

FILED

1 Steven ("Laser") Haas
2 108 E Jewel Street
3 Delmar, DE 19940
4 323 214 6527

2014 APR 14 PM 3:23

U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: 

5 UNITED STATES DISTRICT COURT
6 CENTRAL DISTRICT OF CALIFORNIA

7 STEVEN ("LASER") HAAS	)	Case No: 2:13-CV-7738 SVW (AGR)
8 Plaintiff,	)	MOTION TO AMEND PLAINTIFF'S
9 vs.	)	COMPLAINT AND FOR JUDICIAL
10	)	NOTICE UNDER FED.R.CIV.P 201
11 WILLARD MITT ROMNEY et. al.)	)	THAT DEFENDANTS MOTION TO
12 Defendant(s)	)	DISMISS PLAINTIFF COMPLAINT(S)
	)	UNDER FED.R.CIV.P 12(b) GRANTS
	)	PLAINTIFF RIGHT AMEND COMPLAINT
	)	Judge: Honorable Stephen V. Wilson
	)	Hearing Date: June 2, 2014
	)	Time: 1:30 p.m.
	)	Courtroom: Number 6

15
16 **MOTION TO AMEND PLAINTIFF'S COMPLAINT AND FOR JUDICIAL**
17 **NOTICE UNDER FED.R.CIV.P 201 THAT DEFENDANTS MOTIONS TO**
18 **DISMISS PLAINTIFF COMPLAINT(S) UNDER FED.R.CIV.P**
12(b) GRANTS PLAINTIFF CIVIL RIGHT TO AMEND COMPLAINT

19 1. Plaintiff Steven Haas (more commonly known as
20 "Laser"), as **pro se** petitioner, sued and initially
21 named as Defendants, the parties of WILLARD MITT
22 ROMNEY, PAUL TRAUB, BAIN CAPITAL, JOHN & JANE "DOES" 1
23 THROUGH 10, MORRIS NICHOLS ARSHT & TUNNEL, GREG
24 WERKHEISER, BARRY GOLD, MICHAEL GLAZER, COLM F CONNOLLY
25 AND GOLDMAN SACHS under the **Racketeering Influences &**
26 **Corrupt Organization** (RICO) Act of 1970.
27
28

1 2. Whereas Plaintiff filed (*informed the parties*
2 {who acknowledged being informed}) a Motion to Amend.

3 3. As of this day, April 14, 2014, Defendants have
4 not responded to any version of the Complaint(s); but
5 have (*instead*) either asked for extended times and/or
6 filed Motions, Oppositions, Objections both separately
7 and some Defendants joining each other - seeking to
8 dismiss Plaintiff's case with "prejudice".

9 4. RICO cases are very complex matters.

10 5. Plaintiff is a "*pro se*" party/victim of RICO.

11 6. Defendants seek dismissal of previous versions
12 of Plaintiff's Complaint(s) that the court did notice
13 were in violation of **Fed.R.Civ.P 8**; (*hence Objecting to*
14 *those prior versions was moot*).

15 7. Defendant's Barry Gold, Morris Nichols Arsht &
16 Tunnell (MNAT) and Greg Werkheiser (GWW) put forth
17 Motions to Dismiss under **Fed.R.Civ.P 12(b)** on March 7,
18 2014 with various purported "facts" deceptive.

19 8. Plaintiff put forth a "Second" Amend Complaint
20 that addressed the court issues of **Fed.R.Civ.P 8**.

