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7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 Steven ("Laser") Haas  
12 "**Pro se**"  
13 108 E Jewel Street  
14 Delmar, DE 19940  
15 Laser.Haas @ Yahoo.com

16 **Plaintiff,**

17 v.

18 Willard Mitt Romney  
19 311 Dunemere Drive  
20 La Jolla, California

21 Paul Traub  
22 C/O Rosner 824 Market St.  
23 Wilmington, DE 19801

24 Bain Capital et. al.  
25 335 Bryant St  
26 Palo Alto, CA, 94301

27 Morris Nichols Arsht & Tunnel  
28 11<sup>th</sup> Floor  
1201 N. Market Street  
Wilmington, DE 19801

) Case No.: 2:13-cv-7738 SVW (AVG)

) **THIRD AMENDED COMPLAINT**  
) **RESULTANT OF DEFENDANTS**  
) **MOTIONS TO DISMISS WITH**  
) **PREJUDICE BY FED.R.CIV.P 15(a)**

) **RACKETEERING CIVIL**

) **JURY TRIAL DEMANDED**

1 John & Jane "Doe's" 1 thru 10 )

2 Greg Werkheiser )  
3 C/O MNAT 11<sup>th</sup> Floor )  
4 1201 N. Market Street )  
5 Wilmington, DE 19801 )

6 Barry Gold et. al. )  
7 C/O Frederick Rosner )  
8 824 Market. Suite 810 )  
9 Wilmington, DE 19801 )

10 Michael Glazer )  
11 CEO Stage Stores )  
12 10201 Main Street )  
13 Houston, Texas 77025 )

14 Colm F Connolly )  
15 Nemours Building )  
16 1007 N. Orange St )  
17 Wilmington, DE 19801 )

18 Goldman Sachs et al. )  
19 2121 Avenue of the Stars )  
20 Los Angeles, CA 90067 )

21 Xroads LLC et. al. )  
22 1821 East Dyer Road )  
23 Suite 225 )  
24 Santa Ana, CA 92705 )

25 Gary Ramsey )  
26 (Whereabouts Unknown) )

27 Mark Kenney )  
28 (U.S. Trustee Trial Attorney) )  
844 King Street )  
Wilmington, DE 19801 )

1  
2 Johann Hamerski  
3 P. O. Box 110871 (Huffman Park)  
4 Anchorage, Alaska 99511

5 Roberta DeAngelis  
6 (Currently Region 3 U.S. Trustee)  
7 833 Chestnut Street  
8 Suite 500  
9 Philadelphia, PA 19107

10 Scott Henkin (at KKR)  
11 9 West 57<sup>th</sup> Street  
12 Suite 4200  
13 New York, NY 10019

14 Tom Petters  
15 (Currently in Federal Prison)

16 Mattel Toys  
17 333 Continental Blvd.  
18 El Segundo, CA 90245

19 Judy Smith/Hasbro Toys  
20 1027 Newport Ave.  
21 Pawtucket, RI 02861

22 **Defendant(s)**

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23 **I JURISDICTION - VENUE**

24 1. Litigant Demands a Trial by Jury to remedy harm to his  
25 business above \$75,000, exclusive of fees & costs as a  
26 result of violations of Racketeer Influence & Corrupt  
27 Organizations ("RICO") Act of 1970; hence jurisdiction  
28

1 of this District is sound and proper under 18 U.S.C. §§  
2 1961, 1962 & 1964 and under 28 U.S.C. §§ 1331, 1332, 1334, 1342, 1346,  
3  
4 1361 & 1367, along with the process to compel defendants  
5 to appear here under 18 U.S.C. § 1965 is correct as "venue  
6 generally" - as is permitted under 28 U.S.C. § 1391.  
7

8 2. Goldman Sachs et. al., has offices around the  
9 world and at Avenue of the Stars in Los Angeles.  
10

11 3. Bain Capital et. al., utilizes offices in Palo  
12 Alto California and Boston, Massachusetts.  
13

14 4. Barry Gold reportedly works various eToys cases  
15 and issues since 2001, in Central District California.  
16

17 5. Mitt Romney lives in La Jolla, California.  
18

19 6. Plaintiff filed case here in Los Angeles.  
20

21 7. Defendants violated many "**predicate acts**" of  
22 United States Code Title 18 §§ 1961 thru to 1968 and State Statutes  
23 germane to this instant case with many major events  
24 relevant occurring in the Central District California.  
25

26 8. As granted by the U.S. Sup. Ct. *Sedima v Imrex*  
27 Co., 473 U.S. 479 (1985) resultant of troubling matters  
28 of Prosecutorial Gaps vis-à-vis *willful blindness/color of law* and fed

1 issues of venality; plaintiff is permitted by the RICO  
2 Act to act in the capacity of a **Private Attorney General**.

3  
4 9. During all relevant times pertaining to this  
5 case, plaintiff and each/every Defendant, including  
6 John/Jane Doe's, are a person within the meaning of  
7 statutes **18 U.S.C. §§ 1961(3)** and **1962(c)**.

## 9 **II NATURE OF COMPLAINT**

10  
11 10. Plaintiff Steven Haas (also known as "Laser")  
12 has made a career of distressed businesses dynamics.

13  
14 11. Litigant is the sole, 100% owner of California  
15 Corporation known as Collateral Logistics, Inc., (CLI).

16  
17 12. Among other things, the Delaware bankruptcy  
18 court (DE BK Ct) authorized CLI to be the fiduciary of  
19 the eToys bankruptcy (DE Bankr. 01-706 (2001)) as its  
20 "Liquidation Consultant" to handle the eToys liquidation.

21  
22 13. Many of the co-Defendants are part of a "**good**  
23 **ole boy**" system and various "**associations in fact**".

24  
25 14. One of these associations in facts includes the  
26 troubling matter of what Congress has titled as wayward  
27 scheming attorneys at law becoming a "**Bankruptcy Ring**".  
28

1           15. In its decision of In re Arkansas 798 F.2d 645;  
2 the 3rd Circuit details Congressional reflections that  
3 the "--legislative history makes clear the 1978 [Bankruptcy] Code was designed  
4 to eliminate the abuses and detrimental practices that had been found to prevail.  
5 Among such practices was the cronyism of the "*bankruptcy ring*" and attorney  
6 control of bankruptcy cases. In fact, the House Report noted that '[i]n practice ...  
7 the bankruptcy system operates more for the benefit of attorneys than for the  
8 benefit of creditors.' H.R. No. 595, 95th Cong., 2d Sess. 92, reprinted in 1978  
9 U.S. Code Cong. & Ad. News 5787, 5963, 6053".  
10  
11  
12  
13

14           16. The Law making arm of our nation's government  
15 (prudently) built-in the **Bankruptcy Fraud** statutes §§ 152 thru  
16 and including Section 156 to be specific RICO "predicate acts" under  
17 United States Code **18 USC § 1961**.  
18  
19

20           17. The RICO undue influences includes the ability  
21 to arrange for a crony to become a federal prosecutor  
22 who is allergic to investigating **Bankruptcy Rings**.  
23

24           18. Defendants are *culpable* persons who *corrupt*  
25 legitimate interstate commerce by *unjustly enriching*  
26 themselves via business "bust outs" and/or **Bankruptcy**  
27 **Ring**ing of companies.  
28

1 19. Defendants "patterns" of "racketeering" over a  
2 protracted period of time garnishes them direct and/or  
3 indirect *unjust enrichment* gains by organized criminal  
4 (*predicate act*) violations of state and federal laws  
5 that carry at least one (1) year in prison as the  
6 possible penalty.  
7

8  
9 20. Defendants schemes & artifices to defraud also  
10 includes *proximate* harm to this Plaintiff's business.  
11

### 12 **III NAMING THE RICO CASE DEFENDANTS**

13 21. Willard Mitt Romney (Romney) reportedly founded  
14 Bain Capital (Bain) in 1984 and is also the owner of  
15 Sankaty, Stage Stores and The Learning Company (TLCo).  
16

17 22. Bain's main headquarters is in Boston.  
18

19 23. Goldman Sachs (GSachs) is a multinational  
20 investment firm headquartered in New York City.  
21

22 24. Defendant Morris Nichols Arsht & Tunnel (MNAT)  
23 is a law firm only in Wilmington, DE.

