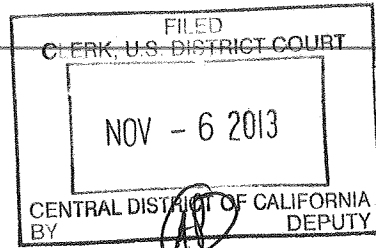


1 Steven ("Laser") Haas
2 RICO Private Attorney General
3 108 E Jewel Street
4 Delmar, Delaware 19940
5 Laser.Haas @ Yahoo.com
6
7
8



9 UNITED STATES DISTRICT COURT
10 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

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
25 335 Bryant St
26 Palo Alto, CA 94301

27 John & Jane "Doe's" 1 thru 10
28

Case No.: 2:13-cv-07738 *SM (AGR)*

1ST Amended Complaint

COMPLAINT

JURY TRIAL DEMANDED

1 Morris Nichols Arsht & Tunnel
2 11th Floor

3 1201 N Market Street
4 Wilmington, DE 19801

5 Greg Werkheiser
6 C/O MNAT Firm 11th Floor
7 1201 N Market Street
8 Wilmington, DE 19801

9 Barry Gold
10 C/O Frederick Rosner
11 824 Market St. Suite 810
12 Wilmington, DE 19801

13 Michael Glazer
14 CEO Stage Stores
15 10201 Main Street
16 Houston, Texas 77025

17 Colm F Connolly
18 Nemours Building
19 1007 N. Orange St
20 Wilmington, Delaware 19801

21 Goldman Sachs
22 2121 Avenue of the Stars
23 Los Angeles, CA 90067

24 Johann Hamerski
25 P.O. Box 110371 Huffman Park
26 Anchorage, Alaska 99511

27 Defendant(s)
28

I JURISDICTION AND VENUE

1. Jurisdiction of this District is proper under 18 U.S.C. §§ 1961, 1962 & 1964 and 28 U.S.C. §§ 1331, 1332, 1343, 1346, 1361 & 1367. Plaintiff suffers from substantial statutory violations occurring in District of Southern California. Defendant Mitt Romney lives in Southern California. Defendant Barry Gold, Goldman Sachs and Bain Capital utilize offices in California. Process to compel all defendants to appear here under 18 U.S.C. § 1965 is correct as "venue generally" - permitted under 28 U.S.C. § 1391.

II AVERMENT OF PLAINTIFF - PRO SE

2. Comes now this Plaintiff Steven ("Laser") Haas "**pro se**", 100% owner of the California Corporation Collateral Logistics, Inc., ("CLI") and other business /career interests that were harmed and/or destroyed by the Defendants engaging in structured criminalities.

3. To clear the air on how serious litigant feels the presented issues herein are, though not required to, Litigant does testify this, the 6th day of November

1 2013, and declares - Under PENALTY OF Perjury - what is
2 said in this instant Complaint is true and correct.

3 4 **III NATURE OF PROCEEDING**

5 4. Plaintiff's makes an array of contentions
6 against many parties in this Complaint, including
7 Willard Mitt Romney ("Romney") as a "boss" who sought
8 to be the President of the United States ("POTUS").
9

10
11 5. Litigant alleges Romney benefits much from
12 Racketeering and that he is part of an "associations in
13 fact" that is also known as ("a/k/a") a "Bankruptcy Ring".
14

15 6. Some of our the nation's brightest legal minds,
16 as well as esteemed public servants, have remarked upon
17 the fact our systems of Bankruptcy & Justice may become
18 afflicted with insider bad faith issues. UCLA Professor
19 Lynn LoPucki notes on corruption of bankruptcy courts
20
21 are telltale in his book titled "Courting Failure".
22

23 7. Senator John Cornyn reflected on venue shopping
24 and Professor LoPucki's premises in the Senator's 2005
25
26 Legal Times article titled; "They Owe Us". Also His Honor
27 Senator Cornyn said forum shopping is verdict picking.
28

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

14 9. Obviously, Congress was well aware that rigging
15 of the U.S. Bankruptcy system is problematic. The Law
16 making arm of our nation's government built-in the
17 Bankruptcy Fraud statutes §§ 152 thru 156 ("*predicate acts*")
18 as part of the Racketeering Felonies of 18 USC § 1961.
19
20

21 10. Due, in part, to the hubris of Romney and his
22 *Bankruptcy Ring* believing his POTUS quest would succeed;
23 there's a vast evidence trail full of rock-solid date/
24 time stamped Bankruptcy Fraud violations. Compliance of
25 the specificity/particularity requisites of Fed.R.Civ.P
26 9(b) are therefore freely achieved.
27
28

1 11. Romney needs numerous Frank Nitti types and one
2 such person is Romney's key co-Defendant Paul Traub.

3
4 12. Other culpable parties along with Romney who
5 are engaging in various enterprising efforts of *unjust*
6 *enrichment*, include Barry Gold, Morris Nichols Arsht &
7 Tunnell, Greg Werkheiser, Johann Hamerski, Michael
8 Glazer, Goldman Sachs and Bain Capital.

9
10
11 13. Unfortunately, the organized enterprising also
12 has been able to expand reach into the realm of federal
13 corruption [i.e. former U.S. Attorney Colm Connolly].

14
15 14. This instant case is why Romney lied upon his
16 Federal Campaign Finance Form submittal. Obstructing
17 justice by stating that he had nothing to do with Bain
18 Capital, *in any way whatsoever*, after February 1999.

19
20
21 15. Upon his being "*caught*" red-handed in that lie,
22 Romney claims to be "*retroactively*" retired as Bain's Chief
23 from August 2001; back to February 11, 1999.

24
25 16. What is significant about this precise era of
26 time of February 1999 to August 2001, is the fact that
27 the *culpable* parties engaged in a profuse crime spree
28

1 that includes several cases like 'The Learning Company'
2 ("TLCo"), Kay Bee Toys, Stage Stores and eToys.
3

4 17. Compounding these "retroactive" issues even
5 further, is the fact that plaintiff was offered bribes
6 in 2001 and reported them (*regrettably to no avail*).
7

8 18. Whereas, on August 2, 2001, crony Colm Connolly
9 was vaulted to the position of United States Attorney.
10

11 19. It is just as plain as the nose on anyone's
12 face that Romney seeks, via bogus "retroactivity" - to dodge
13 his culpability and accountability for this era of time
14 between February 1999 and August 2001.
15

16 20. Colm Connolly regularly declined to investigate
17 and/or prosecute his former partners, their clients and
18 the POTUS wannabe Romney for his entire seven (7) years
19 as federal prosecutor over Delaware.
20

21 21. Litigant received proof of Connolly's betrayal
22 of the public's trust - several years later (in 2007).
23

24 22. Plaintiff then submitted a clocked in Complaint
25 under 18 U.S.C. § 3057(a) to the Los Angeles federal
26 Public Corruption Task Force on December 7, 2007.
27
28

1 23. In the § 3057(a) submittal there are details of
2
3 the bad faith acts/unethical behaviors; corroborated by
4 multiple confessions from various blameworthy parties.