1 9. Whereas (*until adjudication upon the merits*
2 *otherwise*) it must be procedurally followed upon the
3 premise that the allegations of the Complaint are true.
4

5 10. Defendants Bain Capital, Michael Glazer and
6 Willard Mitt Romney have also filed additional Motions
7 under **Fed.R.Civ.P 12(b)** to Dismiss on April 7, 2014
8 (respectively docket items {D.I.} 59, 60 and 61).
9

10 11. As permitted per **Fed.R.Civ.P 15** (*per filing of*
11 *Defendants of a Rule 12(b) Motions*), Plaintiff is now
12 entitled to file an Amended Complaint.
13

14 12. Additionally, Plaintiff has filed items to
15 inform this court of the efforts of Defendants in what
16 is tantamount to perpetration of Fraud on the Court by
17 efforts to prosper from prior schemes success.
18

19 13. Furthermore, Defendants arguments are vexing;
20 whereas Defendants argue on the one hand that Plaintiff
21 failed to state enough and on the other hand too much.
22

23 14. Defendants arguments also are deceptive when
24 they avoid many issues germane by telling only part of
25 the facts of how the RICO Defendants barred Plaintiff.
26
27
28

1 15. As per **Fed.R.Civ.P 9(c)** "*it suffices to allege*
2 *generally that all conditions precedent have occurred*
3 *or been performed*". Plaintiff has met his requisite.

4
5 16. However, efforts to perpetrate additional
6 frauds utilized by Defendants heretofore, to THIS court
7 - now raises issues current (instead of precedent).

8
9 17. In *Bell Atlantic Corp. v Twombly*, 550 U.S. 544
10 (2007), at 555 "*non-moving parties are required to*
11 *plead with **FACTUAL** content*". (**emphasis** added).

12
13 18. Unjust rulings by fraud - are NOT dispositive.

14
15 19. Congress designed the RICO Act in 1970 and
16 "specifically" made Bankruptcy falsities, bad faith,
17 schemes and bankruptcy fraud a part of RICO.

18
19 20. The United States Supreme Court in *Sedima v*
20 *Imrex.*, 473 U.S. 479 (1985) affirmed the fact that
21 citizens are permitted to become "Private Attorney
22 Generals" to address "Prosecutorial GAPS".

23
24 21. Evidence presented, sworn to by this Plaintiff
25 details the fact that are many "Prosecutorial GAPS".

26
27 22. Amendments are allowed in interest of justice.
28

1 23. As iterated by **Fed.R.Civ.P 15 (a) (3)**, amends
2 *"should be freely given in the interests of justice"*.

3 24. As **Fed.R.Civ.P 15 (a) (1) (B)**, Defendant(s) **12 (b)**
4 Motion(s) permits Plaintiff right to amend.
5

6 25. Compounding such is the gravity of allegations
7 of continuous fraud, corruption that are given weight
8 of verity by the fact that some Defendants have already
9 confessed intentional fraud on the courts acts.
10

11 26. Plaintiff also alleged of current failures to
12 disclose conflicts of interests (*including CONFLICTS of*
13 *Defendants being directly linked to the Department of*
14 *Justice*) - that must be accepted as true.
15

16 27. Plaintiff's filing of the "Second Amended"
17 Complaint after Defendants D.I. 18 and D.I. 20 (which
18 are **Rule 12 (b)** Motions) supersedes the original and
19 renders it a nullity and makes moot Defendants Motions
20 to Dismiss the First Amended Complaint.
21

22 28. Per more recent Ninth Circuit rulings, any
23 efforts to dismiss under **Rule 12 (b)** is NOT considered
24 to be "merely" a responsive pleading; and Amends must
25
26
27
28

1 33. Additionally, Plaintiff has previously informed
2 this court of his indigent status and is filing a Form
3 of "in forma pauperis" this day.
4


5 34. As the court has made all parties aware of in
6 the docket, Plaintiff's prior filings were read in
7 detail by the court.
8

9 35. Plaintiff is a "pro se" party, entitled to some
10 consideration as such; and Plaintiff has made good try
11 at redacting hyperbole and sticking with clear facts.
12

13 36. Furthermore, after gaining knowledge of the
14 issue of "indispensable" parties; Plaintiff has named
15 an additional ten (10) co-conspirators.
16