24 25. MNAT represents Romney's Bain entity and GSachs  
25 legal issues in Delaware.  
26

27 26. Greg Werkheiser (Werkheiser) is a partner of  
28 MNAT who still handles the eToys case.

1 27. Colm F Connolly (Connolly) was the Assistant  
2 U.S. Attorney in Delaware prior to February 1999.

3 28. Connolly was an MNAT partner 1999 till 2001.  
4

5 29. On August 2, 2001, Connolly was nominated to be  
6 the full United States Attorney in Delaware.  
7

8 30. Romney still owns Bain; but (*reportedly*) did in  
9 August 2001 "*retroactively*" (?) resign back to February  
10 11, 1999 as Bain Chief Executive Officer (CEO).  
11

12 31. Michael Glazer (Glazer) was the CEO of Kay Bee  
13 Toys (KB) and he also became a Stage Stores Director.  
14

15 32. Glazer is now CEO of Stage Stores (STAGED).  
16

17 33. Barry Gold was director's assistant at STAGED.  
18

19 34. Paul Traub (Traub) owned the Traub Bonacquist &  
20 Fox (TBF) New York law firm.  
21

22 35. Traub was hired for STAGED by Barry Gold hand.  
23

24 36. Xroads LLC (Xroads) works in corporate  
25 restructuring and bankruptcy case managements.  
26

27 37. The Delaware Bankruptcy Court (DE BK Ct)  
28 approved financial consultant for eToys is Xroads.  
29

30 38. Scott Henkin is an executive of eToys bond  
31 holder Fir Tree Value Fund  
32



1           39. Mr. Henkin went to D E Shaw firm after KB filed  
2 bankruptcy in 2004 and sold eToys to D E Shaw.

3           40. Hasbro's Judy Smith influenced eToys/KB cases.  
4

5           41. Mattel Toys was one of the largest creditors of  
6 eToys and KB.

7           42. Johann Hamerski (Hamerski), own shares of eToys  
8 stock and *claimed* to be partners with Jack Abramoff.  
9

10          43. Gary Ramsey (Ramsey) is an eToys shareholder.  
11

12          44. Tom Petters (Petters) did a Ponzi scheme and is  
13 serving fifty (50) years in prison.  
14

15          45. Traub and Tom Petters were partners.

16          46. Marc Dreier, another partner of Traub's, is in  
17 prison for twenty (20) years, for several frauds.  
18

19          47. Roberta DeAngelis (DeAngelis) was Region 3 UST  
20 who became "Acting General Counsel" of the Executive  
21 office of United States Trustees (EOUST).  
22

23          48. Mark Kenney is local counsel for DeAngelis.

24          49. Frederick Rosner (Rosner) is Traub's local  
25 counsel for TBF in Delaware.  
26

27          50. These parties of Romney, Bain, GSachs, MNAT,  
28 Connolly, Glazer, Werkheiser, Barry Gold, Traub,

1 Xroads, Scott Henkin, Judy Smith, Hasbro, Mattel,  
2 Hamerski, Ramsey, Petters, DeAngelis, Kenney and Rosner  
3 are Defendant(s) benefiting directly or indirectly from  
4 and/or assisting the racketeering enterprise.  
5

## 6 **VI FACTS GERMANE TO COUNTS**

### 7 The Learning Company (TLCo)

8  
9 51. MNAT in 1999 (in Delaware) merged Romney's  
10 entity 'The Learning Co' (TLCo) with Mattel Toys.  
11

12 52. As a result of TLCo merger, Mattel investors  
13 reportedly lost \$3 Billion swiftly.  
14

### 15 Stage Stores (STAGED)

16 53. Romney reportedly formulated STAGED with monies  
17 from junk bond fraudster Michael Milken.  
18

19 54. The judge presiding over Milken's case had a  
20 wife who was a senior executive of the stores being  
21 acquired and/or merged into the STAGED formulation.  
22

23 55. While Romney owned STAGED, Jack Bush and Glazer  
24 were directors thereof.  
25

26 56. Barry Gold was STAGED's director's assistant  
27 who hired Traub's TBF during STAGED 2000 bankruptcy.  
28

1 57. Traub failed to disclose his connections to  
2 Jack Bush and Barry Gold in the STAGED bankruptcy.

3 58. Traub's TBF was not disqualified for the Stage  
4 "Conflict" in 2000, as required by Bankruptcy Laws.  
5

6 Kay Bee Toys (KB) Frauds  
7

8 59. Bain acquired Kay Bee Toys (KB) in mid-2000.

9 60. Glazer was CEO of KB thru 2004.

10 61. Bain received consideration/ payment by Glazer  
11 of \$83 million, prior to KB's 2004 bankruptcy filing.  
12

13 62. Glazer paid himself a consideration of about  
14 \$18 million before filing KB's bankruptcy.  
15

16 63. MNAT represents Bain of the \$83 million.

17 64. Traub's TBF asked to prosecute Glazer & Bain.  
18

19 65. Asset Disposition Advisors (ADA) was formed in  
20 April 2001 by Barry Gold & Traub as co-owners.  
21

22 66. ADA worked the KB case.

23 67. Traub's TBF was creditors counsel in KB case.  
24

25 68. During the KB bankruptcy eToys was sold to D E  
26 Shaw; and Scott Henkin became an executive of D E Shaw  
27 until eToys and KB were reacquired through The Parent  
28 Company bankruptcy; back under Bain at Toys R Us.

1 eToys Frauds

2 **eToys IPO Fraud by GSachs**

3 69. GSachs took eToys public (IPO) in 1999.

4 70. The eToys stock price went above \$80.

5 71. Evidence surfaced in 2013 (via N.Y. Times) of  
6  
7 GSachs's Lawton Fit betting eToys stock would hit \$80.

8 72. GSachs arranged that eToys received less than  
9  
10 \$20 per share from the IPO in a "Spinning" scheme.

11 73. MNAT confessed GSachs representation in DE.

12 **eToys Bankruptcy Frauds**

13  
14 74. As a result of various schemes, including the  
15  
16 GSachs pump-n-dump "*Spinning*" scheme of eToys IPO, on  
17  
18 March 7, 2001 - eToys filed bankruptcy in Wilmington,  
19 Delaware (DE Bankr. 01-706).

20 75. MNAT falsified its Bankruptcy Rule 2014/2016  
21  
22 Affidavits and failed to disclose GECC, GSachs, Mattel  
23 and Bain related issues.

24 76. Traub's TBF also failed to disclose Conflicts  
25  
26 to become eToys bankruptcy Unsecured Creditors counsel.

27 77. It was the plan of Traub & MNAT to sell eToys  
28  
to Bain's KB, in 2001, for \$5.4 million.

1 78. Plaintiff was sought out as one to halt the  
2 paltry/specious, discount auction process.

3 79. MNAT and Traub duped Plaintiff into utilizing  
4 his CLI entity; instead of being hired personally.

5 80. Plaintiff's Delaware Bankruptcy Court (DE BK  
6 Ct) CLI contracts and orders were drafted by the RICO  
7 parties in a scheme to destroy Plaintiff's business.  
8

9 81. MNAT and Traub have failed, until this very  
10 day, to disclose Conflicts of Romney/Bain/Glazer/KB.  
11

12 82. Plaintiff's CLI was excused from detailing CLI  
13 works as an additional scheme to harm Plaintiff.  
14

15 83. MNAT was the DE BK Ct approved firm to submit  
16 Plaintiff's CLI payment requests to the DE BK Ct.  
17

18 84. Plaintiff/CLI halted the auction process to  
19 sell eToys to Bain/KB for \$5.4 million.  
20

21 85. Resultant of Plaintiff's business efforts, Bain  
22 /KB was compelled to agree to pay tens of millions of  
23 dollars for eToys assets.  
24

25 86. Defendants, in 2001, asked the United States  
26 Trustee (UST) for permission to hand pick an eToys CEO.  
27

28 87. The UST warned Defendants not to be conflicted.

1           88. Defendants ignored the federal police of the  
2 bankruptcy system (UST) forewarning.

3           89. Whereas Traub's TBF firm nominated Barry Gold  
4 to become the eToys post-bankruptcy petition CEO.

5           90. Barry Gold did not apply for DE BK Ct approval  
6 to be engaged in eToys, until late in 2002.

