

1 216. Thus, purportedly in May 2001, the schemers
2 brought in what they figured would be the final nail in
3 the coffin of eToys and this plaintiff. That is when
4 Barry Gold was unlawfully inserted into eToys as the
5 post-bankruptcy petition filing President/CEO of eToys.
6
7

8 217. Immediately the bad faith parties began a
9 series of new fraud schemes unique. The eToys employees
10 had their salaries "doubled" during a bankruptcy case. In
11 part, when plaintiff and CLI would let those overpaid
12 workers go, their anger would be focused upon litigant.
13
14

15 218. Additionally, plaintiff/CLI was discovering
16 various surreptitious dealings left and right. With the
17 possibility that eToys may have not actually been an
18 insolvent entity.
19
20

21 219. MNAT then sought to crush plaintiff's "ferret
22 out" efforts by putting forth a Motion to Destroy the
23 eToys Books & Records. Doing so once the parties
24 "Fixed" the case where Barry Gold was illegally inside
25 eToys estate as Debtor's head bankruptcy authority; to
26 assure that the destruction of ALL evidences would occur.
27
28

1 220. In similar fashion to the Kay Bee case of MNAT
2
3 defending Bain and Traub's TBF prosecuting them. Barry
4 Gold and MNAT nominated Traub's TBF to be the one to
5 prosecute Goldman Sachs (MNAT's, Traub and Barry Gold's
6 secret client) in the New York Supreme Court case of
7 (renamed ebc1 when Bain/Kay Bee stole the eToys domain names) eToys
8 versus Goldman Sachs (case# 601805/2002).
9
10

11 221. Hence, in essence, Goldman Sachs sued Goldman
12 Sachs. As eToys wasn't really being represented by any
13 good faith counsel, any part of this reckoning results
14 in Goldman Sachs having guaranteed rigged rulings.
15
16

17 222. To make sure that this plaintiff doesn't
18 ferret out any more evidence from the New York Supreme
19 Court case; MNAT, Traub and Barry Gold (*along with TBF*
20 *chosen co-counsels of Wachtel & Masyr and Pomerantz*)
21 have the entire NY Sup. Court case placed under SEAL!
22
23

24 223. Pomerantz and Wachtel firms may feign that
25 they are ignorant of all this; but that would be more
26 babbling banter obfuscating. Plaintiff has kept those
27 parties informed, since the discovery of fraud proofs.
28

1 224. Now that the POTUS election is over and their
2
3 boss Romney has lost his quest (and hopes of picking a "friendly"
4 U.S. Attorney General that Sheldon Adelson was purportedly paying \$100 million
5 to benefit from), the Racketeering Defendants seek to do
6 just a few more conflict of interest deceits and have
7 eToys settle with Goldman Sachs for a mere \$7 million.
8
9

10 225. MNAT is openly signing a Goldman Sachs case
11 settlement of Barry Gold approving that his partner Paul Traub can get paid
12 from the \$7 million. This is CURRENT conflict of interest
13 crimes, deceit and perjury on many levels.
14

15 226. In October 2005, the DE BK Ct put forth an
16 "Opinion" six (6) months after the confessions of MNAT,
17 Traub/TBF and Barry Gold were entered into PACER.
18
19

20 227. As a matter of fact, it would appear that the
21 DE BK Ct was utilizing its *Opinion* to head off this
22 plaintiff's District Court appeal of the Defendants
23 efforts to permanently destroy plaintiff's business.
24

25 228. Unbeknownst to complainant, MNAT had put forth
26 a forgery to the DE BK Ct in November 2001 (eToys D.I.
27 816); and the Defendants claim this item mooted CLI.
28

1 MNAT's Forgery on Behalf of CLI - **the "HAAS Affidavit"**

2
3 229. All the above named offenses most certainly
4 harmed various interstate commerce endeavors & victims.

5
6 230. There's no doubt about guilt either, as Traub/
7 TBF, Barry Gold and MNAT have already confessed.

8
9 231. Additionally, the bad faith parties seem to
10 have made the decision that *"since there's already 100*
11 *crimes transpiring; what's a few more"*.

12
13 232. Whereas in October 2012, after the Rolling
14 Stone **"Greed and Debt"** story was published with Matt
15 Taibbi reiterating some of the issues he was educated
16 about by this plaintiff; it seemed time to finally name
17 Mitt Romney for all his duplicity.