17 33. Plaintiff hereby moves to Amend and moves that
18 the court take **Judicial Notice Fed.R.Civ.P 201** of the
19 fact that Plaintiff's has amendment rights per the
20 **Fed.R.Civ.P 15 (a) (1) (B) and (a) (3)**.
21

22 **Date:** April 14, 2014

23 
24 /s/ Steven ("Laser") Haas
25 Steven "Laser" Haas - "Pro Se"
26
27
28

Proposed
Third
Amended
Complaint

1 Steven ("Laser") Haas
2 "PRO SE"
3 Private Attorney General
4 108 E Jewel Street
5 Delmar, Delaware 19940
6 Laser. Haas @ Yahoo.com

LOGGED

24 APR 14 PM 3:23
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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

Plaintiff,

v.

16 Willard Mitt Romney
17 311 Dunemere Drive
18 La Jolla, California
19 Paul Traub
20 C/O Rosner 824 Market St.
21 Wilmington, DE 19801

22 Bain Capital et. al.
23 335 Bryant St
24 Palo Alto, CA, 94301
25 Morris Nichols Arsht & Tunnel
26 11th Floor
27 1201 N. Market Street
28 Wilmington, DE 19801

John & Jane "Doe's" 1 thru 10

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

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

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

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

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

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

24 Gary Ramsey
25 (Whereabouts Unknown)

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

Johann Hamerski
P. O. Box 110871 (Huffman Park)
Anchorage, Alaska 99511

1 Roberta DeAngelis
2 (Currently Region 3 U.S. Trustee)
3 833 Chestnut Street
4 Suite 500
Philadelphia, PA 19107

5 Scott Henkin (at KKR)
6 9 West 57th Street
7 Suite 4200
8 New York, NY 10019

9 Tom Petters
10 (Currently in Federal Prison)

11 Mattel Toys
12 333 Continental Blvd.
13 El Segundo, CA 90245

14 Judy Smith and Hasbro Toys
15 1027 Newport Ave.
Pawtucket, RI 02861

16 Frederick Rosner
17 Rosner Group
18 824 Market St.
19 Wilmington, DE 19801

20
21 **Defendant(s)**
22

23 **I JURISDICTION - VENUE**

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

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 1361 & 1367, along with the process to compel defendants
4 to appear here under 18 U.S.C. § 1965 is correct as "venue
5 generally" - as is permitted under 28 U.S.C. § 1391.
6
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 plus 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 germane to this case,
5 plaintiff and each/every Defendant, including John/Jane
6 Doe's, are a person within the meaning of statutes **18**
7 **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
23 13. Many of the co-Defendants are part of a "**good**
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 was averse 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

9 20. Defendants RICO schemes perpetrated *proximate*
10 victimized many and harmed upon 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 25. MNAT represents Romney's Bain entity and GSachs
26 legal issues in Delaware.
27

28 26. Greg Werkheiser (Werkheiser) is a partner of
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 owned Bain and *reportedly* (in August
9 2001) did "*retroactively*" [?] resign as Bain's Chief
10 Executive Officer (CEO), back to February 11, 1999.
11

12 31. Michael Glazer (Glazer) was the CEO of Kay Bee
13 Toys (KB) who 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.
23

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

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

 38. Scott Henkin is an executive of the eToys bond
holder known as Fir Tree Value Fund.

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

3 40. Hasbro's Judy Smith influenced "Toys" cases.
4

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

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

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 45. Traub and Tom Petters were partners.
15

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

19 47. Roberta DeAngelis (DeAngelis) is 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

8 The Learning Company (TLCo)

9 51. MNAT in 1999 (*in Delaware*) merged Romney's and
10 associates entity 'The Learning Co' (TLCo) with Mattel.
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 one entity 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 in 2000/2001 forward.
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 "Conflict" links
2 to 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 during 2001 thru 2004.
10

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

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

16 63. MNAT represents Bain of the \$83 million.
17

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

19 65. Asset Disposition Advisors (ADA) was formed in
20 April 2001 by Barry Gold & Traub as co-principals.
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 (eToys is owned Bain's Toys R Us).

