Robile, Inc;	)
Concord Properties; Emma Stich;	)
Milton Schwartz; Raul Ramirez;	)
John Moulds; Marilyn Patel;	)
Vaughn Walker; Robert Jones;	)
	)
Defendants.	)

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## **Jurisdiction**

### **1. This action arises under:**

a. The **Constitution of the United States**, and specifically the First Amendment (right to petition government); Fifth Amendment (right to due process and equal protection of the law); Article IV, § 1 (privileges and immunity clause); Article IV § 2 (constitutional right to unbridged interstate travel); and under:

b. **Title 28 United States Code § 1331**, which provides that anyone stating facts raising a federal cause of action has the right to file in the district courts a civil action stating claims arising under the Constitution, laws, or treaties of the United States.

c. **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.

d. **Civil Rights Act, Title 42 United States Code §§ 1983-1986**, that provides a federal remedy to anyone suffering from violations of his civil rights perpetrated under color of state law.

e. **Title 42 U.S.C. § 1985** Conspiracy to interfere with civil rights, based upon the conspiracy by the defendants that repeatedly violated plaintiff's civil rights.

f. **Title 42 United States Code § 1986**, which provides 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.

g. ***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, which occurred continuously and inter-related from 1983 to the present date.

**h. 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.

**i. 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. (Also FRCivP 57)

**j. 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.

**k. The matters in controversy exceed ten million dollars.**

### **Venue**

**2. Venue is based upon the following:**

**a. A number of the wrongful acts and federal causes of action occurred while plaintiff was a resident of the Northern District of Nevada.**

**b. Plaintiff resides in Nevada and California and considers Nevada his domicile.**

**c. Plaintiff's solely owned corporation was and is incorporated in Nevada and has its principal place of business in the Northern District of Nevada.**

**d. A divorce judgment entered as a local judgment in Nevada, establishing plaintiff's personal and property rights, is heavily involved with this action.**

**e. Property in the Northern District of Nevada and in other states was acquired by plaintiff while he was a resident and domicile of Nevada and is involved with this lawsuit.**

**f. Property that was wrongfully taken from Plaintiff included property located in the Northern District of Nevada.**

**g. All defendants participated in wrongful conduct that affected Northern Nevada interests, including property and plaintiffs residences and domicile.**

**h. Venue exists in any location for reporting criminal activities to a federal judge, as required by federal crime reporting statute, Title 18 U.S.C. § 4.**

**i. Venue lies in this district pursuant to 28 U.S.C. §§ 1391(a), (b), (e); 1392(b); 1402(b).**

**j. Further, plaintiff cannot exercise the rights and responsibilities in district courts of California because of the following conditions:**

**i. Federal judges in the district and appellate courts have blocked the reporting of criminal activities by Plaintiff and his group of government whistleblowers which plaintiff sought to report to a federal judges under the mandatory requirements of the federal crime reporting statute, Title 18 U.S.C. Section 4. The internal security of the United States continues to be adversely affected by these criminal acts and the obstruction with the reporting of them to a federal judge.**

**ii. Federal judges in Northern and Eastern California have feloniously retaliated against plaintiff for seeking to report these crimes. These retaliatory acts were felonies under Title 18 U.S.C. §§ 1505, 1510, 1512, 1513(b). They are also felonies by obstructing justice under Title 18 U.S.C. §§ 2, 3, and 4.**

### **Statute Of Limitations**

3. The violations of federally protected rights, for the purpose of this lawsuit, continued without interruption from 1982 to the present date, consisting of continuing violations. One of the latest acts 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 that were corruptly, unlawfully, and unconstitutional seized.. Certain federal causes of actions constituting major violations of federally protected rights, a part of a convoluted pattern of unlawful conduct, occurred when plaintiff sought refuge in Chapter 11 courts from the civil rights violations occurring during the past 20 years. The bankruptcy case was closed on September 3, 1999.

### **Plaintiffs**

4. Rodney F. Stich is a former Navy pilot in World War II, a former international airline captain, a former inspector-investigator for the Federal Aviation Administration (FAA), and for many years a private investigator. His discovery of serious criminal activities relating to a series of fatal airline crashes occurring in his area of federal air safety responsibilities led him to embark on a crusade to bring these matters to justice. Over a period of many years, his activities were joined by a group of other government whistleblowers who sought to report criminal activities in high government offices and covert government operations. He published eight books and appeared as guest and expert on over 3,000 radio and television shows since 1978. These books include the third editions of *Defrauding America* and *Unfriendly Skies* and the first editions of *Drugging America* and *Disavow*.

5. Western Diablo Enterprises, incorporated in Nevada in 1984, contained the bulk of plaintiff's real estate properties that funded his exposure activities, and was plaintiff's *de facto* properties. Both of these plaintiffs are hereinafter referred to as "plaintiff."

### **Defendants**

**6. The defendants in this lawsuit are California judges, federal judges, and attorneys and law firms. The 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. The California judicial defendants were directly involved in the wrongful acts constituting federal causes of actions from 1982 to 1986 and as part of a conspiracy were implicated throughout the 1982 to 2000 time period covered by this lawsuit. They violated and conspired to violate plaintiff's civil rights and knowingly inflicted great and irreparable harm upon plaintiff. They became part of a RICO Enterprise and RICO conspiracy. California judges are sued in their official and non-official capacities. Some have left their former judicial positions.**

**7. Federal judges aided and abetted, and expanded on the wrongful acts. For the purpose of this lawsuit, they 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. Federal judges are sued in their official and non-official capacities. Some of these federal judges have left the federal judiciary.**

**8. Attorneys and law firms named as defendants 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.**

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

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

**11. The United States of America is listed as a defendant for its role in allowing federal personnel to engage in the wrongful acts described in this amended complaint.**

**Preliminary Statement**

**12. Matters of grave national issues are intertwined with this lawsuit and are adversely affecting the internal security of the United States. Serious allegations are stated in this lawsuit, most of which are proven by judicial records.**

**13. This action raises multiple federal causes of actions for which federal judges have a mandatory responsibility to provide a federal court forum and relief. Plaintiffs, both individually and as a class, a whistleblower against corrupt government personnel, have been deprived of personal and property rights without, and in direct and repeated violations of due process of law. Although all allegations must be accepted as true at this stage of the pleading, most of the allegations are proven in judicial records, and plaintiff requests that judicial notice be taken of these records. Further, during discovery, this evidence will be entered into these proceedings.**

**Thumbnail Highlights Of the Convolutd Scheme To  
Obstruct Justice**

**14. Basically, the evidence strongly indicates that the reasons for the record setting numbers of violations judicially inflicted upon plaintiff by California and federal judges arose from a convoluted scheme concocted somewhere high in the federal government to strip plaintiff of the considerable assets he possessed that funded his exposure of high-level corruption in government.**

**15. The overt part of the scheme was initiated by the San Francisco law firm of Friedman, Sloan and Ross, which had been identified to plaintiff by two reliable sources as a CIA-front law firm. The apparent thought was that plaintiff's assets would be promptly taken from him by cooperating California judges. But when plaintiff unexpectedly exercised federal remedies for the multitude of violations of federally protected rights, it then became necessary to obtain the cooperation of federal judges. The escalation of the violations of law by federal judges increased the number of remedies under the laws and Constitution of the United States. A judicial crisis was eventually reached, which federal judges rendering unlawful and unconstitutional orders**

converting plaintiff into a citizen of the United States stripped of the protections in law while the judicial offices and the courts openly and corruptly inflicted great and irreparable harm upon him. Further details can be found in the attached Addendum "A," which is the third edition of the book, *Defrauding America*. Bizarre as this sounds, for those who have an inside knowledge of covert government operations, it is easy to understand and proven by judicial records.

**16. Plaintiff seeks:**

**a. A return to him of the assets that were unlawfully and unconstitutionally seized by judicial defendants named herein, who acted without jurisdiction while concurrently violating large numbers of federal laws and constitutional safeguards, and compounding these acts by felonious retaliation when plaintiff exercised federal due process remedies.**

**b. Damages from the defendants as stated herein.**

**c. Declaratory judgment to declare certain rights and legal obligations as stated in this action.**

**d. A demand for this court to receive reports and evidence of criminal activities that Plaintiff and his group of present and former government agents have discovered, as can provide. Federal judges must receive these reports and evidence under the clear wording of the federal crime reporting statute, Title 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."

e. These present and former government agents include plaintiff, who is a former federal investigator, from former heads of secret Central Intelligence Agency airlines and CIA financial operations, and agents of the FBI, CIA, DEA, Customs, INS, Secret Service, and other government and non-government insiders.

f. Included in these criminal activities are drug smuggling by the Central Intelligence Agency, judicial corruption in the bankruptcy courts, the cover-ups of these matters by other government personnel, as detailed in this action and in plaintiff's books, including the third editions of *Defrauding America* and *Unfriendly Skies*, and the first edition of *Drugging America*. The book *Defrauding America* is made a part of this lawsuit and included as Addendum "A."