18
19 233. On October 24, 2012 plaintiff put forth a
20 Motion to the DE BK Ct that named Romney and detailed
21 the homicide issues to inform "THAT" court how much
22 further the skullduggery had gone down the organized
23 criminal highway. Doing so in the hopes that the DE BK
24 Ct and "new" Assistant US Trustee would finally do the
25 right thing (as it was apparent Romney would lose) .
26
27
28

1 234. Instead, the DE BK Ct and Clerk of Court did
2
3 conspire to pull a public docket record Breach of Fiduciary
4 Duty. Whereas plaintiff's Motion was received on October
5 24, 2012; but was surreptitiously withheld from the
6 public docket record until November 6, 2012.

8 235. This obvious scheme to protect Romney and make
9 sure the evidence was not looked upon by the main
10 stream media, turned out to be of no avail.

12 236. Mitt Romney was thumped in his billion dollar
13 quest to be POTUS; because Bain was his bane!

15 237. It's not the first time the DE BK Ct helped
16 the RICO *Bankruptcy Ring* Gang to retaliate against this
17 victim/witness. As the court had previously ruled that
18 plaintiff's efforts for justice are deemed moot.

20 238. It seems that it was a premeditated plan to
21 make sure that plaintiff's business would be destroyed
22 from the very beginning of the eToys case.

24 239. Claimant had sought to have counsel and
25
26 accountant paid for by eToys; and Traub, Barry Gold and
27 MNAT pretended to agree to this conditions of contract.
28

1 240. However, Defendants did so with a plan to back
2
3 plaintiff into a corner. Instead of litigant being
4 hired as Laser Haas (most find fault with litigant's
5 chosen moniker); MNAT, Barry Gold and Traub's TBF did
6 cajole plaintiff to use a corporate entity instead.
7

8 241. Logically, it made sense (*in a good faith*
9 *realm of business*). Instead of plaintiff personally
10 flying back and forth from eToys home offices in Los
11 Angeles, California; MNAT could submit "CLI's" claims
12 for payment to the DE BK Ct.
13
14

15 242. Two contracts were drawn up, as the *Bankruptcy*
16 *Ring* Gang designed a way to assure plaintiff's demise.
17

18 243. Instead of having one contract with everything
19 over and done, Defendants had CLI's first contract give
20 cash flow to partially pay for personnel. As litigant
21 was firing all the eToys "doubled" salaried employees.
22
23

24 244. In the second CLI contract the terms of the
25 fees, commissions & expenses for sales were defined.
26

27 245. All the contracts were drafted by the RICO
28 Defendants; thus issues of ambiguity lay on drafters.

1 246. Defendants write good contracts professionally
2
3 and did an excellent job. CLI was excused from having
4 to detail the regular hour by hour minute by minute CLI
5 employees' tasks. Whereas the CLI contracts approved by
6 the DE BK Ct included an Order of CLI being excused of
7 complying with Bankruptcy Local Rule 2016 (complete
8 detailing of what work was performed).
9
10

11 247. CLI only needed to comply with Local Rule
12 2016-d: a general description of duties.
13

14 248. There were certain terms in the contracts as
15 to time performance and when CLI, plus the Chairman of
16 eToys Creditors Committee asked if MNAT was complying;
17 the RICO Defendants informed plaintiff and the Chairman
18 that all was well.
19

20 249. However, all was not well.
21

22 250. MNAT's only submittal, purportedly on behalf
23 of CLI - after the initial DE BK Ct orders in April/
24 June 2001 approving CLI to work eToys - is the ironic
25 and amusing forgery known as the "Haas Affidavit" (eToys
26 D.I. 816 November 2001).
27
28

1 251. When plaintiff fired Henry Heiman and engaged
2
3 other law firms to represent CLI, MNAT and Defendants
4 (even the US Trustee) proffered to the DE BK Ct that
5 plaintiff's and his CLI entity were moot; because the
6
7 "*Haas Affidavit*" is (purportedly) a complete "WAIVER" of
8 CLI's entire payment (estimated to be \$3.7 million).
9

10 252. While everyone is chuckling at the absurdity
11 of such a ridiculous premise; the DE BK Ct accepted the
12 forgery into evidence and concluded CLI was moot.
13