1 eToys Frauds

2 eToys IPO Fraud by Goldman Sachs

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 GSachs's Lawton Fit betting eToys stock would hit \$80.
7

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

11 73. In 2005 MNAT confessed GSachs representation.
12

13 eToys Bankruptcy Conflicts Schemes

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

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

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

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

1 78. Plaintiff was requested to intervene and halt
2 the 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 81. MNAT and Traub have failed, until this very
9 day, to disclose Conflicts of Romney/Bain/Glazer/KB.

10 82. Plaintiff's CLI was excused from detailing CLI
11 works as an additional scheme to harm Plaintiff.

12 83. MNAT was the DE BK Ct approved firm to submit
13 Plaintiff's CLI payment requests to the DE BK Ct.

14 84. Plaintiff/CLI halted the auction process to
15 sell eToys to Bain/KB for \$5.4 million.

16 85. Resultant of Plaintiff's business efforts, Bain
17 /KB was compelled to agree to pay tens of millions of
18 dollars for eToys assets.

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

21 87. The UST **warned** Defendants **not to be conflicted.**

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

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

6 90. Barry Gold did not apply for DE BK Ct approval
7
8 to be engaged in eToys, until late in 2002.

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

11
12 92. Plaintiff was also offered to a partnership.

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

16
17 94. Plaintiff was instructed by Mark Kenney (in Mr.
18 Kenney's capacity as UST trial attorney) that Plaintiff
19 should accept the offer and to bring it to Mark Kenney
20 at the DOJ UST office, to get approval of cleanliness.

21
22 95. Meanwhile, Defendant Romney reportedly resigned
23 as Bain's CEO, in August 2001 (back to February 1999).

24
25 96. Then, MNAT's partner Connolly, was arranged to
26 become the Delaware U.S. Attorney on August 2, 2001.

27
28 97. Defendants reduced prices of eToys to Bain/KB.

1 **Liquidity Solutions Preferential Scams**

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

3
4 99. Upon Barry Gold being inserted into eToys in an
5 illicit 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 eToys claims buying.
10

11 101. In late 2002, when the eToys Chapter 11 (DE
12 Bankr. 01-706) bankruptcy PLAN was Confirmed, then
13 Defendants MNAT/Werkheiser and Traub's TBF drafted the
14 language of the Confirmed PLAN to permit Barry Gold to
15 become the Confirmed PLAN Administrator.
16

17 102. Barry Gold committed Perjury in his Confirmed
18 PLAN Administrator Declaration, erroneously stating the
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
25
26 103. Defendants MNAT/Werkheiser, Traub, Rosner,
27 Xroads and Barry Gold continue to do **frauds on court**.
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
8 105. The Post Effective Date Committee (PEDC) that
9 was created by MNAT/Werkheiser, Barry Gold and Traub's
10 TBF with the permission of Mattel, Hasbro, Judy Smith
11 and Scott Henkin, permits Barry Gold to settle all of
12 the eToys claims by the PLAN Administrator (Barry Gold)
13 only needing to get the permission of the Creditor's
14 (who are represented by Barry Gold's partner **Traub**).
15

16
17 106. Plaintiff/CLI, in spite of incestuous schemes,
18 was able to get nearly \$50 million back into eToys.
19

20 107. Once Barry Gold was on his way into eToys
21 unlawfully, MNAT then asked for (and received) court
22 permission to **DESTROY** eToys Books & Records in 2001.
23

24 108. MNAT also petitioned for a DE BK Ct ORDER to
25 pay employees **double** salary during eToys bankruptcy.
26

27 109. As a result, eToys employees became angry at
28 Plaintiff/ CLI staff, for letting eToys employees go.