17. More details are presented in this amended complaint because of the requirement of Federal Rule of Civil Procedure 9(b), which requires that allegations of fraud, condition of mind, and conspiracy be stated with specificity rather than general allegations. Further, the great number of repeated violations of federally protected rights over a 20-year period requires more detail than a single violation of federally protected rights. Prior to that 20-year period, plaintiff documented, as a federal inspector, criminal activities related to a series of fatal airline crashes occurring in plaintiff's area of federal air safety responsibilities.

18. This lawsuit addresses a convoluted pattern of unlawful and unconstitutional acts that focused on blocking plaintiff's reporting of serious criminal activities that plaintiff and his group of government whistleblowers sought to report. Each defendant listed in this amended complaint covered up for, and enlarged upon, the criminal and civil rights violations of those who preceded them.

## **A Brief History Of Earlier Events**

19. To help understand the events that preceded the attacks upon plaintiff which, for the purpose of this lawsuit, commenced in 1982 and continues to this day, plaintiff presents a brief outline. As an inspector-investigator for the Federal Aviation Administration (FAA), Plaintiff discovered and reported federal air safety and criminal violations relating to a series of airline crashes in his area of federal air safety responsibilities while he held air safety responsibilities for the most senior program at United Airlines. Implicated in the corrupt activities were management personnel at United Airlines and the Federal Aviation Administration. Federal inspectors were blocked from carrying out federal air safety responsibilities. Harassment and threats by key management personnel at United Airlines and within the FAA blocked inspectors from carrying out the federal government's air safety responsibilities in such a manner that a series of fatal airline crashes occurred. Evidence of this misconduct is in plaintiff's possession, and detailed in plaintiff's book, the third edition of *Unfriendly Skies* and in a condensed section in the third edition of *Defrauding America*. These were criminal acts associated with the deaths of many people in a series of specific airline crashes.

20. 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. These included key personnel in the Federal Aviation Administration (FAA), the National Transportation Safety Board (NTSB--called CAB Bureau of Safety at that time), and the Department of Justice.

21. The cover-ups and criminal obstruction of justice by NTSB officials required falsification of government accident reports, which expanded the criminal activities. In turn, the cover-ups and the falsified accident reports covered up for the air safety and criminal violations involved in prior crashes, which then became involved in subsequent crashes. As expected, the cover-ups and falsified accident reports continued.

22. Plaintiff documented many of the crash-related misconduct as he forced an unprecedented four-month-long hearing upon the FAA during which he acted as a self-appointed independent counsel. Three other fatal crashes in plaintiff's

area of direct air safety responsibilities occurred during that hearing which were due to the air safety and criminal violations plaintiff and other inspectors had discovered. Perjury and subornation of perjury by FAA management and FAA legal counsel was rampant and proven during that hearing.

**23. Armed with additional evidence of criminal activities** arising during the four-month-long hearing and associated with identifiable airline crashes, plaintiff offered evidence to the Department of Justice and to the U.S. attorneys at Denver, Oklahoma City, and eventually San Francisco. In the first of what plaintiff discovered for the next 35 years, each office engaged in cover-ups and obstruction of justice. Seeking to circumvent this high-level block, plaintiff appeared before a federal grand jury at Denver. It was here that he discovered the ability of the U.S. attorney to block a grand jury investigation of high-level corruption in government.

**24. These attempts to meet responsibilities as a federal investigator resulted in retaliation**, which caused plaintiff to eventually leave the FAA and continue the exposure of these criminal activities as a private citizen. As the covered up corruption continued to play a key role in other air disasters, plaintiff used his considerable assets to publish books, appear as guest on hundreds of radio and television shows, and filed federal actions in San Francisco and Los Angeles district courts under Title 18 U.S.C. § 4 and 28 U.S.C. § 1361. These included:

*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.).

**25. In the actions filed in the U.S. district courts at San Francisco**, the judges were sympathetic but denied they had the responsibility under these statutes, claiming it was the responsibility of Congress to take action. Every filing was authorized under Title 28 U.S.C. §§ 1361 and Title 18 U.S.C. § 4.

**a. Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty.**

The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

**b. 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."

26. These dismissals by federal judges made possible the continuation of the air safety and criminal violations that plaintiff and other FAA inspectors discovered at United Airlines and within the FAA. As expected, further crashes and further deaths followed the cover-up. These matters are detailed in plaintiff's third edition of *Unfriendly Skies*.

27. In Plaintiff second edition of *Unfriendly Skies*, he named the federal judges who refused to act and who made possible the continuation of the air safety and criminal violations that made possible other air disasters. Plaintiff's continued appearances on radio and television shows and the continued sales of the book threatened to expose federal judges, Justice Department offices, members of Congress, and United Airlines personnel.

**The Probable Motive For the Start Of Judicial Retaliation**

28. The start of the judicial violations of federally protected rights commenced with the filing of a sham lawsuit against plaintiff in California on December 12, 1982. (*In re the Marriage of Stich*, 83472, Solano County Superior Court, Fairfield, California.).

29. The lawsuit was filed by the San Francisco law firm of Friedman, Sloan and Ross. The Friedman law firm and their attorneys (hereinafter called "Friedman") who took part in the 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. These were the assets that funded plaintiff's investigative and exposure activities that threatened federal judges in the Ninth Circuit and other implicated government personnel.

### **Legally Divorced For the Prior Two Decades**

**30. The divorce action was a sham and apparently the bizarre scheme concocted in a powerful government position intended to strip plaintiff of the assets that funded his exposure of corruption and the cover-ups.** There was no marital relationship, either in law or in fact. 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).**

**a. Registration of the January 31, 1966 divorce judgment in the Superior Court, Contra Costa County, action number 251773 (under C.C.P. §§ 1699(b) and C.C. § 5164); Registration of the Contra Costa divorce judgment filing in the Superior Court, Solano County, State of California, action 91929; *Judicial entry of the Contra Costa county confirmed judgment into the Nevada courts, Second Judicial District of Nevada, County of Washoe, case number 85-5391, and foreign judgment registry, number 31; Registration of the 1966 divorce judgment in the District Court of Oklahoma County, Oklahoma City, Oklahoma, Case number FD-86-5870; Registration of the Contra Costa confirmed judgment in the Civil Courts of Dallas County, Dallas, Texas, in Volume Two, Page 78, Foreign Judgment Register.***

**32. Other evidence of plaintiff's divorced status existed:**

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

**b. 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 continued to declare herself divorced in her resident State of Texas.**

**c. After the California divorce action was filed by the Friedman law firm claiming Emma wanted a divorce, Emma applied to the Social Security Administration for higher Social Security benefits on the basis of the 1966 divorce judgment.**

**d. The federal government, through the Social Security Administration, recognized that 1966 divorce judgment and increased her Social Security payments.**

**33. When it became necessary, Emma declared herself married to plaintiff in the California action, while simultaneously declaring herself divorced in her resident state of Texas. This fraud, the false declarations, the perjury during the California lawsuit, was suborned by Friedman.**

### **Record-Setting Violations of California and Federal Laws and Constitutions**

**34. The California lawsuit violated large numbers of California laws required California judges to recognize each of the existing divorce judgments and the divorced status and property rights established in those judgments. Over 21 California statutes and over nine rules of court blocked the continuation of the lawsuit. In addition, California law deprived California judges of personal and subject matter jurisdiction for the cause of action filed under the Family Law**

Act. For six years, from 1982 to 1988, the defendants, acting under color of state law, violated these laws and constitutional safeguards while inflicting great and irreparable harm upon plaintiff. The laws repeatedly violated included:

a. **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. **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. **Law depriving California judges of personal and subject matter jurisdiction** for the cause of action under the Family Law Act on the basis of the prior 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. **Law depriving California judges of jurisdiction over separate properties.** Even if there had been a marital relationship, California law deprived California judges of jurisdiction over plaintiff's separate property. The property was legally separate as a result of being adjudicated as separate and on the basis of having been acquired after the 1964 separation and 1966 divorce. Civil Code §§ 4800.1, 5102, 5103.