5 24. Instead of arresting the erudite efforts in
6
7 intrepid criminality and federal venality; the Public
8 Corruption Task Force was SHUT-Down and some career federal
9 prosecution employees were appallingly threatened.
10

11 25. Upon receiving phone calls from the FBI for the
12
13 first time in the many years as a result; plaintiff was
14 *demoralized once again* - upon being threatened by FBI.

15 26. From that time till now the Racketeering Gang's
16
17 continues to expand their strength and powers to levels
18 unfathomable. Even after cemented court docket record
19 confessions and Romney failing his quest; the law is
20 still being broken openly without remorse or relent.
21

22 27. Hence there are many "*Prosecutorial Gaps*" in need of
23
24 cure. Congress provided a solution whereby citizens can
25 become "*Private Attorney Generals*" if such need should arise.

26
27 And the U.S. Supreme Court affirmed this principle in
28 its decision of the *Sedima v Imrex Co., Inc.* - 473 U.S. 479 (1985).

1 28. Whereas plaintiff alleges the parties named in
2 this Complaint are "*culpable*" persons "*corrupting*"
3 interstate commerce via "*patterns*" of "*racketeering*".
4

5 29. White Collar fraudsters are harming parties,
6 including plaintiff's business, doing so in violation
7 of 18 U.S.C. §§ 1961 thru 1965 of the Racketeering Influenced
8 Corrupt Organizations Act of 1970 ("RICO").
9
10

11 30. As is permitted by 18 USC § 1964(c) plaintiff seeks
12 the remedy of treble damages estimated to be \$100
13 million above fees and costs - in a trial by jury.
14

15 IV NAMING DEFENDANTS

16 31. Willard Mitt Romney, Paul Traub, Barry Gold,
17 Michael Glazer, Colm Connolly and Greg Werkheiser are
18 "Defendants" of this RICO Complaint.
19
20

21 32. Goldman Sachs and Bain Capital are legitimately
22 formulated business entities that became corrupt by the
23 "*culpable*" Defendants and/or John/Jane "Doe's" 1 thru
24 10. Also Goldman Sachs and Bain Capital are named as
25 "*culpable*" parties as co-"Defendants" of this instant
26 Civil RICO Complaint.
27
28

1 33. Johann Hamerski also is now a co-"Defendant" of
2 this RICO Complaint. He is a special co-conspirator who
3 bragged of being his being a partner of the infamous
4 Jack Abramoff and is involved in plots vs. witnesses.
5

6
7 **V CO-CONSPIRATORS INCLUDE JOHN/JANE DOE'S 1 thru 10**

8 34. Willful blindness, along with betrayals of the
9 public's trust is immeasurable, fostering Racketeering
10 expansion in/of/by the named Defendants for decades.
11

12 35. Plaintiff hopes and prays that the various
13 federal watchdog agencies remiss to date, finally wake
14 up from their slumber to do their job now. Realizing
15 that billions of dollars in a Criminal RICO subsists.
16
17

18 36. Public oaths to protect U.S. from enemies
19 foreign and Domestic are - thus far - unavailing.
20

21 37. Adjudication upon the merits has taken a back
22 seat to tyranny, cronyism and corruption under the
23 underhanded framework that power & money makes right.
24

25 38. Feasibly, any additional cognitive dissonance
26 of this saga will inevitably permit the *Bankruptcy Ring* to
27 seek larger, more lucrative targets via expediency.
28

1 39. Thus plaintiff will seek the court's regulation
2
3 on how to amend this Complaint in the future, should
4 evidence arise to the court's satisfaction, providing
5 proof that others are to be named as co-Defendants.
6

7 40. Potential despots who are most definitely co-
8 conspirators, include the current United State Trustee
9 ("UST") over Region 3 (Roberta DeAngelis); along with
10 her trial attorney in Delaware (Mark Kenney).
11

12 41. Plus we have Bain Capital ("Bain") personnel
13 such as Jack Bush, Joshua Beckenstein and Bob Gay.
14

15 42. There's also Federal Receiver Douglas Kelley
16 who figured he need not lie/cheat since the proverbial
17 **fix is in.** Thus, Doug Kelley breaks the law openly and
18 claims he is 'untouchable' [for profiteering] (due to
19 an existing court ordered proviso of "*Judicial Immunity*").
20
21

22 43. Marty Lackner was partners with the Racketeers
23 in Tom Petters Ponzi vis-à-vis Greg Bell's feeder fund
24 of Lancelot. Marty was "*Suicided*" before files could be
25 presented to this plaintiff. Minnesota Assistant U.S.
26 Attorney J. Lackner - was Marty Lackner's brother.
27
28

1 44. As the evidences are vast and plain to see, the
2
3 watchdog parties state and federal, have much need to
4 explain why they let things get so far out of hand.

5 45. Duplicitous parties includes Paul Traub's
6 ("Traub") other secret clients such as Gordon Brothers/
7 Hilco and Palm Beach Links Bill Cawley/ Steve Cammack.

8
9 46. Then there's the conundrum of plaintiff's CLI
10 counsels who sold out their client and violated many
11 Professional Code of Conduct Rules. Including breaking
12 state and federal felony statutes such as 18 U.S.C. § 4
13
14 *MisPrision of a Felony (the technical name of law for the act*
15 *of having knowledge before, during and after the fact*
16 *about felony violations & crimes).*

17
18 47. One such instance is the fact that plaintiff's
19 own counsel (Henry Heiman) actually felt so secured by
20 the RICO corruption that Mr. Heiman (a DE Trustee), had
21 the unmitigated gall to actually email complainant a
22 threat from Paul Traub's firm to "**back off**" or else.

23
24 48. Henry Heiman's email reiterated Traub's partner
25 [Susan Balaschak] warnings to plaintiff to cease his
26
27
28

1 pursuits or complainant's career would be destroyed,
2
3 his CLI entity would not get paid from the eToys estate
4 and worse things would occur. Threats have borne valid!

5 49. Even subsequent attorneys hired by litigant all
6 found it more beneficial to abandon their client (the
7 CLI entity), in the hopes of being rewarded for doing a
8 future POTUS wannabe a "solid" (a favor).
9

10
11 50. Michael Weiss unethically and unlawfully did
12 refuse to submit to the Delaware Bankruptcy Court ("DE
13 BK Ct") presiding over the eToys case, a **Smoking Gun**
14 piece of evidence ferreted out by plaintiff.
15

16 51. The very days after Michael Weiss abandoned his
17 CLI client; plaintiff's daughter was abducted!
18

19 52. Gary Ramsey and eToys shareholder and life-time
20 friend of eToys equity holder Robert Alber, was also
21 co-owner of their Kingman, Arizona home together.
22

23 53. Johann Hamerski (also an eToys shareholder who
24 cuddled up to Robert Alber) pretended to be a fellow
25

26 warrior for justice. When Hamerski's self-professed
27 partner Jack Abramoff was released early from prison in
28

1 2010 (after Hamerski had threatened both Robert Alber
2 and this plaintiff again), Robert Alber's life time
3 friend and co-owner of their Kingman, AZ home (Gary
4 Ramsey) simply vanished into thin air.
5

6
7 54. Shortly thereafter Robert Alber was assaulted
8 by the career criminal Michael Sesseyoff; whom Alber
9 had to shoot/ kill, in self-defense.
10

11 55. Some co-conspirators are already in prison.