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

3 111. Plaintiff also discovered unreported deposits
4 of millions of eToys millions in cash overseas.
5

6 112. Defendants yelled at Plaintiff for getting
7 into matters they didn't want Plaintiff touching.
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
17
18

19 114. Xroads, Barry Gold and Traub have never told
20 anyone about their links to GSachs and Wells Fargo.
21

22 115. In November 2000, it was arranged for Foothill
23 Capital (a Wells Fargo link) to loan eToys \$40 million.
24

25 116. This \$40 million loan transacted over \$100
26 million prior to eToys March 2001 bankruptcy.
27

28 117. Wells Fargo's \$100 million preferential being
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 perpetrations of Frauds on Court
6 are continues, as Traub's TBF prosecuting Goldman Sachs
7 recently resulted in a conspiracy success to settle
8 eToys (*renamed ebcl after Bain/KB stole the eToys.com domain names*)
9 versus GSachs in NY. Sup. Ct. for a mere \$7.5 million.
10
11

12 120. Though conflicted, MNAT just signed Barry Gold
13 giving his 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 had
17 handpick their own cohort in other crimes (Traub/TBF)
18 to prosecute GSachs in New York Supreme Court.
19

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

21
22 122. Plaintiff, with his CLI staff, had successful
23 agreements of mergers of eToys assets with others.
24

25 **Scholastic Deal Fraud**

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 brick &
4 mortar well established locations that could sell eToys online goods in stores
5 during Christmas and get back 100 cents on dollar to eToys Creditors) .
6
7

8 125. Defendants nixed the Playco deal while being
9 deceptive of links to Playco/Bain/KB parties.
10

11 126. Traub's TBF was also Playco's Creditors firm
12 who never disclosed to Playco and/or eToys court and
13 parties his many Conflicts that harmed both estates.
14

15 eToys Domain Name Frauds

16 127. Though it is an established principal that one
17 need not prove material adverse harm did result of the
18 Defendants failure to disclose their Conflicted links
19 to buyers. In the eToys case there are many documented
20 items of material adversity (reduction of sale prices) .
21
22

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

1 FINGERHUT Scheme(s)

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

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

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

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

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

18 134. Bizarrely Fingerhut was never seized by the
19
20 Federal Receiver and/or Minnesota DOJ's U.S. Attorney.

21 HARM TO PLAINTIFF'S BUSINESS

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

1 136. Plaintiff's attorney for CLI (Henry Heiman)
2 did email a threat from Traub's TBF that Plaintiff
3 should "*back off*" from his pursuits of justice, Or Else!
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

26 141. When Plaintiff turned down a "setup" scheme
27 and reported it - his daughter was abducted in Vegas.
28

142. Plaintiff's attorney withdrew just days prior.

1 Ponzi Schemes & Other Frauds Linked Nationwide

2 **Tom Petters Ponzi**

3
4 143. In 2008, just prior to the FBI raid of the Tom
5 Petters Ponzi, Traub went to Minnesota.

6 144. Resultant of Traub's efforts, Fingerhut did
7
8 obtain a new \$50 million loan from Bain and GSachs.

9 145. Unethically Tom Petters counsel (Doug Kelley)
10 became the Federal Receiver over Petters Ponzi case.
11

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

14 147. Petters Ponzi acquired Polaroid.

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

16 149. Polaroid was sold to the 2nd highest bidders of
17
18 Hilco and Gordon Brothers for (approx.) \$83 million.

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

20 151. Traub then was principal of Gordon Brothers.

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

23 153. Petters Ponzi Receiver (also bogusly allowed
24
25 to be bankruptcy Trustee in Petters case) in 2012 named
26 Traub as "controller" of Tom Petters Ponzi.
27
28

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. The Palm Beach Links (of Dallas Texas principal
6 persons was 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 s times Traub & Barry Gold were deposed on the stand;
25 Defendants continuously lied about being associated.
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 due to
2 Smoking Gun evidences. Traub then took a contingency to
3 become partner 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 (one named Bell and
11 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.