7           91. In the meantime, a bribe was offered to this  
8 Plaintiff, by the Defendants, of \$850,000 approximate.

9           92. Plaintiff was also offered to be a partner.

10           93. When the Bribery was turned down and reported  
11 to the Department of Justice (DOJ), Mark Kenney told  
12 Plaintiff a bribe isn't really a bribe unless accepted.

13           94. Plaintiff was instructed by Mark Kenney (in Mr.  
14 Kenney's capacity as UST trial attorney) that Plaintiff  
15 should accept the offer and then bring it to the DOJ to  
16 get approval.

17           95. Meanwhile, Defendant Romney reportedly resigned  
18 as Bain's CEO, in August 2001.

19           96. Then, MNAT's partner Connolly, was arranged to  
20 become the Delaware U.S. Attorney on August 2, 2001.

21           97. Defendants have never disclosed Connolly links.

## **Liquidity Solutions Preferential Scams**

1  
2 98. Liquidity Solutions was co-Debtor of STAGED.

3  
4 99. Upon Barry Gold being inserted into eToys in a  
5 bogus manner, Liquidity Solutions began to make deals  
6 to acquire eToys Creditors' claims.

7  
8 100. No party disclosed the Liquidity Solutions  
9 probable conflicts of interests in claims buying.

10  
11 101. In late 2002, after a hearing on the Confirmed  
12 PLAN of eToys Chapter 11 bankruptcy (DE Bankr. 01-706),  
13 Defendants MNAT/Werkheiser and Traub's TBF did draft  
14 the language of the Confirmed PLAN to permit Barry Gold  
15 to become the Confirmed PLAN Administrator.

16  
17 102. Barry Gold committed Perjury in his Confirmed  
18 PLAN Administrator Declaration that articulated that  
19 eToys Confirmed PLAN was settled with "extensive" arm's  
20 length/good faith negotiations between Debtor (that was  
21 represented by Barry Gold) and Creditor's (represented  
22 by Barry Gold's partner {in ADA} Traub/TBF).

23  
24 103. Defendants MNAT/Werkheiser and Traub's TBF  
25  
26 scammed the DE BK Ct, via intentional fraud on court.  
27  
28

1           104. Language of the Confirmed eToys bankruptcy  
2 PLAN stipulates that the Administrator (Barry Gold) may  
3 settle any claims under \$1 million (including Liquidity  
4 Solutions and cohort firm Madison Liquidity) without  
5 the need of asking the DE BK Ct for permission.  
6

7           105. The Post Effective Date Committee (PEDC) that  
8 was created by MNAT/Werkheiser, Barry Gold and Traub's  
9 TBF with the permission of Mattel, Hasbro, Judy Smith  
10 and Scott Henkin, permits Barry Gold to settle all of  
11 the eToys claims by the PLAN Administrator (Barry Gold)  
12 only needing to get the permission of the Creditor's  
13 (who are represented by Barry Gold's partner Traub).  
14

15           106. Plaintiff/CLI had been able to get nearly \$50  
16 million back into eToys.  
17

18           107. Once Barry Gold was on his way unlawfully into  
19 eToys, MNAT asked for permission to DESTROY eToys Books  
20 & Records in 2001.  
21

22           108. MNAT also petitioned for a DE BK Ct ORDER to  
23 pay employees doubly salary during eToys bankruptcy.  
24

25           109. As a result, eToys employees became angry when  
26 Plaintiff/ his CLI staff - let eToys employees go.  
27  
28



1 110. Destruction of eToys books & records served  
2 GSachs, Bain and other schemes well.

3 111. Plaintiff discovered unreported cash deposits  
4 of eToys overseas.

5 112. Defendants yelled at Plaintiff for getting  
6 into matters they didn't want Plaintiff touching.

7  
8  
9 **Wells Fargo/Foothill \$100 Million Gellene Scheme**

10 113. After Defendant Romney reportedly resigned as  
11 Bain's CEO and MNAT's partner was secretly placed into  
12 the DOJ's Delaware U.S. Attorney office, it was learned  
13 that prior to eToys filing for bankruptcy on March 7,  
14 2001 (DE Bankr. 01-706), Traub's TBF was the counsel  
15 for the "unofficial" Creditors Committee for eToys.

16 114. Xroads, Barry Gold and Traub have never told  
17 anyone about their links to GSachs and Wells Fargo.

18 115. In November 2000, it was arranged for Foothill  
19 Capital (a Wells Fargo link) to loan eToys \$40 million.

20 116. This \$40 million loan transacted over \$100  
21 million prior to eToys March 2001 bankruptcy.

22 117. Wells Fargo's \$100 million preferential being  
23 hidden, is what is known as a John Gellene scheme.

1           **Goldman Sachs New York Supreme Court eToys Scheme**

2           118. MNAT, in 2002, picked Traub's TBF to prosecute  
3 GSachs in the New York Supreme Court case 601805/2002.  
4

5           119. Defendants continued their perpetrations of  
6 Frauds on the Court to get Traub's TBF prosecuting  
7 Goldman Sachs and recently (unlawfully) settled the  
8 eToys (renamed ebcl after Bain/KB stole the eToys.com  
9 domain names) versus GSachs for a mere \$7.5 million.  
10  
11

12           120. Illicitly, MNAT signed Barry Gold giving his  
13 partner Traub some of the settlement.  
14

15           121. None of the Defendants have ever pointed out  
16 to the New York Supreme Court that GSachs counsel did  
17 handpick their own cohort (Traub/TBF) in other crimes  
18 to prosecute GSachs in New York Supreme Court.  
19

20           **Reduction of eToys Assets Prices to Bain/KB**

21           122. Plaintiff, with his CLI staff, had successful  
22 agreements of mergers of eToys assets with others.  
23

24           Scholastic Deal Fraud  
25

26           123. Defendants schemed to assure Bain/KB would get  
27 eToys by scamming to demise eToys/Scholastic merger.  
28

1 Playco/Toys International

2 124. Complainant had arranged for cash infusion and  
3 merger of Playco/Toys International (where Playco had  
4 brick & mortar well established locations that could  
5 sell eToys online goods in stores during Christmas.  
6

7  
8 125. Defendants nixed the Playco deal while being  
9 deceptive of links to Playco/Bain/KB parties.

10 126. Traub's TBF was also Playco's Creditors firm  
11 who never disclosed to Playco and/or eToys parties his  
12 many Conflicts that was harming both estates.  
13

14  
15 eToys Domain Name Frauds

16 127. Though it is an established principal that one  
17 need not prove material adverse harm was a result of  
18 the Defendants failure to disclose links to buyers; in  
19 this case there are many documented items of material  
20 adversity.  
21

22  
23 128. MNAT, Barry Gold and Traub's TBF all kept it  
24 secret about their ties to Romney/Bain/KB/Glazer and  
25 GSachs when MNAT had eToys Books & Records Destroyed  
26 while eToys.com domain name sale price of \$10 million  
27 was reduced by Defendants schemes to \$3 million.  
28

1 FINGERHUT Scheme

2 129. Fingerhut is an order fulfillment entity that  
3 eToys accused (resulting in filing a cause of action),  
4 Fingerhut for botching many of eToys customer orders.  
5

6 130. Barry Gold, MNAT and Traub's TBF approved of  
7 eToys settling the Fingerhut issues.  
8

9 131. Traub then became co-owner of Fingerhut by use  
10 of Tom Petters Ponzi monies.  
11

12 132. In 2012, Tom Petters federal receiver did  
13 point out that Traub was "controller" of Petters Ponzi.  
14

15 133. Traub had been Tom Petters partners since (at  
16 least) the 1999 P T Partners formulation in 1999.  
17

18 134. In a bizarre state of affairs, Fingerhut was  
19 never seized by the Minnesota DOJ's U.S. Attorney.  
20

21 **HARM TO PLAINTIFF'S BUSINESS**

22 135. After RICO Defendant Romney reportedly resigns  
23 as Bain's CEO and MNAT's partner Connolly was arranged  
24 to become the Delaware U.S. Attorney; then Defendant  
25 MNAT supplicated a forgery known as "Haas Affidavit"  
26 that Defendants premise to the courts is a "waiver" by  
27 Plaintiff's CLI rights to be paid (\$3.7 million).  
28

1           136. Plaintiff's attorney for CLI (Henry Heiman)  
2 did email a threat from Traub's TBF that if Plaintiff  
3 failed to "back off" from his pursuits of justice.  
4

5           137. Included in the threats was a promise to  
6 destroy Plaintiff's career, make sure his business  
7 would not be compensated and worse would transpire.  
8

9 Plaintiff's Daughter Abduction

10           138. Unknown to Plaintiff, outside of the fact that  
11 Defendants were ALL in the schemes & artifices plans to  
12 defraud eToys and/or benefit thereof; Plaintiff was  
13 sitting in an office less than 25 feet away from a  
14 Traub/Tom Petters Ponzi partner of Larry Reynolds.  
15  
16

17           139. Larry Reynolds had laundered \$12 Billion for  
18 Traub/Petters Ponzi while in Las Vegas, under review by  
19 the SEC and IRS.  
20

21           140. Mr. Reynolds real name is Reservitz; and he  
22 was able to launder the \$12 Billion while in WISTEC  
23 (the Witness Protection Program).  
24

25           141. When Plaintiff turned down a "setup" scheme  
26 and reported it - his daughter was abducted in Vegas.  
27

28           142. Plaintiff's attorney withdrew just days prior.