12 56. Michael Catain laundered a reported \$10 billion
13 and his now doing 10 years; as is his Traub/Petters
14 cohort Larry Reynolds (who also confessed laundering
15 over \$12 billion while living in Las Vegas).
16
17

18 57. In similar fashion to Johann Hamerski feigning
19 to be of good faith to cuddle up next to Alber; Larry
20 Reynolds was able to help Paul Traub/ Tom Petters scams
21 and other Racketeers. Whereas Larry was sitting at a
22 desk (totally different company) less than 20 feet away
23 from litigant when the eToys case efforts began.
24
25

26 58. Larry Reynolds real name is Reservitz. He did
27 his money laundering while inside Witness Protection!
28

1 59. Co-conspirator Frank Vennes just received a 15
2
3 year prison sentence this month in Minnesota. However,
4 this is window dressing (a 'Red Herring'). Frank Vennes
5 also had a federal receiver appointed in Minnesota
6
7 (Gary Hansen). Akin to how bizarre Reservitz's affair
8 is; Frank Vennes had his federal receiver appointed
9
10 before he was charged and/or his assets seized.

11 60. Douglas Kelley was Tom Petters Receiver before
12
13 Petters Ponzi assets were grasped. When Thane Ritchie's
14 Capital Management entity appointed a Receiver in ILL.
15 (Billy Procidia), Douglas Kelley uncannily/unethically
16
17 hopped on the other side of the fence and became the
18 Federal Receiver and Trustee in/of Tom Petters Ponzi.

19 61. Armed with his bogus "*Judicial Immunity*" proviso,
20
21 Doug Kelley worked with the "conflicted" Minnesota
22
23 Department of Justice ("DOJ") and arranged for the
24
25 Ponzi victims to be slaughtered a second time.

26 62. Many unethical participants got together in the
27
28 Minnesota District Court to have a celebratory hearing
and expunged the Mandatory Victim Restitution Act.

1 63. This was after Paul Traub went to Minnesota and
2
3 re-arranged the ownerships of Fingerhut [a major eToys
4 issue is Fingerhut - to be detailed further at trial].

5 64. As par for the course the "new" funding for the
6
7 Fingerhut "new" ownership deal (*just weeks before the FBI raided*
8 *Tom Petters*) arises from the \$50 million that was provided
9
10 by none other than Goldman Sachs and Bain Capital.

11 65. As for the extremely well known Polaroid entity
12
13 that was acquired by Paul Traub/Tom Petters Ponzi; Mr.
14 Traub didn't let go of that jewel of a business either.

15 66. Polaroid was actually seized by the feds; but
16
17 it was illicitly sold to the 2nd highest bidder.

18 67. As inexplicable as that is; who wound up with
19
20 Polaroid is even more amazing. Hilco/Gordon Brothers
21 "*successful*" 2nd highest bid of 83 million was paltry.

22 68. Shortly thereafter Gordon Brothers boasted
23
24 about its new \$2 Billion Polaroid licensing deal.

25 69. What the parties tried to keep a secret is the
26
27 fact that Paul Traub shimmied over to become co-owner
28 of Polaroid as a principal partner with Gordon Brother.

1 70. Then the co-conspirator hits kept coming as
2
3 Frank Vennes (having [*purportedly*] volunteered to give
4 up/surrender all of his Ponzi assets) was allowed to
5 handpick who he would compensate by his Victims Fund.
6

7 71. One such "rewarded" party is *Frank Vennes's*
8 *right hand man Charles Chase* [via Chase Holdings].
9

10 72. Other co-conspirators who are (*apparently*)
11 getting away (*completely*) 'Scot Free' are Craig Howse,
12 Michael O'Shaughnessy, David Baer, Greg Bell, Ted
13 Deikel, Mary Jefferies Chee-Awai and Doug Kelley's law
14 firm of Lindquist & Vennum, just to name a few.
15
16

17 73. While this listing may sound exhaustive, the
18 fact of the matter remains there are many more parties
19 who could be named. Bain Capital owns a vast array of
20 entities, due in no small part to the fact of the vast
21 *unjust enrichments* of the Racketeering.
22

23 74. This includes, *but is not limited to*, such
24 acquisitions as Jumbo Sports, Stage Stores, Kay Bee,
25
26 eToys, Burger King, Dunkin Donuts, part ownership of
27 the Celtics, FAO Schwartz, Guitar Centers, Burlington
28

1 Coat Factory, Hospital Care America ("HCA") and Clear
2 Channel Communications (hard to keep track of them).

3
4 75. What really is mind boggling, is how brazen and
5 flagrant all the mendacity has become. One mayhem and
6 homicide issue *conscience shocking* and not addressed
7 properly - is the glaring facts about John ("Jack")
8 Wheeler winding up dead in a dump in Wilmington, DE
9 (also in 2010). Simple transitive logic of Romney =
10 Bain = Clear Channel Communications = founder Red
11 McCombs = Blackwater (*Academi*) [to meet "the boys"].
12
13
14

15 76. Just how many million to 1 shots does plaintiff
16 need, that are irrefutably direct linked to this case;
17 before doubting Thomas's stop stalling in doing their
18 duty to investigate per the bogus "*its coincidence*" excuse?
19
20

21 77. Such as the fact that Jack Wheeler worked for
22 the SEC; but we'll never know what he found as his
23 house was ransacked the same time his murder occurred.
24
25 (*Hence - plausibly - the killing was not spontaneous act - as is suggested*) .

26
27 78. Finally, on the issues of who should take
28 priority as one permitted to be 1 through 10 John/Jane

1 Doe's there's the issue of accessory & the fact videos
2 show Jack Wheeler was murdered after visit the Nemours
3 Building. Colm Connolly and the Delaware United States
4 Attorney's office are housed in the Nemours Building.
5

6
7 79. After this pursuer of justice put forth webs &
8 blogs to get more details on Wheeler's case, it was
9 none other than retired USA Colm Connolly who came out
10 and stated to the public (under what authority we will
11 never know) that "we believe the killer left the state".
12

13
14 80. Then Colm Connolly announced he was the
15 Wheeler's family counsel and was offering a 25,000
16 reward for information to go to Colm Connolly!
17

18 VI CONFESSIONS ALREADY UPON FEDERAL RECORD

19 81. What remains totally mind-boggling and beyond
20 *conscience shocking* are the vast amounts of evidences
21 already in the Public Access Court Electronics Records
22 ("PACER"); and yet, there's no investigation or arrest!
23
24

25 82. On December 22, 2004 an Emergency Hearing was
26 held in the eToys case that had originally been filed
27 in the DE BK Ct on March 7, 2001 (DE Bankr 01-706).
28

1 83. Plaintiff ferreted out *Smoking Gun* proofs from
2
3 the case of *In re Bonus Sales* (DE Bankr 03-12284) that
4 compelled Paul Traub's firm of Traub Bonacquist & Fox
5 ("TBF") to **confess** "undisclosed" connections to eToys
6
7 post-bankruptcy petition President/CEO Barry Gold.