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

22 **Allen Stanford Scandal**

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

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

Mayhem & Homicides

Johann Hamerski/Jack Abramoff Links Sesseyoff Killing

1
2
3 172. Johann Hamerski sought out to get eToys stock
4 from shareholder Robert Alber, to trade Arizona land
5 that Mr. Hamerski had misrepresented he owned.
6

7
8 173. Mr. Hamerski boasted (prior to the arrest)
9 that he was a partner of Jack Abramoff's in off shores.

10
11 174. Jack Abramoff tried to scheme to get control
12 of the Region 3 UST's office in 2001.

13
14 175. Robert Alber reported Johann Hamerski offered
15 him a bribe; which was turned down.

16
17 176. Robert Alber discovered that MNAT was secretly
18 keeping in touch with Alber v Hamerski litigations.

19
20 177. Upon Jack Abramoff's early release from prison
21 Gary Ramsey, a lifetime friend and co-owner of Robert
22 Alber's Kingman, Arizona home - simply walked out of
23 the Kingman house and Gary vanished into thin air.

24
25 178. Then career criminal Michael Sesseyoff did
26 attack Robert Alber in 2010.

27 179. Sesseyoff was shot/killed by Robert Alber.

28 180. Hamerski continues to seek arrest of Alber.

1 **Plaintiff's Daughter is 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.

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

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

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

189. State Police/Politician info is now unknown.

1 190. On New Years Even 2010, John ("Jack") Wheeler
2 was found murdered and thrown in the dump. He was a
3 West Point man, worked for three (3) Presidents, was
4 key to Vietnam Memorial, involved in Mothers Against
5 Drunk Driving and had his own Vietnam Orphans charity.
6

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

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

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

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

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

FEDERAL AGENTS/AGENCY CORRUPTION GERMANE

1
2 198. Speciously, Tom Petters (*who has pursued many*
3 *hearings/appeals for reconsideration of his 50 years in*
4 *prison sentence*) has never made a proper defense issue
5 about the facts of Larry (Reservitz) Reynolds, Marty/J.
6 Lackner and Paul Traub issues/connections to U.S. Gov.
7

8
9 **US Trustee Roberta DeAngelis Corruption**

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

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

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

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

25 203. Belatedly, Plaintiff learned that his counsel
26 Michael Weiss (Los Angeles), was utilizing Roberta
27 DeAngelis's former firm as local counsel in Delaware.
28

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

6 206. Defendant Barry Gold also worked for Back Bay.
7

8 207. Roberta DeAngelis was secretly promoted the
9 post of Acting General Counsel of EOUST UST program.
10

11 208. Plaintiff received 2006 and 2013 letters from
12 the U.S. Trustee's office that never disclosed the
13 DeAngelis issues while refusing to acknowledge frauds.
14

15 209. Roberta DeAngelis is now back in as Region 3
16 UST over KB and eToys cases; and DeAngelis is assisting
17 the cover up of KB and eToys **Bankruptcy Ring** Frauds.
18

19 **Mark Kenney Corruption During Counsel to Region 3 US Trustee**

20 210. Mark Kenney was involved in other cases of
21 Barry Gold and Traub Conflicts; but failed to arrest
22 and/or **Notify** of Law breaking in eToys and KB cases.
23

24 211. Along with Roberta DeAngelis, Mark Kenney did
25 **Breach** his **Fiduciary Duty** and oath of public office by
26 directly becoming duplicitous and did willful blindness
27 "Color of Law" and federal corruption of cases.
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**; promising UST 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 he openly had evidence of MNAT, Traub/
12 TBF \$100 million KB fraud (*provided by this Plaintiff*) - to be
13 Stricken & Expunged from the court 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 assure to protect Defendants Racketeering.
21

22 216. In Robert Alber's federal appeal, Mark Kenney
23 along with Roberta DeAngelis and others, did openly go upon
24 the public record to Obstruct Justice and destroyed Alber's chances.
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 address the organized criminality.
6