## Ponzi Schemes & Other Frauds Linked Nationwide

### Tom Petters Ponzi

143. In 2008, just prior to the FBI raid of the Tom Petters Ponzi, Traub went to Minnesota.

144. Resultant of Traub's efforts, Fingerhut did obtain a new \$50 million loan from Bain and GSachs.

145. Absurdly Tom Petters attorney (Douglas Kelley) became the Federal Receiver over Petters Ponzi case.

146. When the Feds seized Tom Petters Ponzi assets in 2008, Fingerhut was surreptitiously spared.

147. Petters Ponzi acquired Polaroid.

148. Polaroid **was** seized by the feds.

149. Polaroid was sold to the 2<sup>nd</sup> highest bidders of Hilco and Gordon Brothers for (approx.) \$83 million.

150. Hilco and Gordon Brothers are Traub's clients.

151. Traub then was principal of Gordon Brothers.

152. Gordon Brothers, subsequent to its Polaroid purchase, announced a new license deal of \$2 Billion.

153. Petters Ponzi Receiver (also bogusly allowed to be bankruptcy Trustee in Petters case) in 2012 named Traub as "controller" of Tom Petters Ponzi.

1 Palm Beach Links Scheme

2 154. Frank Vennes, Bruce Prevost and David Harrold  
3 formulated Palm Beach Links Petters Ponzi feeder fund.  
4

5 155. Palm Beach Links Dallas Texas principal was  
6 Steve Cammack.  
7

8 156. Plaintiff discovered MNAT's undisclosed links  
9 to GSachs by a typo of case # 01-705, instead of 01-706  
10 in Public Access Court Electronic Records (PACER).  
11

12 157. MNAT represents GSachs in Finova case 01-705.

13 158. Steve Cammack came from Finova.  
14

15 159. Mr. Cammack started Palm Beach Links feeder  
16 fund with \$50 million from Bill Cawley of Dallas.  
17

18 160. Steve Cammack immediately loaned back \$52  
19 million to Bill Cawley and also violated laws secretly  
20 giving Mr. Cawley management fees from Palm Beach fund.  
21

22 Marc Dreier Frauds

23 161. During eToys pursuits for justice, there were  
24 several times Traub and Barry Gold were deposed on the  
25 stand; but those Defendants continued Frauds on Court.  
26

27 162. Results of further investigations led to the  
28 discovery of Traub's TBF being "Revoked" by N.Y. State!

1           163. In 2006, Traub's TBF was fractured by cases  
2 evidences and he took a contingency to become partner  
3 of Dreier LLP law firm.  
4

5           164. Subsequently, Marc Dreier went to prison for  
6 \$750 million in frauds.  
7

#### 8 Lancelot Schemes

9           165. Greg Bell was drafted by Petters Ponzi to  
10 formulate feeder funds in Illinois (some were named Sky  
11 Bell and another named Lancelot).  
12

13           166. Marty Lackner was a partner with Greg Bell.  
14

15           167. Marty Lackner's brother is J. Lackner.  
16

17           168. J. Lackner was Minnesota Assistant United  
18 States Attorney and former head Criminal Division.  
19

20           169. In 2009, there were still no arrests/seizure  
21 on Marty Lackner who them (*reportedly*) commits suicide!  
22

#### 23 Allen Stanford Scandal

24           170. Romney, his son Tagg and Romney's President  
25 Campaign fund raiser Spencer Zwick, all have ties to  
26 the Allen Stanford scandal.  
27

28           171. Brokers who worked for Stanford are now linked  
to Romney(s)/Zwick's new entity Solamere Advisors.



## Mayhem & Homicides

### Johann Hamerski/Jack Abramoff Links Sesseyoff Killing

172. Johann Hamerski sought out eToys shareholder Robert Alber, to trade Arizona land that Mr. Hamerski misrepresented he own, for some Robert Alber stock.

173. Mr. Hamerski boasted (prior to the arrest) that he was a partner of Jack Abramoff's in off shores.

174. Robert Alber reported Johann Hamerski offered him a bribe; which was turned down.

175. Jack Abramoff tried to scheme to get control of the Region 3 UST's office in 2001.

176. Robert Alber discovered that MNAT was secretly keeping in touch with Alber v Hamerski litigations.

177. Upon Jack Abramoff's early release from prison Gary Ramsey, a lifetime friend and co-owner of Robert Alber's Kingman, Arizona home walked out of the house and vanished into thin air.

178. Then career criminal Michael Sesseyoff did attack Robert Alber.

179. Sesseyoff was shot/killed by Alber in 2010.

180. Hamerski continues to seek arrest of Alber.

1 Plaintiff's Daughter Abducted

2 181. As mentioned above (in item 141) Plaintiff's  
3 daughter was abducted (on Plaintiff's birthday in 2004)  
4 after Plaintiff was threatened to "back off".  
5

6 Marty Lackner Suicide and Links to U.S. Attorney Office

7  
8 182. Whereas Plaintiff is aware due to contacts of  
9 Marty Lackner that Marty's brother was Minnesota Asst.  
10 United States Attorney J. Lackner.  
11

12 183. Reportedly, Marty Lackner committed suicide.  
13 John ("Jack") Wheeler Murder Bizarre Links to Connolly  
14

15 184. Plaintiff had funded Anna Schaeffer to move  
16 back to Minnesota and become a private investigator.  
17

18 185. Shortly thereafter, in 2010, Anna Schaeffer  
19 was stricken with deadly cancer.  
20

21 186. Harry A. of Delaware area, did work/assist the  
22 pursuits for justice by Plaintiff.  
23

24 187. Meetings with two (2) Jacks were supposed to  
25 transpire and a former head of Delaware State Police.  
26

27 188. Both Harry A. and head of Stage Police were  
28 stricken with cancer and Harry A. died.  
29

30 189. State Police/Politician info is now unavail.

1           190. On New Years Even 2010, John ("Jack") Wheeler,  
2 a West Point man who worked for three (3) Presidents,  
3 was significant in the Vietnam Memorial, also of Mother  
4 Against Drunk Driving and had his own Vietnam Children  
5 charity - was found murdered and thrown in the dump.  
6

7  
8           191. Plaintiff put out blogs and such to seeks any  
9 answers to Jack Wheeler's demise.

10           192. Then Defendant Connolly (an obvious corrupt  
11 United States Attorney in Delaware) did put forth a  
12 reward for \$25,000 for all information to go to him.  
13

14  
15           193. Video evidence has since arisen that Jack  
16 Wheeler went to the Nemours Bldg. when he was murdered!  
17

18           194. Connolly's law office and the Delaware U.S.  
19 Attorney's office is housed in the Nemours Building.

20           195. Under no declared authority, Connolly went  
21 before the Press and stipulated "we believe the killer  
22 has left the state".  
23

24           196. Jack Wheeler's house was ransacked and music  
25 turned up; but nothing "appeared" to be taken.  
26

27           197. Plaintiff's interests in Jack Wheeler is that  
28 Mr. Wheeler worked prosecution division of the SEC.