8 84. Likewise, a PACER typo of 01-705 instead of the
9
10 eToys case number 01-706, led to discovery of *Smoking Gun*
11 that compelled Morris Nichols Arsht & Tunnell law firm
12 ("MNAT") to **confess** the firms failure to disclose its
13
14 conflict of interest ("Conflict") Goldman Sachs issues.

15 85. Traub's TBF, MNAT and Barry Gold were ordered
16
17 by the DE BK Ct to respond to the allegations on/ or
18
19 before January 25, 2005.

20 86. Additional admittances produce more *Smoking Gun*
21
22 evidences during February 9, 2005 "*Depositions*".

23 87. The *Responses* & *Depositions* became certified as
24
25 confessions during the March 1, 2005 evidence hearing.

26 88. Resultantly, the United States Trustee's office
27
28 put forth a Motion in eToys settling issues long ago on
the fact that Traub's TBF firm had perpetrated a Fraud

1 on the Court with the; "UNITED STATES TRUSTEE'S MOTION
2
3 FOR ENTRY OF ORDER DIRECTING DISGORGEMENT OF FEES PAID TO
4 TRAUB BONACQUIST & FOX LLP FOR SERVICES RENDERED AS
5 COUNSEL TO OFFICIAL COMMITTEE OF UNSECURED CREDITORS"
6

7 89. This telltale informative piece in the DE BK
8 Ct records of eToys is hereafter referred to as the
9
10 "*Disgorge Motion*". Submitted and docketed on February 15,
11 2005 as eToys DE BK Ct docket item ("D.I.") 2195.

12 90. Controlling and informative is the fact that
13
14 the *Disgorge Motion*, in parts 19 & 35 thereof, provides
15 a germane detail disturbing and convicting. Whereas it
16
17 states in part 35 of the federal police of bankruptcy
18 cases in the *Disgorge Motion* of TBF that;

19 "Unlike *R&R Associates*, this case does not involve novice
20
21 bankruptcy counsel who borrowed a form of Rule 2014 affidavit from
22
23 another attorney in the firm. It instead involves experienced
24
25 bankruptcy practitioners who have filed applications to be retained as
26
27 Section 327 or Section 1103 counsel in numerous large and
28
sophisticated Chapter 11 cases, both in Delaware and elsewhere.

1 TBF's partners are well-versed in the comprehensive and ongoing
2
3 relationships analysis required of a professional employed at estate
4
5 expense. And as discussed earlier in this Motion, TBF had engaged in
6
7 discussions with the Office of the United States Trustee about
8
9 replacement officers of the debtors, and was aware of the UST's
10
11 concern that the replacement officers not be related to any of the
12
13 professionals employed in the case. This, it is respectfully submitted,
14
15 is all of the intent needed to demonstrate that TBF's Rule 2014
16
17 disclosure violation was a fraud upon the court".

18 91. Whereas the federal police of the bankruptcy
19 system, states upon its DOJ.Gov website - that it has
20 two primary functions **1)** Policing and to help the DOJ
21 address issues of bankruptcy fraud; and **2)** to Monitor
22 Professionals and their fees in bankruptcy cases.

23 92. Hence the "Pro's" at the duty of bankruptcy
24 fraud and practitioner fees did conclude, in part 35 of
25 the Disgorge Motion (that doesn't address another 100
26 felony issues litigant can now document); that Fraud on
27 Court occurred [who were officers approved by the court] .
28

1 93. An additional significant issue is that the
2 parties were told in advance (*cautioned*) not to engage
3 in any "Conflicts" of interest (of handpicking execs)!

4
5 94. Also the UST Disgorge Motion cited the noteworthy
6 case of In re Hazel Atlas - as stated in PT 28;

7
8 "[T]ampering with administration of justice in the manner
9
10 indisputably shown here [*counsel fraudulently created evidence and*
11 *introduced it at trial*] involves more than an injury to a single litigant.
12
13 It is a wrong against the institutions set up to protect & safeguard the
14 public, institutions in which fraud cannot complacently be tolerated
15 consistently with the good order of society. Surely it cannot be that
16 preservation of the integrity of the judicial process must always await
17 upon the diligence of litigants. The public welfare demands that the
18 agencies of public injustice be not so important that they must always
19 be mute and helpless victims of deception and fraud".

20
21 95. Therefore there's the evidence of the UST's
22 detail that a fraud on the court transpired - *AFTER* -
23 the parties were, in essence, "*forewarned*" in advance
24
25
26
27
28

1 not to do the very crime that overwhelming evidence

2 document the Defendants Conspired to do anyway!

3
4 96. However, the Racketeering Defendants are so
5 powerful that they simply didn't care what good faith
6 publics servants were saying in the ranks & files of
7 our watchdog agencies (*and it is important/ significant*
8 *to point out the fact that this billions of dollars*
9 *fleeced over decades*). Because the Defendants "knew"
10 beyond any doubt that the proverbial "**FIX**" was already
11 "**IN**" (*and not just by their repressive Colm Connolly*).
12
13
14

15 97. It is most assuredly a rotten helm. On the very
16 day of our eToys Emergency Hearing of December 22, 2004
17 the Executive Office of United States Trustee's
18 ("EOUST") simultaneously replaced the Region 3 United
19 States Trustee (Roberta DeAngelis) with a [purported]
20 veteran fraud prosecutor as the new Region 3 Trustee.
21
22

23 98. EOUST Deputy Director Lawrence Friedman had
24 personally responded directly to this plaintiff in an
25 effort to quell my requests for justice. But that too,
26 was nothing more than mere window dressing.
27
28

1 99. Plaintiff's new counsel (*this time Brad Brook*
2
3 *in Santa Monica, CA and local counsel in DE the Bayard*
4 *Firm*) did cajole litigant to set a new hearing date for
5 CLI claim's (instead of the pre-scheduled February 4,
6 2005). The premise was sound enough. Whereas - since
7 the bad faith parties had confessed - it wouldn't be
8 proper to accept payments from them (akin to Bribery).
9
10

11 100. Unfortunately, Brad Brook also sold out his
12 client (plaintiff/CLI). The Bayard Firm works for Back
13 Bay Capital (*partners with Bain Capital in the Kay Bee*
14 *case [Barry Gold also works with Back Bay]*).
15
16

17 101. Less than nine (9) days after the *Disgorge*
18 *Motion* was supplicated, another major turn of events
19 transpired. Once again the autocratic Mark Kenney
20 switched roles from being a public servant of Justice
21 who swore an oath to protect the Constitution of the
22 United States from enemies foreign & Domestic; to that
23 of duplicitous federal servant protecting the RICO.
24
25

26 102. Mark Kenney's bad faith actions resulted in
27 the *Disgorge Motion* facilitator (Frank Perch) resigning.
28

1 103. Whereas Mark Kenney submitted a "Stipulation to
2
3 **Settle**" the *Disgorge Motion* for only \$750,000. But that's
4
5 not the worst of it. On February 24, 2005 the despotic
6 Mark Kenney proffered a promise for the U.S. Trustee's
7 to Breach their Fiduciary Duty stating; "Whereas the United
8
9 States Trustee shall not seek to compel TBF to make additional disclosures".