e. **California law deprived the judges of personal 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. The hearing on the motion to quash was limited to presenting evidence of the prior divorce judgments. Instead, four years later, after rendering numerous orders without jurisdiction arising from the prior divorce and from the motion to quash, which inflicted great harm upon plaintiff, California judges conducted a trial relitigating the divorce proceeding that had been litigated and finalized 20 years earlier.

f. **California Supreme Court decisions 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 f656). These early case law decisions were followed by *statutes* requiring the recognition of the prior divorce judgments, the personal and property rights adjudicated in those judgments, and the property rights acquired as a divorced person.

g. **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 lawsuit: Code of Civil Procedure §§ 318, 338, 343; Civil Code §§ 880.020, 880.250, required recognition of prior judgments, prevented attacks upon prior judgments, and required that the prior courts be recognized as acting in the lawful exercise of its jurisdiction.

h. Requirement to recognize a prior judgment that comes under attack after accepting the benefits of the prior judgment: **Evidence Code §§ 666, 665, 622.**

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

j. **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. **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. **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. Plaintiff was denied the same due process rights under the laws and Constitution of the United States, the states of prior residence, and the state of California, that apply to every other person, including illegal aliens.

m. **U.S. Supreme Court decisions** 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; *Estin v. Estin*, 334 U.S. 541 (1948); *Sherrer v. Sherrer* (1948) 334 U.S. 343; *Coe v. Coe* (1948) 334 U.S. 378; *Perrin v. Perrin*, 408 F.2d 107 (3rd Cir. 1969). These Supreme Court decisions settled the matter years before blacks were no longer required to sit in the back of buses, to use separate drinking fountains, and separate toilets.

n. **Fourteenth Amendment constitutional rights to due process and equal protection of the law**. Violated the substantive and procedural due process protections of the Fourteenth Amendment, 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. Privileges and immunity clause under Article IV, § 1.** Violated this protection 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. Constitutional right to unabridged interstate travel, under Article IV, § 2.** Violated this protection by violating plaintiff's 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.** 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 or allow plaintiff to defend against the taking of his liberties and his properties.

**r.** Without plaintiff's presence, 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 the due process right to a hearing.

**s.** California Superior Court and Courts of Appeal judges repeatedly refused to issue findings of facts and conclusions of law, which simplified hiding their violations of state and federal due process protections. This judicial

tactic would be repeatedly duplicated by federal judges when plaintiff exercised federal remedies.

### **Filing *Lis Pendens* On Plaintiff's Personal and Corporate Properties**

35. Shortly after filing the California lawsuit, despite the absence of a marriage, despite the record numbers of state and federal laws and constitutional protections barring the lawsuit, and despite the absence of jurisdiction, 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.

36. 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.

37. 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.

### **California Courts Of Appeal Judges Aided and Abetted the Conspiracy**

38. Plaintiff exercised appellate remedies specifically provided by California law, including appeals filed with California's First District Courts of Appeal in San Francisco. These were heard by Judges Donald King, Harry Low, and Zerne Haning. Instead of halting the violations, they approved of them, protected the judges and Friedman who perpetrated the violations, and criticized plaintiff for exercising due process remedies. Their tactics followed a standard pattern:

a. They placed a frivolous label on plaintiff appeals. The great numbers of major violations of state and federally protected rights met the

extreme legal opposite of a "frivolous" label. The sham frivolous label became a standard tactic by California judges and then was repeatedly duplicated by federal judges when plaintiff exercised federal remedies specifically intended for these violations.

b. Using this sham frivolous label, the three courts of appeal judges ordered plaintiff to pay Friedman \$160,000 in retaliation for exercising due process remedies. It is a federal crime under Title 18 U.S.C. § 241 for anyone to inflict harm upon a person for having exercised due process remedies.

**i. 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

**c. The courts of appeal judges aided and abetted the civil rights violations perpetrated by Friedman and the Superior Court judges.** 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.

**i. Title 42 U.S.C. §1986. Action for neglect to prevent conspiracy**

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in the preceding section [42 U.S.C. § 1985], are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses to do so, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by

such wrongful act, which such person by reasonable diligence could have prevented;

d. Some appeals were simply returned without addressing them, violating due process remedies provided by California law and adding to the violations inflicted against plaintiff.

39. 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 right to subject any other previously divorced person to the same great harm inflicted upon plaintiff.

40. 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.

41. Plaintiff was suffering great and irreparable harm as a result of the unlawful and unconstitutional acts occurring in the California courts. These harms included, inter alia:

a. Loss of valuable properties, including plaintiff's residence, due in part to the lis pendens filed on the properties that prevented a mortgage from being replaced.

b. Loss of income, as all assets were tied up on the sham pretext that a marriage existed and that the assets were community properties.

c. Loss of investment income from real estate investments that no longer could be made.

d. Loss of credit worthiness due to inability to pay off mortgages that had come due.

e. Sentenced to jail for inability to pay a fine which could not be paid because all assets had been blocked with the *lis pendens*.

f. Daily crises that continued for the six years of the sham California divorce action (to be followed by 12 more years as the violations of federally protected rights went into the federal courts).

g. Inability to marry due to the pending "divorce" action.

h. Great emotional stress.

### **Federal Protections Specifically Intended For These Violations**

42. Federal laws existed to immediately halt and remedy these record setting violations of federally protected rights, including the Civil Rights Act and the Declaratory Judgment Act. Substantial federal questions, documented in court proceedings, required exercising federal remedies for the repeated violations of federally protected rights. Plaintiff filed his first federal lawsuit in 1983, raising federal causes of actions for which a federal court forum and relief was guaranteed under the laws and Constitution of the United States

#### **Declaratory Judgment Act**

a. One federal remedy was provided by the Declaratory Judgment Act. The function of that act was to declare the rights and legal obligations where a controversy exists, such as the refusal of California judges to recognize plaintiff's personal and property rights associated with and arising out of the prior divorce judgments. 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.

b. After a declaratory judgment is rendered under Title 28 U.S.C. § 2201, Title 28 U.S.C. § 2202, provides for further remedies, including ordering financial damages.

### **Civil Rights Act**

c. The Civil Rights Act was legislated to provide relief and damages to any person subjected to a violation of his or her civil rights under color of *state* law. A record number of such violations occurred in the sham California action, and the violations were documented in court records. 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.

**Title 42 U.S.C. § 1983 of the Civil Rights Acts:** Every person who, under color or any statute, ordinance, regulation, custom or usage, of any State or Territory, subjects ... any citizen of the United States ... to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

### **First Exercise of Federal Remedies**

43. Plaintiff had multiple federal causes of action arising in the dozens of acts that violated large numbers of state and federal laws and constitutional protections, any one of which invoked the mandatory responsibility of a federal judge to provide a federal court forum and relief. After exhausting all state remedies, and suffering

retaliation for exercising these due process remedies, plaintiff filed a 1983 lawsuit in the U.S. District Court at Sacramento, raising federal issues under the Civil Rights Act and Declaratory Judgment Act. It was assigned to Judge Raul Ramirez.

### **Extension Of Judicial Corruption From California To Federal Judges**

44. Despite the multiple federal causes of actions that invoked mandatory federal court jurisdiction, Judge Ramirez promptly dismissed the lawsuit without addressing any of the facts stating federal issues. In addition to aiding and abetting the record numbers of civil rights violations, his actions enlarged upon the due process violations. He:

a. Violated federal law that barred dismissal when a federal cause of actions is stated in the complaint. As a matter of law, all statements in the complaint must be accepted as true at that stage of the pleadings, and if any of these allegations state facts constituting a federal cause of action, the person filing the action has a right to proceed with the action.

i. A complaint must be sustained, and cannot be dismissed, if relief can be granted under any set of facts that could be proved consistent with the allegations. *Hishon v. King & Spalding*, 467 U.S. 69, 73. Nothing more than the complaint's allegations are needed to confer standing at this stage.

b. Violated federal law that barred dismissal when questions of facts for a jury were raised in the complaint.

c. Violated federal law requiring findings of fact and conclusion of law addressing

the issues raised in the complaint and the basis for dismissal.

d. Violated his duty to halt the violations of federally protected rights. Instead, he encouraged the escalation of these violations by refusing to perform his duty to halt the violations. This refusal to act also violated Title 48 U.S.C. § 1986, which required him or any other person who knows of a civil violations occurring and who has the ability to halt them, to do so.

e. Repeated the standard judicial tactic of placing a frivolous label on a lawsuit that was the direct opposite, using this sham frivolous label to justify his dismissal. The multiple federal causes of action were so obviously outside the legal criteria for a frivolous action that his labeling represented a deliberate sham. One of many Supreme Court decisions stating the criteria for a frivolous label was:

*Christiansburg Garment Company v. EEOC*, 434 U.S. 412. In that decision the Supreme Court held that a frivolous claim is one in which "a complete defense is obvious from the pleadings.... An appeal [or complaint] is not frivolous if "any of the legal points [are] arguable on their merits ..." *Anders v. California* (1967) 386 U.S. 738; "The objective standard looks at the merits of the appeal from a reasonable person's perspective. ... whether any reasonable person would agree that the point is totally and completely devoid of merit, and

therefore, frivolous. ... an appeal is not frivolous if any of the legal points [are] arguable on their merits."