**FEDERAL AGENTS/AGENCY CORRUPTION GERMANE**

1  
2 Robert DeAngelis

3  
4 198. Speciously, Tom Petters (*who has pursued many*  
5 *hearings/appeals for reconsideration of his 50 years in*  
6 *prison sentence*) has never made a proper defense issue  
7  
8 about the facts of Larry (Reservitz) Reynolds, Marty/J.  
9 Lackner and Paul Traub issues.

10  
11 199. Defendant Roberta DeAngelis was replaced as  
12 Region 3 UST by a December 22, 2004 UST Press release.

13  
14 200. Just a few months prior, Defendant Robert  
15 DeAngelis had gone before Congress as UST expert on  
16 issues of bankruptcy fraud and wayward attorneys.

17  
18 201. Plaintiff had been in direct contact with the  
19 DOJ Deputy Director over U.S. Trustees, who had emailed  
20 Plaintiff his personal promise that he (Lawrence  
21 Friedman) was on top of the fraud issues.

22  
23 202. When Plaintiff pointed out another \$100  
24 million in Fraud, Director Friedman Resigned!

25  
26 203. Belatedly, Plaintiff learned that his local  
27 counsel in Delaware, of Michael Weiss, was Roberta  
28 DeAngelis's former firm.

1           204. Plaintiff's subsequent firm of Brad Brook in  
2 Los Angeles, utilized the Bayard Firm in Delaware.

3           205. Bayard Firm was also counsel for Back Bay  
4 Capital in the KB bankruptcy case.

5           206. Defendant Barry Gold also worked for Back Bay.

6           207. Roberta DeAngelis was secretly promoted the  
7 post of Acting General Counsel of U.S. Trustee program.

8           208. Plaintiff received 2006 and 2013 letters from  
9 the U.S. Trustee's office, refusing to investigate,  
10 prosecute and/or even acknowledge there is any cases.

11           209. Roberta DeAngelis is now back in as Region 3  
12 UST over KB and eToys cases; and DeAngelis is assisting  
13 the cover up of KB and eToys **Bankruptcy Ring** Frauds.

14           Mark Kenney Trial Counsel Region 3 US Trustee

15           210. Mark Kenney was involved in other cases of  
16 Barry Gold and Traub Conflicts; but did not arrest any  
17 of the Law breaking in eToys and KB cases.

18           211. Along with Roberta DeAngelis, Mark Kenney did  
19 **Breach** his **Fiduciary Duty** and oath of public office by  
20 directly becoming duplicitous in willful blindness,  
21 "Color of Law" and corruption of federal cases.  
22  
23  
24  
25  
26  
27  
28

1           212. When an Assistant U.S. Trust put forth a  
2 Motion to Disgorge Traub's TBF firm for \$1.6 million on  
3 February 15, 2005; less than ten (10) days later Mark  
4 Kenney put forth a Stipulation to Settle Traub's TBF  
5 Disgorge Motion with an unlawful - OPEN - promise for  
6 the UST to **Breach Fiduciary Duty** by promising to be  
7 willfully obtuse to all other Traub's TBF Conflicts.  
8  
9

10           213. In April 2005, Mark Kenney's duplicity ramped  
11 up a notch when Mr. Kenney had evidence of the MNAT,  
12 Traub/TBF \$100 million fraud provided by this Plaintiff  
13 to be Stricken & Expunged from the docket record.  
14  
15

16           214. Mark Kenney attempted to coerce Plaintiff to  
17 take Bribery offered by Defendants in eToys case.  
18

19           215. In various appeals, Mark Kenney did further  
20 efforts to protect the Racketeering.  
21

22           216. Of Robert Alber's federal appeals, Mark Kenney  
23 along with Roberta DeAngelis and others, did openly go  
24 upon the public record to Obstruct Justice.  
25

26 Colm Connolly Corruption

27           217. Connolly was Asst. U.S. Attorney, then MNAT  
28 partner and became full U.S. Attorney in August 2001.

1           218. For his entire seven (7) years in office, Mr.  
2 Connolly was in reception of proofs of many felony  
3 violations of GSachs, Bain, MNAT/Werkheiser, Traub/TBF,  
4 Barry Gold and many others; but Connolly's office did  
5 always refuse to arrest the organized criminality.  
6

7           219. Connolly never informed Plaintiff, parties of  
8 interest and the courts of his direct link/Conflicts of  
9 "targets" of federal investigation.  
10

11           220. Connolly's ties to John ("Jack") Wheeler do  
12 warrant a separate, federal investigation.  
13

14 Douglas Kelley Schemes  
15

16           221. Douglas Kelley is a partner of the Kelley &  
17 Wolter law firm that represented Tom Petters in 2008.  
18

19           222. As part of a deal with Minnesota U.S. Attorney  
20 office (where J. Lackner worked) Kelley Wolter law firm  
21 was given complete power of attorney of Petters assets.  
22

23           223. When Ritchie Capital and other related firms  
24 obtained a court ordered Federal Receiver to seize the  
25 Polaroid assets for loan defaults, Douglas Kelley did  
26 then become the NEW (more powerful) Federal Receiver  
27 over Petters Ponzi case.  
28

1           224. In spite of fact that this obvious conflict  
2 wreaked of cronyism and unethical practices egregious;  
3 Douglas Kelley also became Petters bankruptcy Trustee.  
4

5           225. Douglas Kelley never seized UBid and Fingerhut  
6 entities that Traub rearranged ownerships of in 2008.  
7

8           226. Traub's other secret clients were allowed to  
9 buy Polaroid in a rigged process for \$83 million.  
10

11           227. Second highest bidders Gordon Brothers/Hilco  
12 (with many more conflicts undisclosed) were announced  
13 then as the winners of the rigged auction of Polaroid.  
14

15           228. Shortly thereafter, Gordon Brothers announced  
16 \$2 Billion in license deals that were hidden by scheme.  
17

18           229. Traub then became a publicly announced co-  
19 managing principal of Gordon Brothers.  
20

21           230. Douglas Kelley utilized the Lindquist & Vennum  
22 law firm; which had ties to Traub/Petters Ponzi cohort  
23 and Polaroid co-owner Michael O'Shaughnessy.  
24

25           231. Enable Holdings and other O'Shaughnessy items  
26 went through super quick bankruptcy cases in Delaware.  
27

28           232. Douglas Kelley had the Mandatory Victims  
Restitution Act (MVRA) denied of victims of the Ponzi.



1 J. Lackner

2 233. Marty Lackner was involved in Petters Ponzi  
3 through his partnership with Lancelot feeder's fund.  
4

5 234. J. Lackner (an Assistant U.S. Attorney in  
6 Minnesota, where Petters Ponzi got away with it for  
7 decades) was Marty Lackner's brother.  
8

9 235. Now announcement of this serious ethical  
10 conflict issue transpired.  
11

12 SEC, OIG & Other Federal Agencies Willful Blindness

13 236. Plaintiff had sent proof of the Confessions of  
14 Traub's "intentional" deceiving the courts and both  
15 MNAT and Traub's TBF admittances of Conflicts hiding.  
16

17 237. Everyone from Senators, FBI, Public Integrity  
18 Section, SEC, OPR, OGE, President's Corporate Fraud  
19 Task Force, Congressman and more, did instruct this  
20 Plaintiff to go to the General Counsel of the EOUST  
21 (Roberta DeAngelis) and local U.S. Attorney (Connolly).  
22

23 238. It is now readily apparent that it was  
24 corruption by DeAngelis and Connolly that stymied and/  
25 or Obstructed Justice through their offices.  
26

27 239. The SEC confessed destruction of case files.  
28

1           240. Scott Bloch was head of the whistleblower  
2 division for federal agents unit known as the Office of  
3 Special Counsel.  
4

5           241. In 2008, just before the raids on Petters and  
6 arrest of Marc Dreier, the FBI raided Scott Bloch's  
7 home and office.  
8

9           242. Scott Bloch was accused of having evidences  
10 destroyed by utilizing a tech company to wipe computer.  
11

12           243. Mr. Bloch plead guilty; but he refused to do  
13 even one month jail time.  
14

15 **Public Corruption Task Force Shut Down**

16           244. In 2007, Plaintiff ferreted out proof that  
17 Roberta DeAngelis had been secretly promoted to be  
18 Acting General Counsel of EOUST.  
19

20           245. Plaintiff also discovered proof, in 2007, of  
21 Connolly's direct links to the parties he was refusing  
22 to prosecute.  
23

24           246. On December 7, 2007, Plaintiff filed a timed  
25 stamped/clocked copy of **18 U.S.C. 3057(a)** Complaint at  
26 the U.S. Attorney Public Corruption Task Force in Los  
27 Angeles, California.  
28

1 247. Twelve weeks later was the time when Plaintiff  
2 was told he would have an answer on the case.