10 104. Immediately, complainant cried foul to the
11
12 EOUST Deputy Director Lawrence Friedman who emailed
13 plaintiff a direct assurance that his staff was on top
14
15 of the matter.

16 105. Director Friedman's verbatim email stated;

17 DATE: 02/25/05

18 To: 'laserhaas@msn.com'

19 CC: Kelly.B.Stapleton@usdoj.gov;

20 RE: Item sent to the record today

21 You most assuredly have our attention and my
22 personal commitment that we will act in every case
23 where action is required and we are aware of it.
24 Please understand however, like any prosecutor, we
25 must exercise appropriate discretion in carrying
26 out our responsibilities which while sometimes in a
27 particular case may seem unjust, it is done with
28 perspective to ALL matters we handle. I sympathize
 with your frustration and again assure you that my
 staff is extremely competent to handle this matter
 and will exercise appropriate judgment.

1 Lawrence A. Friedman, Director
2 Executive Office for US Trustees
3 United States Department of Justice
4 Washington, DC

5
6 106. As it was readily apparent that everyone was
7 making such urbane efforts, in order to protect other
8 acts of bad faith; plaintiff began to dig deeper.

9
10 107. The additional \$100 million in fraud in the
11 Kay Bee case was quickly exposed in full form.

12
13 108. As reflected by Rolling Stone's September 2012
14 cover article, Matt Taibbi in "Greed and Debt", reported
15 that Michael Glazer paid himself \$18 million & Bain \$83
16 million before Mr. Glazer filed bankruptcy of Kay Bee.

17
18 109. This was the same Kay Bee case (DE Bankr 04-
19 10120) that Back Bay Capital and Bain were partners of.

20
21 110. MNAT was counsel for Bain in the \$83 million
22 issue and Traub's TBF petitioned to prosecute them.

23
24 111. Upon Lawrence Friedman being informed of the
25 ~~PROOF~~ of the Kay Bee \$100 million fraud scheme and his
26 staff's duplicity; Mr. Friedman chose discretion over
27 valor and subsequently resigned!
28

1 112. What everyone is dodging by resigning, moving
2 to another position and/or being promoted, is Truth.

3
4 113. It doesn't matter that the parties are beyond
5 compare powerful; the truth & fact is they're wrong.

6
7 114. Some good people are helping plaintiff behind
8 the scenes. In 2012, a transcript of a March 19, 2009
9 hearing was entered into the eToys docket record.

10
11 115. That transcript reflects conversations of this
12 plaintiff and the DE BK Ct. In the same perverse manner
13 of Minnesota handing out "*Judicial Immunity*" cards like
14 candy; the DE BK Ct keeps Romney's RICO Gang immune
15 from proper auspice under the judicial doctrine that
16 plaintiff has to have the court's "*permission*" (?) in order
17 to be allowed to [formally] inform a Court that fraud
18 on the court is being perpetrated upon it.

19
20
21
22 116. Along that irrational manner of thinking, the
23 DE BK Ct had this to say, that is now archived by the
24 eToys D.I. 2222, of the March 19, 2009 hearing that
25 transcribes the following telltale items; Plaintiff [Laser
26 HAAS to the Court]: "So you're going to permit fraud on
27
28

1 the Court to continue under a technicality to get the
2
3 person out of the way when the people admitted to you
4 that they supplicated false affidavits? MNAT has picked
5 Traub to handle New York and half the cases under
6
7 seal".

8 THE COURT: "Mr. Haas, I'm not going to hear you".

9
10 Then, MNAT's Werkheiser states: "And that CLI also had been
11 adjudicated not to have any claims". (Because MNAT supplicated a
12 "Haas Affidavit" forgery "waiver") [Discussed below].
13

14 117. When this complainant objects and says "that's
15
16 not true". The DE BK Ct continues to prevent review of the
17 facts and states "I'm not going to - -".
18

19 118. This litigant then - again - points out to the
20 DE BK Ct that

21
22 "There's never been a hearing on CLI's claim".

23 119. To which the DE BK Ct again responded coldly
24 that; "Mr. Haas, I'm not dealing with it".
25

26 120. Then the DE BK Ct states; "I've said what I've said. We
27
28 don't have anything else on here"?

1 121. And Defendants' MNAT and Greg Werkheiser then
2 continues a charade (cover up of their representing
3 eToys [while secretly also representing Bain] where eToys
4 bankruptcy assets were sold at prices reduced by MNAT, Traub and Barry
5 Gold to Bain/ Kay Bee - a Bankruptcy **FRAUD**) - then MNAT's
6
7 Greg Werkheiser deceptively states; "No, Your Honor".
8
9

10 122. The DE BK Ct concludes with a remark that
11 basically sums up the attitude of every agent, agency
12 and official involved in this Bankruptcy Ring/RICO case
13 thus far. The DE BK Ct justice concludes cheekily that
14
15 - "All right. Then I have nothing else but to get back to Tweeter".
16

17 123. MNAT is so heavily protected by the entire
18 Circuit over DE that the U.S. Trustee not only failed
19 (miserably) to put forth a Motion pertaining to MNAT's
20 Breach of Fiduciary Duty (*many Conflicts of Interest*); but the
21 U.S. Trustee's EOUST General Counsel is upon the PACER
22 record in a 3rd Circuit submittal (#07-2360) stating in
23
24 the 1st footnote that the U.S. Trustee's office had not
25
26 dealt with the MNAT eToys issues and would not address
27
28 them. (*As if on bended knee before the guillotine*).

1 124. Taking punches in the gut of the *integrity of*
2 *the judicial process* even deeper, is the fact that
3 MNAT, Traub's TBF and Barry Gold were doing the \$100
4 million Kay Bee scheme of MNAT representing Bain of the
5 \$83 million issue and Traub's TBF seeking to prosecute
6 at the very same exact time Traub's TBF was purportedly
7 being sanctioned/punished for similar Conflict of
8 Interests issues in eToys. It's all just SO VERY WRONG!
9

12 125. Mark Kenney came to the rescue of MNAT and
13 Traub's TBF in the Kay Bee case when this plaintiff
14 tried to inform the visiting justice of those frauds
15 upon the court. Whereas Mark Kenney, abusing his high
16 level of public trust, successfully petitioned the DE
17 BK Ct over the Kay Bee case to Strike the evidences.
18

19 126. Making an effort to complete for the champion
20 award as head autocrat, the removed Region 3 Trustee
21 Roberta DeAngelis was found out by yours truly to have
22 moved to a new post after EOUST Director Friedman had
23 quit/ Resigned.
24

25 127. DeAngelis became the EOUST General Counsel!
26
27
28

1 **VII FACTUAL BASIS FOR CIVIL RICO CLAIM**

2

3 128. This 1st Amended Complaint adds the name of
4 Johann Hamerski, who is - in part - responsible for the
5 death of self-defense killing of Sesseyoff. Johann
6 Hamerski is indubitably responsible for Robert Alber's
7 abandoning his quest for justice in the eToys case.
8