7
8 219. Connolly never informed Plaintiff, parties of
9 interest and/or the courts of Connolly's direct links/
10 Conflicts about "targets" of federal investigation.
11

12 220. Connolly's ties to John ("Jack") Wheeler case
13 **warrants a separate, federal investigation.**
14

15 Douglas Kelley Schemes

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 & Venum
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 runs in Delaware.
27

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

1 Speciousness of Minn. Asst. U.S. Attorney 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 Minnesota, where
6 Petters Ponzi got away with it for decades) was Marty's brother.
7

8 235. NO announcement of this serious ethical
9 conflict issue has been properly addressed.
10

11 SEC, OIG & Other Federal Agencies Willful Blindness

12 236. Plaintiff informed agencies of Confessions by
13 Traub of "intentional" deceiving the courts; and MNAT
14 and Traub's TBF admittances of undisclosed Conflicts.
15

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

22 238. It is now readily apparent that it was
23 corruption by DeAngelis and Connolly that stymied and/
24 or Obstructed Justice at the UST & DOJ offices.
25

26 239. The SEC confessed destruction of case files.
27
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 Scott Bloch did
13 completely refuse to do 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 the
18 post of Acting General Counsel for the EOUST.
19

20 245. Plaintiff also discovered proof, in 2007, of
21 Connolly's direct links to the parties he was refusing
22 to investigated and/or 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 about the corruption issues.
28

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

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

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; while there's NO known federal investigation.
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.

13 277. Businesses are busted out by the RICO.

14 278. Grand Larceny schemes benefit the RICO.

15 279. The RICO utilizes Bribery.

16 280. Extortion benefits the RICO.

17 281. Homicides have resulted connected to the RICO.

18 282. Plaintiff's daughter was abducted.

19 283. Destruction of evidence assists the RICO.

20 284. Concealment of assets transpired in eToys.

21 285. Embezzlement against estates occurred.

22 286. There is Adverse Interest of Officers.

23 287. Claims Rigging transpired for the RICO.

24 288. National lies in Federal Elections occurred.
25
26
27
28

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
7 one year in prison, has benefited the RICO.

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

10 294. Money Laundering has assisted the RICO.

11 295. Interstate transportation of stolen property
12
13 by collusion for the RICO occurred..

14
15
16 **XI RELIEF SOUGHT**

17 296. For each and every count below, the following
18
19 items are to be read as if inserted into each and every
20
21 count specifically germane and broadly apropos.

22 297. As the "Opening REMARKS of Count" it is noted
23
24 in each count that;

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

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

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

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

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

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

9 307. The RICO schemed to steal plaintiff's business
10 monies, by intentionally harming plaintiff's contracts,
11 including the eToys case CLI court approved works.
12

13 308. Pursuant to 18 U.S.C. § 1964(c), plaintiff is
14 now entitled to recover treble damages as a **Private**
15 **Attorney General** due "**Prosecutorial Gaps**"
16

17 309. Damage to plaintiff's business far exceeds
18 \$3.7 million eToys monies stolen above fees and costs.
19

20 310. Litigant is entitled to recover costs from the
21 RICO Defendants collectively and separately.
22

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

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

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

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

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

19 315. Defendant Barry Gold should be removed "for
20 cause" as is permitted under eToys Confirmed PLAN 5.2
21 to arrest Barry Gold's racketeering in eToys.

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

16 319. Defendants are "*culpable*" persons who "*corrupt*"
17 legitimate business by "*patterns*" of "*racketeering*".
18

19 320. There are many victims of the RICO.
20

21 321. Defendants RICO harmed plaintiff's business.
22

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

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

COUNT II

1
2 Utilization of RICO Funds to Expand Enterprise In
3 Violation of 18 USC § 1962(a) (Against ALL Defendants)
4

5 329. Plaintiff restates Opening REMARKS of Count.