3 248. Demonstrating how powerful the RICO has become  
4 - the Public Corruption Task Force was SHUT DOWN in  
5 March 2008; and (reportedly by L.A. Times story "Shake-  
6 up roils federal prosecutors") career federal agents  
7 were **Threatened** to keep their mouths shut - or else!

8  
9  
10 FBI Refusal to Work this Case  
11

12 249. One of the few times the FBI reached back to  
13 speak with this Plaintiff, was upon Senator Feinstein  
14 sending out a letter about the Senator's concerns over  
15 the remarks that there were NO public corruption cases  
16 to investigate; and that's why the Task Force closed.

17  
18  
19 250. Plaintiff was threatened by the FBI several  
20 times; and there's still no known federal review here.

21  
22 **VII LAWS BROKEN STATE AND FEDERAL TO ASSIST THE RICO**

23 251. Various Defendants conspired to break laws.

24 252. Many RICO Defendants have obstructed justice.

25 253. Mail and/or Wire Frauds have transpired.

26 254. Each and every Mail/Wire Fraud payment and/or  
27  
28 deceit upon federal agencies, courts and parties of

1 interests - has a date/time stamped upon them that  
2 provides specificity and particularity sufficient to  
3 satisfy plaintiff's compliance to **Fed.R.Civ.P 9(b)** that  
4 can be readily resolved by discovery.  
5

6 255. Defendants MNAT and/or Werkheiser's recent  
7 March 6, 2014 email and/or mailed affidavits to dismiss  
8 plaintiff's case are documentable mail or wire frauds.  
9

10 256. Various acts of Perjury benefits the RICO.  
11

12 257. Many schemes to fix fees in bankruptcy cases  
13 occurred to benefit various RICO Defendants unjustly.  
14

15 258. Barry Gold was paid \$40,000 twice, in eToys.  
16

17 259. Traub testified to the DE BK Ct on March 1,  
18 2005 that his TBF firm paid Barry Gold four (4)  
19 payments of \$30,000 each in 2001, ending May 2001.  
20

21 260. Those testimonies, in the public docket of the  
22 eToys bankruptcy case, are undeniable PROOF of **Scheme**  
23 **to Fix Fees** in violation of Bankruptcy Fraud **\$ 155**.  
24

25 261. Defendants Kenney and/or DeAngelis are  
26 breaking the law, by federal corruption, to assist the  
27 success of Defendants racketeering schemes by "Color of  
28 Law" and/or Conflicts crimes.

1           262. Plaintiff was Retaliated and suffers against  
2 Intimidations, often by the RICO Defendants.

3           263. Robert Alber, an eToys shareholder, suffered  
4 Retaliation and Intimidation of Victim/Witness too.

5           264. Plaintiff's own attorneys for CLI (Henry  
6 Heiman) emailed a threat to plaintiff, from Traub's  
7 partner Susan Balaschak.

8           265. Subsequently other court approved counsels for  
9 Plaintiff's business, also betrayed their client.

10           266. Complainant was told by Heiman's email to  
11 "back off" or CLI would not be paid, litigant's career  
12 would be destroyed and worse would occur.

13           267. All of plaintiff's counsel for CLI refused to  
14 inform the courts and/or the DOJ of the lies/frauds.

15           268. Plaintiff's career was destroyed by the RICO.

16           269. Defendants continue to retaliate against  
17 plaintiff to deny eToys payments even in THIS court.

18           270. Many RICO Defendants Obstructed Justice.

19           271. Connolly's Corruption benefited the RICO.

20           272. **Color** of Law Civil Rights violations has  
21 benefited the RICO.  
22  
23  
24  
25  
26  
27  
28

1           273. RICO co-conspirators such as Jack Bush, Barry  
2 Gold, Scott Henkin move around from one company to  
3 another to assist the success of the RICO.  
4

5           274. Fraud on courts state and federal, by officers  
6 of the court are currently benefiting the RICO.  
7

8           275. Conspiracies civil general and RICO transpired  
9 to assure the success of the racketeering schemes.  
10

11           276. RICO profits are reinvested to expand the  
12 racketeering enterprise.  
13

14           277. Businesses are busted out by the RICO.  
15

16           278. Grand Larceny schemes benefit the RICO.  
17

18           279. The RICO utilizes Bribery.  
19

20           280. Extortion benefits the RICO.  
21

22           281. Homicides have resulted connected to the RICO.  
23

24           282. Plaintiff's daughter was abducted.  
25

26           283. Destruction of evidence assists the RICO.  
27

28           284. Concealment of assets transpired in eToys.  
29

30           285. Embezzlement against estates occurred.  
31

32           286. There is Adverse Interest of Officers.  
33

34           287. Claims Rigging transpired for the RICO.  
35

36           288. National lies in Federal Elections occurred.  
37

1 289. Rigging of elections process transpired.

2 290. False Oaths for the RICO schemes occurred.

3 291. Knowing Disregard of Bankruptcy Laws and Rules  
4 has benefited the RICO.

5 292. Many State law breaking punishable by at least  
6 one year in prison, has benefited the RICO.

7 293. Unethical betrayal of court approved client's  
8 trust is a pattern of the RICO.

9 294. Money Laundering has assisted the RICO.

10 295. Interstate transportation of stolen property  
11 by collusion for the RICO occurred..

12  
13  
14  
15  
16 **XI RELIEF SOUGHT**

17 296. For each and every count below, the following  
18 items are to be read as if inserted into each and every  
19 count specifically germane and broadly apropos.

20 297. As the "Opening REMARKS of Count" it is noted  
21 in each count that;

22 298. Plaintiff realleges and restates the foregoing  
23 jurisdictional allegations and general factual  
24 allegations of this "Amended" Civil RICO Complaint, as  
25 if all above is set forth in each claim/count  
26  
27  
28

1 299. Prior to the wrongs complained of plaintiff  
2 enjoyed a profitable a climbing successful business.

3 300. During all relevant times pertaining to this  
4 case, plaintiff and Defendants are person(s) within the  
5 meaning of 18 U.S.C. §§ 1961(3) and 1962(c).  
6

7 301. As the "Ending REMARKS of Count" it is noted  
8 that each count will be construed to seek remedy of;  
9

10 302. There exists issues of unequivocal Federal  
11 Corruption as a pattern of the RICO.  
12

13 303. Each and every time one Defendant and/or any  
14 of their co-conspirators lied under oath, retaliated,  
15 did obstruct, schemed to fix fees, intimidated,  
16 corrupted the integrity of the judicial process, and/or  
17 did engage directly/indirectly and/or benefited  
18 directly/ indirectly from profuse, multiple **predicate**  
19 **acts** as described by **18 U.S.C. § 1961**; such constituted  
20 a "pattern" of racketeering activity within the meaning  
21 of **18 USC & 1961(5)** .  
22  
23  
24  
25

26 304. Many victims and plaintiff's business and  
27 property, profit was harmed by the RICO Defendants  
28 violations of **18 U.S.C. § 1962(c)** .



1           305. Injuries to plaintiff's business is a pattern  
2 of the RICO Enterprise visibly proximate.

3           306. Plaintiff's business, was damaged by the RICO  
4 affecting goodwill, impairing litigant's interest and  
5 ability to do business, degrading opportunities to gain  
6 employment (especially in the Toys industry).  
7

8           307. The RICO schemed to steal plaintiff's business  
9 monies, by intentionally harming plaintiff's contracts,  
10 including the eToys case CLI court approved works.  
11

12           308. Pursuant to 18 U.S.C. § 1964(c), plaintiff is  
13 now entitled to recover treble damages as a **Private**  
14 **Attorney General** due "**Prosecutorial Gaps**"  
15

16           309. Damage to plaintiff's business far exceeds  
17 \$3.7 million eToys monies stolen above fees and costs.  
18

19           310. Litigant is entitled to recover costs from the  
20 RICO Defendants collectively and separately.  
21

22           311. Litigant is further entitled to, and should be  
23 fully awarded, a preliminary and permanent injunction  
24 that prevents and enjoins Defendants, their assigns,  
25 and/or anyone accounting in concert with Defendants  
26  
27  
28

1 (including the recent efforts to rush to shut down the  
2 New York Supreme Court and DE BK CT eToys cases).