9 129. Also, this Amended Complaint details how Mitt
10 Romney's RICO Gang & co-Defendants set out fraudulently
11 to rip off private and public companies at will.
12

13 130. Defendants, as Racketeers, are able to openly,
14 without any remorse or relent, break state and federal
15 laws *ad hoc*; having no worries of ever facing justice!
16
17

18 131. Of the many schemes & artifices to defraud
19 that Romney's RICO Gang has developed over the decades,
20 is their ability to infiltrate government bodies.
21

22 132. Again, it is as plain as the nose on anyone's
23 face; such as the undeniable arrangement for MNAT's
24 partner Colm Connolly to become the DE U.S. Attorney.
25

26 133. This Complaint can delve into issues of how
27 judges (who actually went after the perpetrators) were promoted OFF
28

1 this case to higher courts. There's at least two
2
3 glaring instances. But, if we can't address Nitti's
4 like Paul Traub being partners with fraudsters who go
5 to jail left and right, while he's breaking the law
6 openly and doing crimes to destroy a public openly,
7 corrupting our federal systems of justice all the
8 while; if we can't do this - then what's the point!

11 134. Almost all the evidence laying a foundation
12 for this instant Complaint arises from publicized court
13 docket records and cemented federal archives.

15 135. MNAT, Paul Traub and Barry Gold have already
16 confessed to lying under oath more than thirty-three
17 (33) times before a chief justice in federal court.

19 136. This assault on the *integrity of the judicial*
20 *process* is far beyond intolerable!

22 137. For the sake of the good order of society, the
23 duplicitous betrayers of public's trust must be probed
24 and removed. On this issue there's no middle ground!

26 138. Defendants are "culpable" persons who are
27 "corrupting" interstate commerce for decades, doing so
28

1 by various "patterns" of "racketeering" in violation of
2 the RICO Act. Harming many and plaintiff's business.

3
4 139. Though the roles of the Defendants may change
5 from time to time. Such as many of them being on the
6 same side in the Stage Stores case; but then hopping on
7 the merry-go-round of assignments in Kay Bee and eToys
8 cases. PRETENDING to be Opponents of each other. The
9 fact of the matter remains they still have continuity.
10
11

12 140. While the quest of Defendant Romney to become
13 POTUS "may" be a closed ended scheme. He and Defendants
14 *Bankruptcy Ring* and other enterprising efforts endure.
15

16
17 141. As the public evidence does also document,
18 Romney is trying arduously, to deal himself back into
19 the political arena. If he can't become POTUS, then
20 perhaps his wife, brother or son can achieve the goal.
21 As they too, can run races to be Governor, Senator etc.
22

23 142. Currently, Paul Traub has adapted his ways.
24 Defendants are aware that they were "caught" by lying
25 under oath in a proceeding. So the RICO has improved to
26 using brazen/flagrant ploys such as "*Judicial Immunity*".
27
28

1 143. There's also monsters mendacious that are
2 absolutely verboten, popping up ancillary in the form
3 of "DPA's" (Deferred Prosecution Agreements).
4

5 144. In Capone's era of time, they had a different
6 name for prosecutors receiving a \$50 million No Bid DPA
7 from a target of federal investigation; so that there
8 would be no prosecution. (It was called Bribery)!
9
10

11 145. Our nation is ill fated if we permit justices
12 to punish plaintiffs and reward conflicted attorneys;
13 in a tyrannical manner to benefit their DPA cronies.
14

15 146. Things will only get worse, morosely so, if
16 our federal Police (*such as the U.S. Trustee*) are
17 freely permitted to become provocateurs or despots, who
18 stymie justice - instead of effectuating it.
19
20

21 147. In an effort to dodge his culpability for the
22 era of time of organized crimes between February 11,
23 1999 up to August 2001 Romney felt so protected by the
24 RICO Gang's ability to obliterate evidence trails, he
25 lied to the ENTIRE NATION about his tenure as Bain
26 Capital's CEO. (*Hopefully his dodging days are over*).
27
28

1 **Racketeers Coming Together**

2
3 148. It is quite possible that the various elements
4 of the RICO came together in a perfect criminality
5 tempest as separate cells unaware of one another. As
6 Traub's TBF firm is a self-described boutique firm in
7 New York City making his bones and adapting his ways as
8 a bankruptcy counsel in major bankruptcy cases all over
9 the country. Including Jumbo Sports, Stage Stores and
10 other where Bain Capital's Jack Bush and/or Barry Gold
11 also were engaged [Barry Gold worked Kay Bee also].
12
13
14

15 149. Greg Werkheiser and his MNAT law firm walked a
16 different pathway. Whereas MNAT is "The" powerhouse law
17 firm in Delaware. With such accolades as being the firm
18 for Howard Hughes Aircraft and Goldman Sachs.
19
20

21 150. Romney had moved away from Bain and Company to
22 form Bain Capital. It is plausible that such a move was
23 to make sure Bain and Company wasn't put at risk with
24 the maneuvers that Bain Capital was planning to pull.
25

26 151. Reportedly, Romney and Bain Capital did not
27 care where the money came from; and that's telltale!
28

1 152. Then, BOOM, they all came together and toyed
2
3 around with bankruptcy cases in a manner indomitable.

4 153. This is why so many stones have been turned
5 over, with a landslide of **cover ups** unfathomable. The
6 eToys case is part of the grand design of schemes in
7 the march towards billions of dollars in acquisitions
8 by the RICO and the intended ultimate usurpation quest.
9
10

11 **The Learning Company**

12 154. Currently, upon Wikipedia, it describes The
13 Learning Company merger with Mattel as the absolute
14 worst corporate dealing in the history of corporations.
15

16 155. Investors lost a reported \$3 Billion almost
17 immediately, as a result of the TLCo/ Mattel merger.
18 There's no reported federal investigation into whom
19 scammed who on the booking deceptive commerce.
20
21

22 156. Mattel bled so much money from that dealing,
23 on a regular basis, where it was forced to give away
24 TLCo - for free - to Gores Technology Group.
25

26 157. However, Romney and associated parties now had
27 a foundation to march to Toys R Us via Mattel shares.
28

1 **Stage Stores**

2
3 158. Romney owned 800,000 (+) shares of Stage
4 Stores stock; from the entity formed by Milken funds.

5 159. Jack Bush of Dallas, TX (*his "Relationships"*
6 *are not fully known - but there is media discussion of*
7 *the fact that Romney is a distant cousin of the Bush*
8 *family*). Walking around from one company to another
9 *(including bankruptcy case)*, Jack Bush is mainly
10 involved with dealing in Bain Capital interests.

11
12 160. Barry Gold testified during his February 9,
13 2005 eToys Deposition that he gets work from Jack Bush.

14
15 161. Jack Bush was a Director at Stage Stores and
16 Barry Gold was the Stage Stores Directors assistant.

17
18 162. What is indisputable, is the fact that Barry
19 Gold's signature is in the Stage Stores docket record
20 as the person who signed Traub's TBF engagement letter.