### **Endless Duplication Of This Tactic By Other Federal Judges**

45. Judge Ramirez's dismissal started a *documented* pattern of federal judges blocking plaintiff's right to a federal court forum and the protections guaranteed by the laws and Constitution of the United States, repeatedly using the sham frivolous label tactic started by California judges. Following this dismissal, the civil rights violations occurring in California lawsuit escalated, as expected, repeatedly raising federal remedies and grounds for filing lawsuits in the federal courts to halt the violations of federally protected rights. In every instance the federal remedies were denied to plaintiff using the off-the-shelf tactics:

- a. Federal judges promptly dismissed the action, never once getting to the merits and never once providing plaintiff with his day in court.
- b. Placed a frivolous label on every action that stated record-setting violations of federally protected rights.
- c. Refused to render findings of facts and conclusions of law, thereby avoiding making obvious the sham nature of the frivolous label and violation of important due process remedies.
- d. Violated Supreme Court decisions that required recognizing the facts stated in the complaint as true, which stated federal causes of actions (and which were proven as true by judicial records).
- e. Violated the large numbers of federal statutes, constitutional protections, and case law that required them to perform

the duties of providing a federal court forum and relief.

f. These tactics were repeatedly continued to the date of this lawsuit, and enlarged upon with even greater violations of rights and protections guaranteed by the laws and Constitution of the United States.

### **Simultaneous Reporting Of Criminal Activities In Government Offices**

46. Plaintiff had continued his investigations into corrupt activities, and continued his exposure activities on a national level through book publishing and radio and television appearances. These activities 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 in 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. With this information on additional criminal activities, plaintiff exercised his responsibilities under the federal crime reporting statute, Title 18 U.S.C. § 4: he reported, as an additional federal cause of action, starting in 1986, the criminal activities that he and his many government sources had discovered, and demanded to provide evidence of these crimes.

### **Compounding Civil Rights Violations With Obstruction Of Justice**

47. Despite their mandatory responsibility under federal criminal statutes to receive the reports of criminal activities and receive the evidence offered, Federal judge repeated the standard practice of placing a frivolous label on the lawsuits, refused to provide a court forum, refused to address the issues raised, including the demand to report criminal activities. The criminal activities were being made by responsible present and former government agents who had nothing to gain, who reported serious criminal activities adversely affecting the internal security of the United

States, and who would be guilty of criminal offenses if they had not made the reports.

### **Crisis In Federal Courts**

48. Federal judges faced a crisis of their own making. Judicial records showed federal judges:

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

b. Directly obstructing justice by blocking the reporting of criminal activities that had serious 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 judicial misconduct in the federal courts.

### **Destroying Federal Protections While Obstructing Justice**

49. Federal judges reacted to this crisis by enlarging on their previous misconduct. They rendered unlawful and unconstitutional injunctive orders barring plaintiff the right to federal court access for the remainder of his life! These orders emasculated the foundations of the rule of law in the United States, showing a willingness of federal judges to destroy these most important protections under the laws and Constitution of the United States. The injunctions voided for plaintiff all rights and protections guaranteed by the laws and Constitution of the United States at a time when he was suffering great and irreparable harm from the lawless actions of California and federal judges.

50. The effect, and surely the intent, of the permanent injunctive orders were twofold:

- a. Block the reporting of the criminal activities by plaintiff and his group of government whistleblowers.
- b. Block plaintiff's access to federal remedies for the multiple violations of federally protected rights.
- c. Protect the California and federal judges, and Friedman, from being exposed, with the great danger of criminal prosecution, impeachment, and removal.
- d. Protect the ongoing criminal activities that plaintiff was seeking to report.

### **More Judicial Violations: the Legal Criteria For Injunctive Orders**

51. In addition to blocking the reports of criminal activities and blocking the effectiveness of laws relating to violations of civil rights, federal judges started rendering injunctions voiding for plaintiff even the ability to attempt to obtain his federally protected rights and protections. The injunctive orders escalated the violations of these rights:

- a. Injunctive orders are normally requested by a plaintiff in a lawsuit.
- b. It is directed against those defendants responsible for causing great and irreparable harm.
- c. It is directed against those defendants perpetrating the unlawful acts.
- d. to halt great and irreparable harm inflicted through the unlawful actions of the defendant.
- e. The injunctive order must protect some public interest. Instead, the injunctive order did the opposite: It inflicted major harm upon the public interests by:

i. Blocking the reports of criminal activities involving national issues that plaintiff and his group of government whistleblowers tried to report.

ii. Establishing the willingness of federal judges to subvert the laws and Constitution of the United States, converting the courts into a corrupt arm of government.

iii. Required plaintiff and his group of insiders to become an accessory to obstruction of justice, as they were unable to report criminal activities required by the federal crime reporting statute.

iv. Spreading this mindset throughout the federal court system and expanding into other segments of the government and society.

52. Recognizing that no judge had the authority to obstruct justice or subvert the laws and Constitution of the United States, plaintiff filed a subsequent lawsuit seeking relief from subsequent violations of federally protected rights, and reporting *other criminal activities* that had come to his attention from his group of government insiders.

### **Documented Criminal Retaliation**

53. 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 federal due process remedies and for complying with the federal crime reporting statute.

**54. Joining in this obstruction of justice and civil rights violations were Justice Department personnel. U.S. Attorney David Levi charged plaintiff with criminal contempt of court for exercising these federal protections and reporting the criminal activities in which personnel from the Justice Department and the federal judges were implicated.**

**55. Retaliation or harm inflicted upon a whistleblower, witness, or informant, for reporting suspected or known criminal activities is a criminal offense under Title 18 U.S.C. §§ 1505, 1510, 1512, and 1513(b).**

**Title 18 U.S.C. § 1505. Whoever corruptly ... influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due the proper administration of the law under which any pending proceeding is being had before any department or agency of the United States ... shall be fined not more than \$5,000 or imprisoned not more than five years, or both.**

**Title 18 U.S.C § 1510. Obstruction of criminal investigation. (a) Whoever willfully endeavors by means of bribery to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator shall be fined not more than \$5,000, or imprisoned not more than five years, or both.**

**Title 18 U.S.C. § 1512. Tampering with a witness, victim, or an informant . (b) Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to: (1) influence, delay or prevent the testimony of any person in an official proceeding shall be fined ... or imprisoned ... or both. [1988 amended reading]"**

**Title 18 U.S.C. § 1513. Retaliating against a witness, victim, or an informant. (a) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to**

retaliate against any person for (1) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or (2) any information relating to the commission or possible commission of a Federal offense ..."

56. Retaliation or harm inflicted upon a person for having exercised due process remedies is a criminal offense under Title 18 U.S.C. § 241. That statute reads:

**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.

**Justice Department Prosecutors Seeking Two Year Prison Sentence**

57. While plaintiff sought to force a federal judge to provide relief from the onslaught of civil rights violations and attempting to report criminal activities undermining the internal security of the United States, Justice Department prosecutor David Levi and Judge Milton Schwartz were charging plaintiff with criminal contempt of court for exercising these rights and responsibilities. And requested that plaintiff be imprisoned for two years for his acts! These had ominous implications for the United States. Justice Department prosecutors argued that plaintiff should not be released pending the trial as he was a threat to the community!

58. Simultaneously, the duty of Justice Department attorneys and federal judges to protect civil rights and to pursue leads of criminal activities were reversed. They misused their positions, the courts, and the power of the Justice Department, to inflict additional harm upon plaintiff. At that time plaintiff was 67 years old, and forced to tackle widespread corruption in the courts and U.S. Department of Justice while other checks and balances became complicit by remaining silent.