3  
4 312. Additionally, though it should go without  
5 saying so, the Defendants, their law firms, friends,  
6 relatives, backers, associates known and unknown in the  
7 Department of Justice should be restrained here and  
8 forever more, from breaking the law and/or breaching  
9 their fiduciary duties to assist covering up the RICO  
10 crimes, and/or any efforts assure the continued success  
11 of the RICO Defendants, and/or attack, retaliate and/or  
12 assault victims/witnesses of the other RICO (such as  
13 Robert Alber) in any way whatsoever.

14  
15 313. Additionally, rogue elements inside federal  
16 agencies, should be restrained from assisting the RICO;  
17 and compelled to do their Fiduciary Duty.

18  
19 314. As is established by In re Hazel Atlas Glass v  
20 Hartford Empire, there's NO Statute of Limitations for  
21 Fraud on the Court by its approved officers.

22  
23 315. Defendant Barry Gold should be removed "for  
24 cause" as is permitted under eToys Confirmed PLAN 5.2  
25 to arrest Barry Gold's racketeering in eToys.  
26  
27  
28

1 316. Plaintiff should be granted the ability to be  
2 Liquidation Consultant as PLAN Administrator of eToys  
3 per the Confirmed PLAN Section 5.2.  
4

5 **COUNT I** RICO ACT VIOLATIONS OF 18 USC § 1962(c)

6 (Against ALL RICO Defendants)  
7

8 317. Plaintiff restates Opening REMARKS of Count

9 318. Defendants(s) engaged in "*Bankruptcy Ring*" and/or  
10 "*Corporate Raiding*" and/or "*Political Election Ring*" and/or various  
11 types of "*Federal Corruption*" (including Civil Rights Fed  
12 venality by "*Color of Law*") as "associations in fact" units  
13 "enterprisingly" harming interest commerce.  
14

15 319. Defendants are "*culpable*" persons who "*corrupt*"  
16 legitimate business by "*patterns*" of "*racketeering*".  
17

18 320. There are many victims of the RICO.  
19

20 321. Defendants RICO harmed plaintiff's business.  
21

22 322. These acts here and above mentioned constitute  
23 a pattern of racketeering as defined 18 U.S.C. § 1961.  
24

25 **The RICO Enterprise**  
26

27 323. Defendants all operated legit functions that  
28 they corrupted for unjust gains as an "*Enterprise*".

1           324. The Defendants afflicted interstate commerce  
2 and harmed this plaintiff's business within the meaning  
3 of **18 U.S.C. § 1962(c)** .  
4

5 **Pattern of Racketeering Activity**

6           325. Each & every RICO Defendants and/or co-  
7 conspirators conducted and/or participated and/or  
8 benefited directly and/or indirectly in/from the  
9 conduct, managing and/or operation of the Enterprise's  
10 affairs through "patterns of racketeering" activity  
11 within the meaning of **18 U.S.C. § 1961(5)** and in violation of  
12 **18 USC § 1962(c)**, of state and federal law breaks that carry  
13 at least one (1) year of prison time.  
14  
15  
16  
17

18           326. Defendants benefited from "patterns" of  
19 Racketeering also include items money laundering,  
20 pretending to be opponents and **Bankruptcy Rings**.  
21

22           327. Plaintiff restates Ending REMARKS of Count.

23           328. WHEREFORE, in addition to the "Ending REMARKS  
24 of Count" reliefs sought, Plaintiff demands judgment  
25 for money/treble damages against Defendants and any  
26 further relief as the Court may deem reasonable & just.  
27  
28



(Against ALL RICO Defendants)

335. Plaintiff restates Opening REMARKS of Count.

336. Demonstrating Defendants still maintain an interest and control of the RICO is the fact that many Defendants are (STILL) continuously Openly and Brazenly breaking the laws to assure the continued success of the RICO (such as KB and eToys being in bankruptcy each twice winding back at Bain's under Toys R Us).

337. Federal corruption of Defendants DeAngelis and Kenney in the UST program and current crimes settle of N.Y. Sup. Ct case of eToys v GSachs proves continuity.

338. Pretending "**still**" to be opponents of each other is unlawful/RICO **Bankruptcy Ring** continuity.

339. Mattel, Hasbro/Judy Smith's and Romney's group ownership of Mattel stock leading to Bain's Toys R Us, demonstrate expansion of the RICO continuous.

340. Plaintiff restates Ending REMARKS of Count.

341. WHEREFORE, beyond the "Ending REMARKS of Count" reliefs sought, Plaintiff demands judgment for money damages treble against Defendants collectively

1 and/ or separately and any further relief as the Court  
2 may deem reasonable and just.

3  
4 **COUNT IV**

5 (Conspiracy to Expand RICO - 18 USC § 1962(d))

6 (Against ALL RICO Defendants)

7  
8 342. Plaintiff restates Opening REMARKS of Count.

9 343. Defendants are STILL engaging in "*Bankruptcy Ring*"  
10 and/or "*bust outs*" and/or "*Political Election Ring*" and/or various  
11 types of "*association in fact*" units "*enterprisingly*" harming interest  
12 commerce that also is harming this plaintiff's business.  
13

14  
15 344. Defendants know or should have known that  
16 their felony violations are a part of a conspiracy to  
17 defraud private/ public companies and federal estates.  
18

19 345. Defendants RICO conspiracy is in violation of  
20 **18 U.S.C. §§ 1961, 1962** fully and 1964(c), serving as proof of  
21 the RICO Defendants being in violation of **18 USC § 1962(d)**.  
22

23  
24 346. The RICO is expanding as Defendants now try to  
25 perpetrate additional frauds on THIS court.

26  
27 347. Marc Dreier, Tom Petters and Stanford frauds,  
28 Ponzi and scams expands demonstrate conspiracy broad.





1 360. Plaintiff restates Ending REMARKS of Count.

2 361. WHEREFORE, beyond the "Ending REMARKS of  
3 Count" reliefs sought, Plaintiff demands judgment for  
4 money damages against Defendants collectively and/ or  
5 separately and any further relief as the Court may deem  
6 reasonable and just.  
7  
8

9 **COUNT VI** (Tortious Interference With Contract)

10 (Against ALL RICO Defendants)

11 362. Plaintiff restates Opening REMARKS of Count.

12 363. Plaintiff had a DE BK Ct approved contract  
13 from eToys that guaranteed his CLI business four (4)  
14 payments of \$100,000 and success fees (commissions)  
15 plus expense still due (of approximately \$3.7 million).  
16  
17  
18

19 364. Defendants are continuously interfering with  
20 plaintiff's CLI contract payments - Fraudulently!  
21

22 365. Fraud in KB, FAO Schwartz and NY Sup Ct of  
23 eToys v GSachs cases are continuous

24 366. Plaintiff restates Ending REMARKS of Count.

25 367. WHEREFORE, beyond the "Ending REMARKS of  
26 Count" reliefs sought, Plaintiff demands judgment for  
27 money damages against Defendants collectively and/ or  
28

1 separately and any further relief as the Court may deem  
2 reasonable and just.

3 **COUNT VII** (Unjust Enrichment)

4 (Against ALL RICO Defendants)

5 368. Plaintiff restates Opening REMARKS of Count.

6  
7 369. Defendants RICO has unjustly enriched all RICO  
8 Defendants and/or provided promises of unjust gains.

9  
10 370. Romney unjustly benefited so much from the  
11 frauds of the Enterprising RICO that he became powerful  
12 enough to have too close a chance to become President.

13  
14 371. Defendants Traub, Glazer, Petters, Barry Gold,  
15 MNAT, Xroads, Werkheiser, Mattel, Hasbro, Judy Smith  
16 and other co-conspirators (such as Traub's local firm  
17 Frederick Rosner) have visibly benefited unjustly.

18  
19 372. There's no reason for the racketeering to stop  
20 as the federal corruption continues to stymie justice.

21  
22 373. Plaintiff restates Ending REMARKS of Count.