14 253. Since that time it has been the position of
15 the DE BK Ct and appeals courts above that claimant
16 simply gave up the ghost to the Racketeers power and
17 might. Where, (I kid you not) the DE federal system of
18 justice claims that this plaintiff never had pecuniary
19 interest in the eToys Debtor's estate; and that this
20
21 litigant is NOT aggrieved nor an interested party.
22

23 **VIII SUMMARY OF FACTUAL BASIS FOR CIVIL RICO CLAIM** 24

25 254. Defendants are Racketeers who are "*culpable*"
26 persons "*corrupting*" legitimate interstate commerce by
27
28 "*patterns*" of "*racketeering*" over lengthy time periods.

1 256. Unfathomable RICO *material adversity* occurs.

2
3 257. A Civil RICO complaint needs only two (2)
4 "*predicate act*" violations during a protracted period of
5 time that has indirectly benefited "*culpable*" parties.
6

7 258. It is as obvious as the sun rising and falling
8 each day that Bain Capital benefited from RICO *pattern*
9
10 scams & Bankruptcy Fraud. Even if Romney has circled the
11 wagons greatly now and totally wrecked every evidence
12 trail possible; the fact of the matter remains Romney
13 boasted about his getting millions of dollars each year
14 from Bain. Hence, it is irrefutable that Romney has
15 benefited from the Racketeering, including the "*predicate*
16
17 *acts*" of **Bankruptcy [Ring] Frauds**.
18

19
20 259. Goldman Sachs is plainly guilty. Goldman Sachs
21 can't be allowed to get away with a 'pump-n-dump' of
22 eToys stock when MNAT represents Goldman Sachs and lied
23 about that issue; so that MNAT could become a court
24 approved eToys Debtor's counsel to pull more scams.
25

26
27 260. Goldman Sachs fate was sealed, when MNAT/
28 Goldman Sachs, while benefiting from Perjury, sought

1 and received the DE BK Ct's permission to DESTROY the
2
3 eToys Books & Records. That extraordinary effort nefarious
4 placed the schemers All IN of either getting away 'Scot
5 Free" - OR - paying a high a price when caught (*maybe*
6
7 *even permanently being disparaged as untrustworthy*) .

8
9 261. Defendants benefited from Racketeer efforts of
10 the TLCo, Kay Bee, Stage Stores and eToys cases. They
11 have also branched their efforts to other states and
12 schemes such as fraudster Marc Dreier and Ponzi Scheme
13 Tom Petters (*including Fingerhut*) .

14
15 262. Back in 2001, Fingerhut was sued by eToys as
16
17 one of the reasons eToys was bankrupt (*reportedly*
18 *Fingerhut queered a bad percentage of eToys customers'*
19 *orders during the Christmas season*) .

20
21 263. Traub, MNAT and Barry Gold "*settled*" Fingerhut
22 issues/ case with eToys; at the very same time that Tom
23 Petters/ Traub's Ponzi scheme was acquiring Fingerhut.

24
25 264. ~~Until the end of 2007, the home office address~~
26
27 of Fingerhut was Traub's law office address of 655
28 Third Avenue, New York, NY.

1 265. In 2008, apparently already aware that the FBI
2
3 was close to raiding Petters Ponzi entities, Traub flew
4 into Minnesota and re-arranged the ownership of
5 Fingerhut (that was NEVER seized by the feds) .
6

7 266. Funding for Fingerhut "re-arranged" ownerships
8 came from a 2008 summer loan by RICO Defendants Goldman
9 Sachs and Bain Capital's \$50 million.
10

11 267. In June 2012, possibly seeing the writing on
12 the wall that Romney wasn't going to become POTUS, the
13 Federal Receiver Douglas Kelley (*armed with his bogus*
14 *protection of "Judicial Immunity"*) publicly stated within a
15 filing in Minnesota federal court; that Paul Traub was
16 the "controller" of Tom Petters Ponzi.
17

18 268. Still, there's been NO Arrest of Paul Traub.
19

20 269. Clandestinely, MNAT, Traub, Barry Gold and
21 Glazer worked bankruptcy cases to benefit both Goldman
22 Sachs and Bain Capital unlawfully.
23