## **Converting the Courts and Justice Department Into Corrupt Arms Of Government**

**59. Plaintiff was now being tried by people in the same government offices that he had exposed in his books.**

**60. The constitutional right to a jury trial was denied to plaintiff. He was tried by Sacramento Magistrate John Moulds, who then held plaintiff guilty of criminal contempt of court for exercising federal due process remedies and for seeking to report criminal activities affecting the national security. Judge Raul Ramirez then sentenced plaintiff to six months in federal prison. This prison sentence was carried out in such a manner as to inflict the maximum indignity and personal humiliation and hardships upon plaintiff.**

### **Extension Of Judicial Corruption To Ninth Circuit Court Of Appeals**

**61. Plaintiff appealed this conviction to the U.S. Court of Appeals at San Francisco. The entire court of appeals, *en banc*, including Justice Anthony Kennedy, upheld this never-before undermining of the civil rights and criminal statutes, meeting the definition of judicial anarchy.**

### **Extension Of Judicial Corruption To Supreme Court Justices**

**62. Plaintiff then filed a petition for writ of certiorari with the U.S. Supreme Court. As in the past, the Justices, who had supervisory responsibilities over federal judges and a responsibility to insure that the laws and Constitution of the United States were enforced and upheld, refused to provide any relief. In this way, the justices of the U.S. Supreme Court became involved in the conspiracy to obstruct justice and conspiracy to violate civil liberties and civil rights.**

**63. 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 in other cases involving criminal activities by government officials. (*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). These cover-up acts were described in plaintiff's second edition of *Unfriendly Skies* that was published shortly before the start of the judicial scheme against plaintiff.

### **Promoting Those Who Cooperate: A Standard Practice**

64. After the non-jury trial was over, U.S. Attorney David Levi was promoted to a district court judge position at Sacramento. Justice Anthony Kennedy, who had refused to intervene when plaintiff filed a petition for relief with him while Kennedy was a judge on the Ninth Circuit court of appeals, was promoted to a justice on the U.S. Supreme Court. Federal judges continued to protect the Friedman law firm and the California judges whose documented wrongful acts continued to violate federal laws and the U.S. Constitution.

65. 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 and Sacramento district judge Milton Schwartz, when plaintiff sought to report other criminal activities and when plaintiff sought relief from other violations of federally protected rights.

### **Desperately Seeking Relief In Chapter 11 Courts**

66. Just prior to being charged with criminal contempt of court, plaintiff sought relief in an unusual manner from another federal court. He tried to circumvent the judicial block and found that the judicial corruption was even worse in that 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 civil rights violations occurring in the California courts and order the removal of the *lis pendens* that Friedman had placed on his properties.

67. One Chapter 11 filing was for plaintiff's personal assets. The other filing was for his *solely owned* property in the corporate name of Western Diablo Enterprises.

68. 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**

69. 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 some 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*, and constitutes major fraud against the United States and the American public, particularly those thousands of victims who exercised the statutory protections of Chapter 11 only to be defrauding of the properties by corrupt federal judges, trustees, and law firms.

### **Death To Attorney Exposing Bankruptcy Court Corruption**

The fraud involving federal judges, trustees and attorneys in the bankruptcy courts was included in plaintiff's investigative activities. Plaintiff coordinated his investigation into this bankruptcy court fraud with San Francisco attorney Dexter Jacobson, who tried to expose the corruption in the bankruptcy courts.

71. 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**

72. During a preliminary hearing in the Las Vegas Chapter 11 court on September 11, 1987, Judge Robert Jones rendered an order providing plaintiff partial relief. 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.) Judge Jones refused to address the federal issues raised under the Civil Rights Act or the Declaratory Judgment Act. This verbal order was to be prepared for Judge Jones' signing by plaintiff's Las Vegas attorney, Joshua Landish.

73. As a matter of law, upon rendering that order, Judge Jones lost jurisdiction over the two cases, and the only remaining act to be taken was for the order of dismissal to be entered in the records.

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

74. Despite rendering an order refusing to accept jurisdiction and providing relief that would permit plaintiff to pay off the mortgages that had come due, attorney Estelle Mannis, representing mortgage holders Robile, Inc and Concord Properties, filed a motion for a hearing 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. He ignored that "formality."

75. Plaintiff's attorney, Joshua Landish (hereafter "Landish"), and 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**

76. 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. In an extreme example of attorney fraud against his client, Landish acted to support plaintiff's adversaries, including the Friedman law firm, by urging Judge Jones to rescind the prior order of relief and to seize and liquidate plaintiff's assets in the personal and corporate cases.

77. 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. Rule 11-3 of the Rules of the Ninth Circuit district court 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, "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"**

78. 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 person would be "disappointed" about having his life's assets taken in such a corrupt manner.

### **Signing the Verbal Order Refusing To Accept Jurisdiction**

79. 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 28<sup>th</sup> 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**

80. 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 of plaintiff's assets.

### **Fraudulent Taking Of Plaintiffs Life's Assets**

81. 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 8<sup>th</sup> day of October 1987.

**ROBERT CLIVE JONES, Chief Judge**

United States Bankruptcy Court

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**Judicial Taking of Constitutionally Protected Liberty and Property**

82. Court records document that the taking of plaintiff's assets violated the most fundamental and primary due process 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 falsely stating there was a hearing on that date, when court records show there was no hearing on that date or any other date to take plaintiff's properties. *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.

**83. 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.*

84. 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.

85. 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)*

86. 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**

87. 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**

88. 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. Every request made by the CIA-front law firm, Friedman, Sloan and Ross, was granted by every California and federal judge to whom the request was made.

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

89. Trustee Charles Duck, working closely with Judge Jellen, promptly started looting plaintiff's personal and corporate assets:

a. He promptly started looting, liquidating, and destroying the real estate business that plaintiff had developed over the years, using the funds from the income and the liquidation of plaintiff's assets to distribute to attorneys and law firms heavily implicated in violating plaintiff's civil rights.

b. He paid off long-running mortgages as part of a mortgage churning scheme, replacing low interest mortgages long-term mortgages 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 mortgages 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**

**90. 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 funds from plaintiff's assets 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.**

**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**

**91. In 1989, while looting plaintiff's assets and those of other cases, Duck was charged by U.S. attorney Joseph Russoniello at San Francisco with bankruptcy fraud 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**

92. Plaintiff's government insiders revealed that Duck had close connections with the Central Intelligence Agency, was involved in covert 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**

93. Court records document the pattern of corrupt acts by all parties named in this complaint, including the pattern of judicial corruption. These acts meet the legal definition of a conspiracy. A pattern was shown by the repeated corrupt acts of judges in the California and the federal courts as both groups:

- a. Repeatedly refused to provide the relief against massive violations of state and federally protected rights that they were required to provide.
- b. Repeatedly protected those whose violations of law preceded their involvement in the cases.
- c. Repeatedly violated every available procedural due process remedy.
- d. Repeatedly retaliated against plaintiff for exercising procedural due process remedies, which are criminal offenses under Title 18 U.S.C. § 241.
- e. Repeatedly refused to render required findings of fact and conclusions of law addressing the facts and legal issues raised in plaintiff's complaints, which facilitated their mislabeling the lawsuits as frivolous.
- f. In the federal courts, repeatedly obstructed justice by refusing to address or receive evidence

of criminal activities offered by plaintiff and his group of government insiders, becoming co-conspirators in obstruction of justice. In this manner they violated criminal statutes relating to obstruction of justice, including 18 U.S.C. § 2 (becoming guilty as a principle through cover-up); 18 U.S.C. § 3 (accessory after the fact, a crime arising when information of a crime is received and the perpetrators are assisted by cover-ups); 18 U.S.C. § 4.

**g. Retaliated against plaintiff for seeking to report criminal activities**, becoming co-conspirators in felony retaliation against a whistleblower, witness, and/or informant, which are criminal offenses under Title 18 U.S.C. §§ 1505, 1510, 1512, and 1513.

**h. 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 and Civil Rights Statutes**

**94. Defendants' documented acts repeatedly violated and assisted in the violations of federal criminal statutes:**

**a. Title 18 U.S.C. § 2. Principals.** Judicial defendants in the federal courts who retaliated against plaintiff for exercising due process (18 U.S.C. § 241), who retaliated against plaintiff for reporting criminal activities (18 U.S.C. §§ 1505, 1510, 1512, 1513), are guilty of this crime..