21
22 163. In bankruptcy cases, in order to be approved
23 for the highly lucrative work, counsel must ask court's

24
25 permission to be engaged per Section 327(a) **Professional**
26 **Person;** and must disclose ALL connections/affiliations.
27
28

1 164. In addition to the \$ 327(a) Application, the party

2
3 petitioning must declare, per a Bankruptcy Rule 2014 Affidavit -
4 Under Penalty of Perjury - that there are NO conflicts
5 of interests as defined under Bankruptcy Section 101(14)
6 and its definitions of Disinterested Persons.
7

8 165. Traub is a pathological liar extraordinaire.
9

10 166. A study of his obfuscating mannerisms reveal
11 he is pathetic; and the end results are mendacious.
12

13 167. Outside of the eToys bankruptcy case, a clear
14 and convincing proof of Paul Traub's babbling banter
15 disingenuous is found in his Stage Stores Supplemental
16 Bankruptcy Rule 2014/2016 Affidavit. Where Traub was
17 compelled to petition such upon being "caught" red-
18 handed in his failure to disclose to the Stage Stores
19 court and parties of interest in that case *conflicts of*
20 *interest* concerning Jack Bush, Barry Gold and others.
21
22

23 168. What was at issue - is whether or not - Traub
24 had failed to disclose his ties of anybody (*likely*
25 *conflicts of interest*) to the Stage Stores court; when
26 TBF petitioned to be a court approved counsel.
27
28

1 169. Obviously, Racketeers can't come out (*as much*
2 *as they might like to do so*) and state that their
3 "association in fact" is Crooks 101 Inc. Along that same line
4 of logic, the Racketeers can't come out and say "We are
5 *too powerful and we're stealing all that is here; and*
6 *you are too insignificant to object about it*". Instead
7 lying & deceit, along with the abuse of time components
8 wearing parties down, serves the *Bankruptcy Ring* well.
9

10
11 170. Traub's Stage Store Supplemental gives up the
12 ghost (so to speak) about the fact that Traub's and/or
13 TBF worked with Ronald Sussman (of Kronish Lieb firm),
14 Jack Bush and Barry Gold in the past.
15

16
17 171. Then Traub goes into his hypnotist magicians
18 ACT of deceiving in an artful dodger way. Paul Traub
19 says he was with Barry Gold in Witmark case; but "*upon*
20 *information and belief*" Barry Gold had nothing to do with
21 Traub/TBF becoming engaged in Witmark.
22

23
24 172. As Traub continues in his 7 pages of babbling
25 banter BS, he reiterates the "*upon information & belief*" remark
26 concerning the Jumbo Sports and Luria cases too.
27
28

1 173. Once any trier of facts in the Stage Stores
2 case debates semantics about what Traub and Barry Gold
3 did in those others cases; the racketeers wins.
4

5 174. It doesn't matter how much the parties were
6 working together in Luria, Witmark and Jumbo Sports;
7 what matters is "IF" the relationship still existed in
8 a way that would lead to preferential treatments of the
9 parties from relationships due to the non-disclosure.
10
11

12 175. In the Stage Stores case the specific issue of
13 importance is "IF" Traub and Barry Gold have a bond
14 that transcends the Stage Stores case; and the answer
15 to such a question is an unequivocal YES.
16
17

18 176. Unfortunately, the Stage Stores court bought
19 into the obfuscating malarkey and Traub's TBF law firm
20 wasn't disqualified or disgorged as is Required by LAW!
21

22 177. Once a RICO conspiracy has worked, Defendants,
23 repeat it again; but ante up for much larger gains.
24

25 178. In the fall of 2000, when Bain was acquiring
26 Kay Bee, Traub's TBF was already working as counsel for
27 the "Unofficial" eToys Creditors Committee.
28

1 179. With Romney and his associates owning millions
2
3 of shares of Mattel stock (*reportedly 12 million*) as a result
4 of the TLCo merger; this gave Romney/Bain the inside
5 track of the toy industry. Then, in the fall of 2000,
6
7 Bain acquired Kay Bee Toys with Michael Glazer
8 ("Glazer") as its Chief Executive Officer ("CEO").
9

10 180. Glazer quickly became a Co-Director of Stage
11 Stores alongside others, including Jack Bush.

12 181. Hence, Romney/Bain/Glazer/Barry Gold and Paul
13 Traub/TBF are all together on the same side in the
14 Stage Stores case in 2000/2001.
15

16
17 **Kay Bee Toys**

18 182. In the fall of 2000, Romney as CEO of Bain,
19 makes a deal to acquire Kay Bee Toys ("Kay Bee").
20

21 183. Kay Bee's CEO at that time was Michael Glazer.

22 184. Bain/Kay Bee set out to acquire eToys.com as
23 their very next purchase; and they wanted nothing to do
24 - whatsoever - with the public company part of eToys.
25

26 185. It was announced (*reported in the Wall Street*
27 *Journal*) that Bain/Kay Bee was acquiring the entire
28

1 bankruptcy estate assets of eToys.com for the amazing
2 great deal price of \$5.4 million dollars.

3
4 186. When plaintiff's CLI entity was hired in eToys
5 to "Maximize returns at minimum expense" - the scheme of Bain/
6
7 Kay Bee to only pay \$5.4 million was thwarted by CLI.

8
9 187. As a result of plaintiff/CLI's efforts, Bain/
10 Kay Bee had been forced to commit tens of millions of
11 dollars to buy eToys estate assets. Including the price
12 of \$10 million for the eToys.com domain names.
13

14 188. Obviously this "*blown budget*" plan of the RICO
15 most likely miffed "boss" Romney. A "FIX" was needed of
16
17 Laser the Liquidator & his CLI entity. They had to be
18 scuttled and the extra millions returned to spender.
19

20 189. When the surrounding of plaintiff and his CLI
21 entity with MNAT lying to become eToys Debtor's counsel
22 and Traub's TBF concealing his links to Romney/ Bain/
23 Glazer (and hence Kay Bee) to become eToys bankruptcy
24 estate Creditor's counsel - was not enough to subdue
25 plaintiff; the Racketeers plotted a new scheme and
26
27 Barry Gold was then unlawfully inserted inside eToys.
28

1 190. Even with plaintiff surround on all sides by
2 RICO parties who were and were not court appointed.
3 With all of the RICO parties fiduciary duty to their
4 clients being blown (MNAT and Barry Gold to the eToys
5 Debtor's estate and to the eToys shareholders [because
6 MNAT, Traub/TBF and Barry Gold persuaded the DE BK Ct that they would protect
7 the eToys equity holders] - and Traub/TBF was obligated to the
8 court approved client of eToys Creditors). Still, the
9 plaintiff pesky Laser the Liquidator and his CLI entity
10 was able to put a dent in the RICO plots and ploys of
11 Grand Larceny & eToys estate destruction.
12

13 191. So, the Racketeers tried Bribery as a tactic.
14 But that failed too; and litigant reported the criminal
15 efforts to the DOJ UST primary person (Mark Kenney).
16

17 192. Instead of putting a stop to the skullduggery;
18 the DOJ UST attorney Mark Kenney told plaintiff that he
19 was a layman and misconstrued the complexity entirely.
20 If claimant wanted to feel satisfied, he should go
21 back, accept the offer and bring it to the DOJ UST for
22 determination. - - (Nice Try)!