23  
24 374. WHEREFORE, beyond the "Ending REMARKS of  
25 Count" reliefs sought, Plaintiff demands judgment for  
26 money damages treble against Defendants collectively  
27  
28

1 and/ or separately and any further relief as the Court  
2 may deem reasonable and just.

3 **COUNT VIII** (Trespass to Chattels)

4 (Against ALL RICO Defendants)

5 375. Plaintiff restates Opening REMARKS of Count.

6  
7 376. Business of plaintiff has been harmed and the  
8 use of plaintiff's property interfered, usurped, upset  
9 and disturbed when Defendants assisted the RICO to  
10 steal and/or obstruct access to plaintiff's business  
11 monies, resources and funding necessary in a scheme to  
12 withhold by grand larceny and/or Schemes to Fix Fees  
13 and/or Retaliations direct/ indirect, as a result of  
14 Defendants many schemes and artifices to defraud.  
15  
16  
17  
18

19 377. Plaintiff's rise in the liquidation, Turn  
20 Around Managing/ Consulting and bankruptcy business was  
21 halted as a result of the deprivation of the funds that  
22 plaintiff and his business were rightfully entitled to.  
23

24 378. Plaintiff restates Ending REMARKS of Count.

25  
26 379. WHEREFORE, plaintiff also seeks, in addition  
27 to "Ending REMARKS of Count" reliefs sought, demands of  
28 judgment for money damages treble against Defendants as

1 collectively and/ or separately and any further relief  
2 as the Court may deem reasonable and just.

3 **COUNT IX** (Civil Conspiracy)

4  
5 (Against ALL RICO Defendants)

6 380. Plaintiff restates Opening REMARKS of Count.

7  
8 381. As iterated throughout this Complaint, the  
9 Defendants RICO has perpetrated many crimes and more  
10 than one conspiracy for unjust enrichments, including,  
11 *but not limited to*, the destruction of plaintiff and/or  
12 his business and/or harm to many other victims.

13  
14 382. Defendants RICO included plots of Perjury,  
15 Bribery, Frauds on court to harm plaintiff's business.

16 383. Plaintiff restates Ending REMARKS of Count.

17  
18 384. WHEREFORE, plaintiff also seeks, in addition  
19 to "Ending REMARKS of Count" reliefs sought, demands of  
20 judgment for money damages treble against Defendants as  
21 collectively and/ or separately and any further relief  
22 as the Court may deem reasonable and just.

23 **COUNT X** Violations of State Laws NY, CA, DE & PA

24  
25 (Against ALL RICO Defendants)

26 385. Plaintiff restates Opening REMARKS of Count.

1 386. Defendants RICO has benefited from numerous  
2 frauds lies under oath and/or omissions of facts.

3 387. Various RICO Defendants have broken federal  
4 laws in states where the RICO Defendants can (should)  
5 be prosecuted for crimes of Perjury, Grand Larceny,  
6 Witness Tampering and/or many other STATE crimes.  
7  
8

9 388. These crimes were perpetrated in the States of  
10 Pennsylvania, New York, Delaware, California and more.  
11

12 389. Plaintiff restates Ending REMARKS of Count.

13 390. WHEREFORE, plaintiff also seeks, in addition  
14 to "Ending REMARKS of Count" reliefs sought, demands of  
15 judgment for money damages treble against Defendants as  
16 collectively and/ or separately and any further relief  
17 as the Court may deem reasonable and just.  
18  
19

## 20 **COUNT XI**

21 (Request for Declaratory Judgment that Defendants who  
22 obtained and/or maintained their positions of trust by  
23 frauds on the court(s), Breaches of Fiduciary Duty and  
24 violate Court Order Clients are to now be void "*ab*  
25 *initio*" and all Judgments obtained by Defendants Frauds  
26 against Plaintiff and/or other victims are also to be  
27  
28

1 void "ab initio" and of no effect & that Barry Gold be  
2 removed and plaintiff be reinstated in eToys)

3 (Against ALL RICO Defendants)  
4

5 391. Plaintiff restates Opening REMARKS of Count.

6 392. This case is not about ethics issues that it  
7 would take a rocket scientist to comprehend where many  
8 of the RICO's crimes are obvious.  
9

10 393. MNAT admitted affidavit deceit about GSachs,  
11 to a federal court.  
12

13 394. Traub's TBF confessed "intentional" perpetrate  
14 of keeping affidavits lies to deceive the courts.  
15

16 395. The UST has gone upon the public record with  
17 Disgorge Motion testimony it forewarned Traub's TBF **NOT**  
18 to replace eToys executives with anyone connected to  
19 the DE BK Ct approved professionals of the estate(s).  
20

21 396. Defendants RICO schemers ignored that federal  
22 police warning by deliberate, clandestine, conspiracy.  
23

24 397. Upon the federal police (UST DeAngelis and/or  
25 Kenney) being informed of this intentional fraud and/or  
26 conspiracy to defraud by officers of the court, those  
27 federal agents, with the assistance of a corrupt fed  
28

1 prosecutor (Connolly), engaged in many plots and ploys  
2 to Breach their Fiduciary Duty and assisted Defendants  
3 in their plot to destroy eToys, KB and Plaintiff.  
4

5 398. You simply can't have any federal system of  
6 justice warn Capone not to do a specific crime, only to  
7 see them get a bunch of Nitti's who then conspired for  
8 the success of the crimes they were warned not to do -  
9 and then get caught in the act; but federal police help  
10 the organized criminals throw out the bank managed as  
11 the police toss the racketeers the keys to the vaults.  
12  
13

14 399. No court can be effectual, in equity, to stand  
15 idle by, as a helpless victim of fraud. ESPECIALLY when  
16 the Defendants have confessed to fraud upon a court.  
17  
18

19 400. The Declaratory and Injunctive Relief(s)  
20 sought wouldn't upset equity and justice, the voiding  
21 the Defendants and their schemes and reinstating of  
22 plaintiff where he belongs would guarantee justice and  
23 help restore the public faith in the judicial process.  
24  
25

26 401. Plaintiff restates Ending REMARKS of Count.

27 402. WHEREFORE, plaintiff also seeks, in addition  
28 to "Ending REMARKS of Count" reliefs sought, demands of

1 judgment for money damages trebled against Defendants  
2 as collectively and/ or separately and for pre-judgment  
3 interest and penalties and fees and costs, including  
4 attorney fees, in accordance with statute **18 U.S.C. §**  
5 **1964 (c)** and according to any other statute discovery at  
6 trial should produce proof of, full and equitable  
7 relief proper and justice, including additional issues  
8 of injunctive or/and declaratory and/or any further  
9 relief as the Court may deem reasonable and just.

13 403. Defendants and/or their RICO have enjoyed  
14 considerable success, over decades, including gaining  
15 vast tens/hundreds of millions of dollars (more likely  
16 billions) of unjust enrichments, along with career  
17 advancements and a chance for boss Romney to become the  
18 President of the United States by **delegate larceny**.

21 404. Defendants should all be removed and enjoined  
22 from their positions of trust.

24 405. Especially Defendants MNAT/Werkheiser, Barry  
25 Gold, Frederick Rosner, Traub, Romney, Mark Kenney and  
26 Roberta DeAngelis.

28 406. Reinstating Plaintiff in eToys solves crimes!





1 the integrity of the judicial process and adjudication  
2 upon the merits being pushed to the back of the bus.

3  
4 411. A preponderance of the proof of malfeasance in  
5 this case arises greatly from federal archive records.

6 412. There's no greater evil in a civil society,  
7  
8 than that of public tax paid servants betraying their  
9 oath of office for unjust enrichments.

10 413. No one of sound mind believes Defendants claim  
11 that plaintiff "waived" his business's right to be paid  
12 an estimated \$3.7 million in 2001.

13  
14 414. Once Defendants MNAT, Barry Gold and Traub's  
15 TBF confessed their lies under oath, they were required  
16 to be disqualified as a matter of law; and Plaintiff  
17  
18 seeks that such equitable and just remedy prevails.  
19

20 **PLAINTIFF DEMANDS A JURY TRIAL!**

21  
22  
23 Date \_\_\_\_\_ Signed \_\_\_\_\_

24 Steve ("Laser") Haas  
25 Plaintiff "Pro Se"  
26  
27  
28