**b. Title 18 U.S.C. § 3. Accessory after the fact.** All judicial and non-judicial defendants appearing in the federal court proceeding stated in this complaint were guilty of this offense.

**c. Title 18 U.S.C. § 4 (misprision of felony).** All judicial and non-judicial defendants in the federal court proceedings stated in this complaint were guilty of this offense.

**d. Title 18 U.S.C. § 241.** California and federal judicial defendants who retaliated against plaintiff for exercising due process remedies were guilty of this offense.

**e. Title 18 U.S.C. § 242.** All defendants 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, and were guilty of this offense.

**f. Title 18 U.S.C. § 245 (b)(1)(B).** All defendants, 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, who acted to keep plaintiff from participating in or enjoying benefits, privileges, court facilities, or activities provided or administered by the United States, were guilty of this offense.

**g. Title 18 U.S.C. § 245.** All federal judicial defendants violated this statute as they acted against plaintiff, a whistleblower, depriving him of the benefits and protections stated in this complaint.

**Title 18 U.S.C. § 245. Federally protected activities**

(h) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with (1) Any person because he is or has been, or in order to intimidate such person or any other person or any class of persons [whistleblower, witness, informant] from: (B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States.

**h. Title 18 U.S.C. § 246.** All defendants directly and indirectly deprived, or attempted 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.

**i. Title 18 U.S.C. § 371.** All defendants engaged 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, committing criminal acts as stated in this complaint, including obstruction of justice.

**j. Title 18 U.S.C. § 372.** All defendants in the federal courts and primarily the federal judicial defendants covered up in the federal courts the offenses plaintiff discovered while he was a federal investigator, including the threats, the harassment, and other acts that prevented federal inspectors from carrying out federal air safety responsibilities. These initial offenses made possible continuation of fraud related fatal airline crashes, for which plaintiff has documentation.

**k. Title 18 U.S.C. § 1001.** Primarily judicial defendant Robert Jones, by making false statements in the two orders that he signed that took plaintiff's life's assets while violating fundamental constitutional protections and clearly worded federal law. Arguably, federal judges who falsely placed frivolous labels on plaintiff's complaints when they contained facts of record setting violations of federally protected rights, were also guilty of making false statements in government documents.

**l. Title 18 U.S.C. §§ 1505, 1510, 1512, 1513.** All federal judicial defendants were guilty of these offenses as they inflicted harm upon plaintiff in retaliation for his attempting to report federal crimes that he and his group of government whistleblowers personally discovered.

**m. Title 18 U.S.C. § 1505. Obstruction of proceedings before departments, agencies, and committees**

Whoever corruptly ... influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due the proper administration of the law under which any pending proceeding is being had before any department or agency of

the United States ... shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

**18 U.S.C. § 1510. Obstruction of criminal investigations**

(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.

**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.

**Title 18 U.S.C. § 1513 Retaliating against a witness, victim, or an informant**

(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for (1) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or (2) any information relating to the commission or possible commission of a Federal offense ... or attempts to do so, shall be fined under this title or imprisoned not more than ten years, or both.

m. **Title 42 U.S.C. §§ 1961-1965 (RICO).** All defendants became part of a conspiracy of predicate acts affecting interstate commerce, inflicting great harm upon plaintiff.

**Pattern Of Civil Rights and Civil Liberty Violations**

95. To this long list must be added the many continuous acts violating federally protected rights for which federal court jurisdiction arises, as stated in this complaint, including:

a. **Civil Rights Act.** (Title 42 U.S.C. §§ 1983-1986). All defendants, and particularly the California and federal judges, engaged in a 20-year continuous pattern of civil rights violations.

b. **Declaratory Judgment Act.** (Title 28 U.S.C. §§ 2201, 2202). This protection was denied to plaintiff, who was in a class known as "whistleblowers" or concerned citizens.

c. **Fifth Amendment** to the U.S. Constitution, on the basis of violations against being deprived of life, liberty, or property without due process of law, and due process.

d. **Full faith and credit statute,** Title 28 U.S.C. § 1738, the protection of which was violated by California judges and then aided and abetted by federal judges seeking to protect the judicial misconduct in the California courts.

e. **Article IV, § 1, full faith and credit protection,** that was violated along with 28 U.S.C. § 1738 by California judges and aided and abetted by federal judges.

f. **Article IV, § 2, privileges and immunity clause,** which was violated by California judges after plaintiff exercised his constitutional right to change residence without losing previously adjudicated and acquired personal and property rights.

g. **Fourteenth Amendment due process and equal protection rights,** which were repeated violated by California judges and then aided and abetted by federal judges throughout the past 20 years.

**Defendants Inflicted Enormous Harm  
Upon Plaintiff**

96. Plaintiff suffered through 20 years of continuing great and irreparable harm, which continues to this date. Due to the unlawful, and unconstitutional acts of the judicial and non-judicial defendants, plaintiff suffered, inter alia:

a. The loss of his life's assets.

b. The loss of his income.

c. The loss of his investment business.

d. The loss of his home.

e. The loss of his credit worthiness.

f. Subjected to repeated bench warrants for his arrest, from 1987 through 1995, and in fear of further bench warrants at this time, every one in retaliation for exercising federal protections against the onslaught of record setting violations of federally protected rights, and in retaliation for reporting criminal activities in which federal judges were implicated..

g. The loss of his freedoms, as he was sent to county jail and then to federal prison. The imprisonment was accompanied by weeks in isolation, also called "the hole."

h. Lost the civil liberties guaranteed by the laws and Constitution of the United States.

i. Lost the rights and protections guaranteed by the laws and Constitution of the United States as available to every other person, including illegal aliens.

j. Converted from a multi-millionaire to a state of poverty.

k. Extreme mental stress.

l. Loss of his privacy and his liberties.

m. Suffered extreme character assassination.

n. Today, at the age of 78, plaintiff lives in fear of criminal contempt of court charges, in fear of being arrested and imprisoned, in fear of financial distress due to total loss of all assets, with California and federal authorities threatening to seize his remainder personal assets due to tax liabilities arising from the seizure and liquidation of plaintiff's assets in Chapter 11 proceedings.

### **Judicial Defendants Inflicted Great Harm Upon the United States**

97. All defendants, directly and indirectly, inflicted great harm upon the United States, including its people, the courts, the rule of law, the constitution, the internal security of the United States, and affected interstate commerce. , including for instance:

a. Continuing air safety and criminal violations that resulted in crashes and deaths in fraud related air disasters. Plaintiff possesses government documents showing this relationship, which is also detailed in plaintiff's third edition of *Unfriendly Skies*.

b. Continuing drug smuggling by elements within the Central Intelligence Agency, and its cover-up by other government personnel.

c. Massive fraud in the bankruptcy courts.

d. Other criminal activities implicating people in key government positions as described in the third editions of *Defrauding America* and *Unfriendly Skies* and the first edition of *Drugging America* and *Disavow*.

e. Conversion of Ninth Circuit courts into a corrupt arm of government.

### **Powerful Forces Orchestrating the Corrupt Judicial Activities**

98. 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 was able to cause large numbers

of California judges, and federal judges, to misuse their judicial positions and the courts as a criminal enterprise that defrauded the United States while it inflicted great harm upon plaintiff.

**All Defendants Became Implicated in the Tortious & Predicate Acts**

**99. All defendants:**

a. Became parties in the continuing conspiracy, violating major rights and protections under the laws and Constitution of the State of California and of the United States.

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. Had knowledge of the violations that had occurred and were occurring, and that they were joining a conspiracy.

d. Participated in the civil rights violations.

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

f. Used the mail and the wires to carry out their role in these wrongful acts.

g. 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.

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

**Judicial Immunity Is Absence As A Result Of Their  
Corrupt Acts**

**100. 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 corrupt and criminal manner, knowingly acting without jurisdiction, knowingly violating clear and settled statutory and constitutional rights.. Never before has there been documented such widespread and continuing judicial corruption of this nature. The gravity of the judicial misconduct constitutes a landmark case. The absence of immunity, in cases far less startling, 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. Knowingly and repeatedly acted without jurisdiction as described in this complaint, which is a major judicial wrongdoing under law.**

**b. Deliberately and maliciously inflicted great and irreparable personal and financial harm upon plaintiff by a corrupt misuse of their positions and the courts.**

**c. Knowingly and repeatedly violated long settled statutory laws and constitutional rights and protections.**

**d. Obstructed justice, and aided and abetted the crimes against the United States that plaintiff and his group of government whistleblowers sought to report under the federal crime-reporting statute.**

**e. Feloniously retaliated against plaintiff, a witness and informant, who sought to report and provide evidence of corrupt personnel in government offices as required by law. Failure to do so would have made him guilty of the crime of misprision of felonies.**

**f. Feloniously retaliated against plaintiff for exercising due process remedies..**

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

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

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

**j. 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.**

**k. 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.**

**101. Plaintiff files this lawsuit for several reasons, including:**

**a. Reclaiming properties that were corruptly seized by corrupt federal judges.**

**b. Obtaining financial damages from defendants.**

**c. 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 subsequently discovered.**

**d. 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)**

**102. 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."

103. **Title 28 U.S.C. § 2202** of that act provides for appropriate relief, including damages, following the declaration of these rights.