6 330. Defendants many "associations in fact" units
7
8 "enterprisingly" harming interest commerce.

9 331. Defendants are employed and/or "associated" with
10 the "enterprise" that is harming, "interstate commerce", as
11 "culpable" persons who are doing "patterns" of "racketeering".
12

13 332. Defendants RICO Enterprise utilized part of
14 the RICO profits to expand the RICO by acquisitions of
15 Fingerhut, TLCo, Kay Bee, eToys, STAGED, **Clear Channel**,
16 Toys R Us, HCA, Burlington Coat Factory and many more.
17

18 333. Plaintiff restates Ending REMARKS of Count.
19

20 334. WHEREFORE, beyond "Ending REMARKS of Count"
21
22 reliefs sought, Plaintiff moves for judgment of money
23 damages treble against Defendants collectively and/ or
24 separately and any relief the Court may deems just.
25

26 COUNT III

27 (Interest/Control of RICO Violating 18 USC §§ 1962(b))
28

1 (Against ALL RICO Defendants)

2 335. Plaintiff restates Opening REMARKS of Count.

3
4 336. Demonstrating Defendants still maintain an
5 interest and control of the RICO is the fact that many
6 Defendants are (STILL) continuously Openly and Brazenly
7 breaking the laws to assure the continued success of
8 the RICO (such as KB and eToys being in bankruptcy each
9 twice winding back at Bain's under Toys R Us).

10
11
12 337. Federal corruption of Defendants DeAngelis and
13 Kenney in the UST program and current crimes settle of
14 N.Y. Sup. Ct case of eToys v GSachs proves continuity.

15
16 338. Pretending "**still**" to be opponents of each
17 other is unlawful/RICO **Bankruptcy Ring** continuity.

18
19 339. Mattel, Hasbro/Judy Smith's and Romney's group
20 ownership of Mattel stock leading to Bain's Toys R Us,
21 demonstrate expansion of the RICO continuous.

22
23 340. Plaintiff restates Ending REMARKS of Count.

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

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.

1 348. Shut down of the Public Corruption Task Force
2 is proof of expansion.

3 349. Douglas Kelley switching from being Petters
4 attorney to Ponzi Receiver, is proof of expansion.
5

6 350. Plaintiff restates Ending REMARKS of Count.
7

8 351. WHEREFORE, beyond the "Ending REMARKS of
9 Count" reliefs sought, Plaintiff demands judgment for
10 money damages against Defendants collectively and/ or
11 separately and any further relief as the Court may deem
12 reasonable and just.
13

14 **COUNT V FRAUD**

15 (Against ALL RICO Defendants)

16 352. Plaintiff restates Opening REMARKS of Count.
17

18 353. TLCo was a fraud never investigated properly.
19

20 354. STAGED bankruptcy fraud escaped prosecution.
21

22 355. Fraud in eToys is continuous to this very day!
23

24 356. Additionally there was fraud in other cases
25 such as KB, FAO Schwartz and NY Sup. Ct eToys v GSachs.

26 357. Furthermore there's issues of Fraud on courts.
27

28 358. Defendants are even NOW perpetrating a fraud
on THIS court, in an effort to **Obstruct Justice.**

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
12 362. Plaintiff restates Opening REMARKS of Count.

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

25 366. Plaintiff restates Ending REMARKS of Count.

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

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
6 368. Plaintiff restates Opening REMARKS of Count.

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

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
6 375. Plaintiff restates Opening REMARKS of Count.

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

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

24
25 **COUNT X** Violations of State Laws NY, CA, DE & PA

26
27 (Against ALL RICO Defendants)

28 385. Plaintiff restates Opening REMARKS of Count.

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 of federal archive undeniable.

6 412. There's no greater evil in a civil society,
7
8 than that of tax paid public 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 proper equitable and just remedy to prevail.
19

20 **PLAINTIFF DEMANDS A JURY TRIAL!**

21
22
23 Date 4-14-2014 Signed LS Haas

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