1 193. What was offered to plaintiff was somewhat
2 elaborate. Goods sold for a \$400,000 bid in eToys were
3 boxes that Bain/Kay Bee didn't desire once plaintiff
4 forced the price to \$1.25 million. Their scheme was
5 that litigant could take busted box goods for the bid
6 in hand of \$400,000.00 and be placed upon the board of
7 other projects . (*like Barry Gold, Jack Bush & Michael Glazer*) .
8
9
10

11 194. In the Kay Bee case, the ante was upped quite
12 a bit where, as reported in the September 2012 Rolling
13 Stone cover article "Greed and Debt: A True Story About
14 Mitt Romney and Bain Capital" activist Matt Taibbi
15 detailed the issues in Stage Stores (*about the Milken*
16 *funding of Stage Stores and Milken's judge benefiting*
17 *from such*). Along with the fact that Glazer paid
18 himself \$18 million and Bain \$83 million - and then
19 Glazer filed bankruptcy of Kay Bee later in 2004.
20
21
22
23

24 195. Of course this is a Bankruptcy Fraud of the
25 highest kind; but MNAT, Traub and the corrupt U.S.
26 Attorney Colm Connolly are there to make sure no proper
27 investigation and/or prosecution occurs.
28

1 196. MNAT openly (very quietly) represents Bain in the
2
3 \$83 million partisan treatment (*probable fraudulent conveyance*).
4 Traub's TBF firm illegally asked the DE BK Ct to be the
5 firm to prosecute Glazer & Bain. Doing so, *of course*,
6
7 without bothering to inform the parties of interest
8 and/or the DE BK Ct of the fact that Traub's TBF worked
9
10 for Romney/Glazer/Barry Gold in the Stage Stores case.

11 197. When this plaintiff submitted a filing to the
12 DE BK Ct presiding over the Kay Bee case, as is his
13
14 duty under the Law of **18 U.S.C. § 4 MisPrision of a**
15 **Felony** (the technical statute for knowledge before, during and
16
17 after the fact of felonies transpiring) - none other than the
18 autocratic Mark Kenney and his DE corrupt DOJ came to
19
20 the Racketeers rescue.

21 198. UST trial attorney Mark Kenney, purportedly on
22 behalf of the Region 3 UST, submitted a request to the
23
24 DE BK Ct petitioning for the court to Strike & Expunge
25
26 this complainant's information Motion in the Kay Bee
27
28 case. Because there were two (2) major issues needed to
be swept under the rug rather quickly.

1 199. One item was the Affidavit from the former
2
3 Chairman of the eToys Creditors Committee testifying
4 Paul Traub/TBF deceived his approved client (the eToys
5 Creditors) about Traub/TBF/ Barry Gold issues.
6

7 200. The other item germane is the fact that MNAT,
8 Paul Traub and Barry Gold all are concealing the secret
9 that they have a continuous relationship with Romney/
10 Bain/Glazer (and hence Kay Bee). Hence, as a pure
11 matter of Law, MNAT, Barry Gold and Traub/TBF are
12 FORBIDDEN to engage in negotiating the sale of eToys
13 assets to Bain/Kay Bee.
14
15

16 201. Since MNAT, Traub/TBF and Barry Gold failed to
17 disclose their links to the parties acquiring their
18 clients' assets, this is a Bankruptcy Fraud, Collusion, and
19 False Oath/Declaration series of crimes.
20
21

22 202. Even "if" Defendants were to effort arguing
23 that their representation was pure and they were the
24 ones who compelled their (secret) clients to pay higher
25 prices than otherwise would have occurred; the fact of
26 the matter is the Law presumes preferential fraud.
27
28

1 203. Be that as it may, this instant RICO case also
2
3 happens to have rock-solid proof of preferential sales
4 price reduction in betrayal of court approved clients
5 for the benefit of secret cohorts.
6

7 204. Plaintiff/CLI had compelled Bain/Kay Bee to
8 bid \$10 million for the eToys.com domain name asset.
9

10 205. MNAT, Traub/TBF and Barry Gold furtively
11 assisted their secret clients to get that price down to
12 the smaller amount of \$3 million (*and who knows if that*
13 *price was ever actually paid - or reduce further*).
14

15 **Public Company & Bankruptcy Estate eToys Frauds**
16

17 206. Much about the massive frauds in the eToys
18 case is already discussed above and much more will be
19 detailed at trial. The primary issues here are betrayal
20 of trust in the fact that MNAT is still selling out
21 their court approved client eToys, for the sake of
22 MNAT's secret clients Bain Capital & Goldman Sachs.
23
24

25 207. In similar fashion, at the same time, Traub
26 and his TBF, plus his various co-counsels of Frederick
27 Rosner, Wachtel & Masyr and Pomerantz, just to name a
28

1 few, are also selling out their court approved clients
2 for the sake of secret clients, secret agendas. And
3 that includes the agenda of covering this all up and making this
4 [RICO] case go away as quickly as possible.
5

6
7 208. Goldman Sachs took eToys public in 1999 and
8 the stock soared to \$85 per share.
9

10 209. As reported upon in the March 2013 New York
11 Times OpEd article by Joe Nocera titled "Rigging the I.P.O.
12 Game" Goldman Sachs initial public offering ("I.P.O.")
13 of eToys served Goldman Sachs more than it did eToys.
14 As eToys received less than \$20 of the \$85 per share in
15 a pump-n-dump "*Spinning*" I.P.O. fraud scheme.
16

17
18 210. It is possible that MNAT lied in order for
19 MNAT to become eToys DE BK Ct approved "Debtor's"
20 counsel, with only an intent to only serve the secret
21 master of Goldman Sachs.
22

23
24 211. Then comes along Paul Traub and his TBF with
25 their historic relationships with the resultant buyer
26 Bain whose CEO is Romney and Kay Bee whose CEO is
27 Michael Glazer; and they too are MNAT clients.
28

1 212. Traub's TBF lied about connections to Foothill
2
3 Capital, Merrill Lynch, Goldman Sachs, Playco/ Toys
4 International, Romney/Bain/Glazer/Kay Bee and Barry
5 Gold to the DE BK Ct. Doing so in order to become the
6
7 court approved counsel of the eToys [now Official]
8 "Unsecured" Creditors Committee.

9 213. As stated before, MNAT and Traub sought out to
10
11 benefit their undisclosed clients at the expense of their
12
13 court approved clients. Whereas Goldman Sachs wants
14
15 (and desperately still needs) a defunct, dead and gone,
16
17 public entity (and thus bankruptcy estate) of eToys.

18 214. At the same time, Romney's Bain/Kay Bee seeks
19
20 to acquire eToys.com bankruptcy estate assets as cheap
21
22 as possible. Though there's nothing wrong with the want
23
24 to pay as little as one can. It is against the Law both
25
26 state and federal, compounded by Bankruptcy Code & Rule
27
28 of Law statutes, for parties to *Conspire* to defraud a
public company and federal estate of a *bona fide* sale.

29 215. As previously remarked, MNAT and Traub's TBF
30
31 were not able to totally subdue this plaintiff alone.