104. Plaintiffs allege that an actual controversy exists with the defendants, that the plaintiffs have suffered and continue to suffer great and irreparable harm, and that a declaratory judgment should be issued, stating that:

a. **Plaintiff's divorced status and property rights adjudicated** a that were adjudicated in a bilateral consent divorce between plaintiff Rodney F. Stich and Emma Stich, and stated in a divorce judgment rendered on January 31, 1966, must be recognized by all judges in the United States, under federal laws and U.S. Constitution, which includes California judges. And that the entering of that judgment as a local judgment in six other U.S. jurisdictions must also be recognized.

b. That property rights acquired by plaintiffs subsequent to that 1966 divorce, including those properties acquired by plaintiff while resident of states other than California, must be recognized by California judges after plaintiffs exercised their due process rights under the laws and Constitution of the United States to change residence without losing previously acquired and previously adjudicated personal and property rights.

c. The **July 28, 1988 California "divorce" judgment (dissolution of marriage) is void**. There was no marital relationship to adjudicate or terminate on the basis of:

i. The January 31, 1966 divorce judgment.

ii. Its entry as a local judgment in the states of Colorado, Oklahoma, Nevada, and the California

counties of Contra Costa and Solano.

iii. The requirements under the laws and Constitution of the United States to recognize the personal and property rights adjudicated and stated in these judgments.

iv. The property rights acquired as a divorced person while a resident of the states of Oklahoma and Nevada, prior to exercising the constitutional right to change residence without suffering a taking of these previously adjudicated and acquired personal and property rights.

v. The absence of any marital status or claim upon these properties by plaintiff's former wife, Emma.

**d. The orders and judgments rendered by California judges in the "divorce" action are void, and that they violated federally protected rights, including:**

i. **The Full Faith and Credit Clause** in the federal Constitution, and in the full faith and credit statute, Title 28 U.S.C. § 1738..

ii. **The constitutional right to unbridged interstate travel.**

iii. **The due process and equal protection clause** of the Fourteenth Amendment.

iv. **Decisions of the U.S. Supreme Court** as stated in this complaint

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, and that this money must be returned to plaintiff, with interest.

h. That any other money order rendered in the sham California divorce action is void and that the recipients must return the money promptly to plaintiff, with interest.

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 Chapter 11 Judges Robert Jones and Edward Jellen**

**j. Declare as void Judge Robert Jones' October 8, 1988 orders taking plaintiffs' 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 violated major and fundamental constitutionally protected rights that were clearly established when the orders were rendered.**

**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 all 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 promptly reimburse plaintiff for the value of these matters, plus the increased value existing today.**

**m. Declare that all such personal and real properties shall be immediately returned to plaintiff, and require defendants to pay in advance 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 promptly carry out these remedies.**

p. Declare that orders rendered by federal judges 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 the judicial and Justice Department's 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 the judicial and Justice Department's 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. (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 and relief from retaliatory prosecution 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**

105. 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 that their acts 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 as attorneys that they might otherwise have had.

106. Defendant attorneys knew of the violations of federally protected rights and fraud occurring in the Chapter 11 courts. They refused to meet their obligations to speak out about these violations of federally protected rights, and took advantage of these violations, becoming part of a conspiracy. Their wrongful acts removed any immunity they would otherwise have had.

**Action To Force Federal Officials To Perform A Duty  
(Title 28 U.S.C. § 1361)**

107. Plaintiff has the right to an order requiring appropriate federal personnel to perform a duty, including Justice Department personnel who aided and abetted the obstruction of justice and civil rights violations against plaintiff, and the federal judges who corrupted their duties and positions of trust . Title 28 U.S.C. § 1361 provides to any person the right to seek a judicial order requiring government personnel to perform their duties. Federal judges named in this complaint have refused to perform the duties for which they have been paid and entrusted. They have refused to uphold and protect the laws and Constitution of the United States as stated in this action. They have refused to receive evidence of criminal activities reported by the plaintiff and offered by a group of courageous government whistleblowers. They have aided and abetted the obstruction of justice, the violations of federally protected rights. In addition, Justice Department personnel, who have a duty to uphold the laws and Constitution of the United States, and prosecute corruption in government offices, including the courts, have reversed their conduct and aided and abetted the wrongful acts. These wrongdoings are inflicting great harm upon the internal security of the United States. This court should render an order under Title 28 U.S.C. § 1361 for them to perform their duties.

Title 28 U.S.C. § 1361. Action to compel an  
officer of the United States to perform his duty.  
The district courts shall have original

jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

### **Order Protecting Plaintiff From Harassment For Reporting Criminal Activities**

108. **Title 18 U.S.C. § 1514** provides for a federal judge to issue a restraining order prohibiting harassment or retaliation against a victim or witness seeking to report criminal acts under the federal crime reporting statutes. The harassment arises in the conspiracy to block plaintiff's reporting of the criminal activities, and consisted of:

a. The dismissal of all lawsuits seeking to halt the harm being inflicted through massive violations of federally protected rights, which were part a scheme to block plaintiff's reporting of high level criminal activities.

b. The criminal contempt of court charges arising from the exercise of the mandatory crime-reporting statute, and the exercise of federal remedies to halt the onslaught of violations of federally protected rights.

### **Statement Of Other Claims**

#### **COUNT ONE**

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

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

110. 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. By these acts 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)**

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

112. All defendants violated Title 42 U.S.C. Section 1985, by entering into a conspiracy to violate that violated plaintiff's civil rights, and to aid and abet the violations, in the California lawsuit stated in this complaint. The sequence of events in the California and federal courts clearly meet the prima facie evidence of a conspiracy, the existence of which is a matter of fact to be determined by a jury, as in every other matter of fact stated in this complaint.

### **COUNT THREE**

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

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

114. 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 perpetrated against plaintiff, which they had the ability to do, and which they knew existed.

### **COUNT FOUR**

#### **(Civil RICO Violations, Title 18 USC §§ 1961-1965)**

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

116. Each defendant engaged in a pattern of racketeering activities affecting interstate and foreign commerce, as defined in the RICO statutes, Title 18 U.S.C. § 1961(1)(5), and as stated in this complaint. 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 direct and indirect 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 the 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, persons within the meaning of RICO, in violation of Title 18 U.S.C. § 1962(a) and § 1962(b), through their predicate racketeering activities, acquired and maintained an interest in the enterprise, continuing their acts in the conspiracy, and 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. 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 clause.

**c. Blocking, directly and indirectly, and as part of the conspiracy, plaintiff's reporting of corrupt and criminal acts associated with several major airline crashes 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, 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* that he and his group of government whistleblowers had discovered. 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 described in part in the attachment to this Amended complaint, the book titled, Defrauding America.**

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

**f. Corruptly and in a pattern of fraud, took plaintiff's assets that funded his investigative and exposure activities that 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.

124. 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.

125. 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.

126. 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."

### **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 (6<sup>th</sup> 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 (8<sup>th</sup> 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 (4<sup>th</sup> Cir. 1980, the

office of county prosecutor; *United States v. Grzywacz*, 603 F.2d 682, 686 (7<sup>th</sup> 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. 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. The only exception to this count was the role played by California judges named in this complaint. Their wrongful acts in the conspiracy occurred earlier, from 1982 through 1988, but their role in the early stage of the conspiracy carried them along as the conspiracy activities escalated.

## **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 and other wrongful acts against plaintiff, and aided and abetted such wrongful acts, knowingly inflicting great harm upon plaintiff.

## **COUNT SEVEN**

### **(Violation of Constitutional Rights and Protections)**

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

133. All defendants, directly and indirectly, violated plaintiff's rights and protections under the U.S. Constitution, including:

- a. **Fifth Amendment right to the protection of property**, and protection against being deprived of life, liberty, or property without due process

of law. These rights were repeatedly violated as stated in this complaint, including:

**i. Seizing plaintiff's assets during Chapter 11 proceedings while an order refusing to accept jurisdiction was in effect.**

**ii. Without the constitutional and statutory due process right to a noticed hearing, a hearing, and legally recognized cause.**

**iii. Compounding the civil rights violations by fraud, wherein Judge Robert Jones sought to cover up for part of the constitutional violations by making a false statement in the orders that there was a hearing on that date. A false statement in a government document is a crime under Title 18 U.S.C. § 1001.**

**b. Full faith and credit statute**, Title 28 U.S.C. § 1738, as they aided and abetted the repeated violated of this statute by California judges and the CIA-front law firm that filed the sham divorce action against plaintiff.

**c. Article IV, § 1, full faith and credit protection**, that was violated along with 28 U.S.C. § 1738.

**d. Article IV, § 2, privileges and immunity clause**, which was violated by California judges after plaintiff exercised the constitutional right to change residence without losing previously adjudicated and acquired personal and property rights.

**e. Fourteenth Amendment due process and equal protection rights**, the violations of which were aided and abetted, and even rewarded, by federal judges and ignored by Justice Department personnel.

## **COUNT EIGHT**

### **(Fraud Against Plaintiff)**

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

135. 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 NINE**

### **(Conspiracy)**

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

137. 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, by the conduct, statements, documents, and facts and circumstances, and will be determined by a jury. (*United States v. Calaway* (9<sup>th</sup> Cir. 524 F.2d 609))

## **COUNT TEN**

### **(Fraudulent and Intentional 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 either directly or indirectly, interfered with plaintiff's prospective economic advantage.

## **COUNT ELEVEN**

### **(Negligent Interference with Prospective Economic Advantage)**

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

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

## **COUNT TWELVE**

### **(Intentional Infliction of Emotional Distress)**

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

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

## **COUNT THIRTEEN**

### **(Negligent Infliction of Emotional Distress)**

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

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

## **COUNT FOURTEEN**

### **(Destruction of Quality of Life)**

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

147. 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 FIFTEEN**

### **(Destruction of Plaintiff's Credit Worthiness)**

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

149. 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 SIXTEEN**

### **(Breach of Fiduciary Duty and Fraud)**

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

151. 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 SEVENTEEN**

### **(Breach of Duty)**

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

153. 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 EIGHTEEN**

### **(Invasion of Privacy)**

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

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

## **COUNT NINETEEN**

### **(Interference With Professional and Business Relations)**

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

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

## **COUNT TWENTY**

### **(Violation of Constitutional Due Process)**

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

**159. All 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-ONE**

### **(Vicarious Liability)**

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

**161. 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.**

## **COUNT TWENTY-TWO**

### **(Omission Of A Duty)**

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

**163. 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.**

**164. 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. These issues include the repeated pattern of wholesale violations of federally protected rights, the repeated obstruction of justice, the misuse of the courts to feloniously retaliate against a whistleblower, witness, and informant, and the many other acts and implications stated and obvious in this amended complaint.

### **COUNT TWENTY-THREE**

#### **(Fraudulent Taking of Real Estate and Businesses)**

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

166. 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. Plaintiff was deprived of property rights without due process of law.

### **COUNT TWENTY-FOUR**

#### **(Taking Earning Capability)**

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

168. 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 FIVE**

#### **(Retaliation For Reporting Criminal Activities)**

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

170. 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-SIX**

#### **(Retaliation for Exercising Due Process Remedies In California Courts)**

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

172. 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-SEVEN**

#### **(Retaliation For Exercising Due Process Remedies In Federal Courts)**

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

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

### **COUNT TWENTY-EIGHT**

#### **( Retaliation For Reporting Air Disaster Related Corruption)**

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

176. 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 key roles in a series of fatal airline crashes, as detailed in the third edition of *Unfriendly Skies*. 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. Capital crimes occurred as a result of the hundreds of deaths in fraud-related airline crashes, none of

which have to this date been prosecuted. Consideration should be given to compensate plaintiff for these losses.

### **COUNT TWENTY-NINE**

#### **(Right to Life, Liberty, and Property)**

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

178. Also called the right to Life, Liberty, and Happiness, or just plain right to liberty. Plaintiff was subjected to 17 years of continuing violations of his constitutional right to life, liberty, property, happiness, and denied the same protections to which other citizens are entitled.

### **COUNT THIRTY**

#### **(Criminal Acts Perpetrated or Aided By Defendants)**

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

180. All defendants committed criminal acts as described in this complaint, or aided in the criminal acts, as part of the conspiracy against plaintiff. These acts were crimes under the following federal criminal statutes:

- a. **Title 18 U.S.C. § 241.** Retaliating against a person for exercising due process remedies.
- b. **Title 18 U.S.C. § 242.** Subjecting plaintiff to the deprivation of rights, privileges, and immunities secured under the Constitution and laws of the United States.
- c. **Title 18 U.S.C. § 246,** depriving a whistleblower of benefits provided by acts of Congress.
- d. **Title 18 U.S.C. § 1505** (preventing plaintiff and his group of government sources from reporting high-level criminal activities in government).

**e. Title 18 U.S.C. § 1510** (preventing reporting of criminal acts).

**f. Title 18 U.S.C. § 1512** (relating to tampering with a witness or informant).

**g. Title 18 U.S.C. § 1513 (b)**(relating to retaliating against a witness or informant).

**h. Title 18 U.S.C. § 1951** (relating to interference with commerce).

**i. Title 18 U.S.C. §1952** (relating to racketeering).

**j. Title 18 U.S.C. § 1341** (relating to mail fraud).

**k. Title 18 U.S.C. § 1343** (relating to wire fraud).

**l. Fraud upon plaintiff, upon the courts, and upon the United States.**

### **Damages Demanded From Defendants**

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

**182. As to Count One, Violation of Civil Rights, judgment in an amount not less than \$10 million, individually and collectively against all defendants.**

**183. As to Count Two, Conspiracy to Interfere with Civil Rights, judgment in an amount not less than \$10 million, individually and collectively, against all defendants.**

**184. 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.**

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

**186. As to Count Five, Violating *Bivens* Doctrine, 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.**

**187. As to Count Six, Intentional Violation and Deprivation of Common Law Torts, judgment in the amount of not less than \$10 million, individually and collectively, against all defendants..**

**188. As to Count Seven, Violation of Constitutional Rights and Protections, judgment in the amount of not less than \$10 million, individually and collectively against all defendants.**

**189. As to Count Eight, Fraud Against Plaintiff, judgment in the amount of not less than \$10 million, individually and collectively, against all defendants.**

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

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

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

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

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

**195. As to Count Fourteen, Destruction of Quality of Life, judgment in the amount of not less then \$10 million, individually and collectively against all defendants.**

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

**197. As to Count Sixteen, Breach of Fiduciary Duty and Fraud, judgment in the amount of not less than \$15 million against Joshua Landish.**

**198. As to Count Seventeen, Breach of Duty, judgment in the amount of not less than \$10 million, against Vernon Lester Bradley.**

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

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

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

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

**203. As to Count Twenty Two, Omission of a Duty, judgment in the amount of not less than \$10 million, individually and collectively against all defendants.**

**204. As to Count Twenty Three, Fraudulent Taking of Real Estate and Business, judgment in the amount of not less than \$15 million, individually and collectively, against all defendants.**

**205. As to Count Twenty Four, Taking Earning Capability, judgment in the amount of not less than \$5 million, individually and collectively, against all defendants.**

**206. As to Count Twenty Five, Retaliation for reporting Criminal Activities, judgment in the amount of not less than \$10 million, individually and collectively, against all defendants.**

**207. As to Count Twenty Six, Retaliation For Exercising Due Process Remedies in California Courts, judgment in the**

**amount of not less than \$10 million against Friedman and the California judges who ordered the retaliation.**

**208. As to Count Twenty Seven, Retaliation For Exercising Due Process Remedies in Federal Courts, judgment in the amount of not less than \$20 million, against all federal judges involved in the retaliation, including Milton Schwartz, Raul Ramirez, John Moulds, .**

**209. As to Count Twenty Eight, Retaliation For Reporting Air Disaster Related Corruption, judgment in the amount of not less than \$10 million.**

**210. Punitive damages on all counts.**

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

**Dated: April 24, 2000.**

\_\_\_\_\_  
\_\_\_\_\_

—  
**Rodney F.  
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 24<sup>th</sup> day of April, 2000.**

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