24 270. While eToys 2001 & Kay Bee's 2004 bankruptcy
25 cases are still open in the DE BK Ct; Kay Bee and eToys
26 also have been in bankruptcy multiple times.
27
28

1 271. Kay Bee and eToys, along with other cases like
2
3 FAO Schwartz, always scam parties & the court by Traub
4 and his law firms, along with other cohorts, pretending
5 to be "good faith" opponents to each other.
6

7 272. Each and every time, Bain Capital winds up
8 with the super sweet business deal.
9

10 273. MNAT and Traub's TBF arranged for Barry Gold
11 to have all the power of eToys bankruptcy estate when
12 the "PLAN" (*multiple meanings here*) was Confirmed in
13 2002 (as per the Bankruptcy Code). At that time eToys
14 was renamed ebcl (*now reportedly located in Irvine*
15 *California*); and the Creditors interest were fashioned
16 into the Post Effective Date Committee ("PEDC").
17
18

19 274. When plaintiff was still in control of eToys,
20 Barry Gold (*at first*) dodged filing a Bankruptcy Section
21 327(a) Professional Application; after usurping litigant Barry
22 Gold perpetrated Perjury upon the DE BK Ct in 2002.
23
24

25 275. When the Defendants believed they had totally
26 gotten away with their schemes & artifices to defraud
27 eToys in 2002; Barry Gold became the eToys "PLAN" Administrator.
28

1 276. RICO Defendants apparently sit around and bask
2
3 in their criminal triumphs and drink themselves into a
4 stupor of mindlessness. In similar fashion to Romney
5 going totally off the cliff with his remarks that he
6 had nothing to do with Bain in any way after February
7 11, 1999; Barry Gold jumps off the bogus cliff too!

8
9 277. Mr. Gold's PLAN Administrators Declaration
10 (signed with the words "under penalty of perjury") states Barry
11 Gold swears that the eToys PLAN was negotiated by the
12 parties in "extensive" arm's length/good faith workings
13 between Debtor and Creditor.
14
15

16
17 278. That is to say that Barry Gold was claiming to
18 be "extensively" arm's length from Paul Traub. A framework
19 of good faith negotiation that is impossible to achieve
20 in eToys (being that Barry Gold and Paul Traub are partners) .
21

22 279. The RICO Defendants schemes material adverse
23 mendacity continues to this very; even though Mitt
24 Romney lost his POTUS quest.
25

26
27 280. Intimidation and Retaliation of Witnesses and
28 Victims are "*predicate acts*" of the RICO criminal statutes.

1 281. Every effort to make sure plaintiff and/or his
2
3 CLI did not get paid; is Retaliation against a Witness!

4 282. Arguably, there's already enough evidence that
5 plaintiff can request Summary Judgment and reserves his
6
7 right to seek such. (*Shouldn't all their schemes be exposed first*) ?

8 283. Furthermore, in an attempt to save everyone
9
10 time, plaintiff will petition the courts to make
11 findings of fact by Judicial Notice under Fed.R.Civ.P 201.

12 284. In addition to the above mentioned crimes the
13
14 RICO Defendants are also guilty of Collusion, **Scheme to**
15 **Fix Fees**, Obstruction, **Mail and Wire Fraud**, Conspiracy,
16
17 Perjury, False Oath, **Bankruptcy Fraud Statutes 152 thru**
18 **156**, MisPrision of a Felony, **Bribery** and many other
19
20 state/federal felony violations. There's also larger
21 issues of "*Color of Law*" and **Federal Corruption**.

22 285. Plaintiff can seek treble damages, as it was
23
24 his business too; which has been harmed by the RICO.

25 286. It won't be easy to calculate damages; because
26
27 plaintiff was a rising star in the crisis management,
28 close-out, liquidation and bankruptcy business then.

1 287. Plaintiff actually has a simple solution that
2
3 can save the court's time of this trial. If the court
4 concurs that Traub, MNAT and Barry Gold are bad faith
5 parties (being that they have confessed to lying under oath it) . Then,
6
7 perhaps this court can find a way to order Barry Gold
8 out and claimant back where litigant belongs (*being*
9 *that Barry Gold is illegally sitting in plaintiff's*
10 *seat right here in Irvine, California*).
11

12 288. As a matter of fact, *arguably*, plaintiff has
13
14 never left his position of trust; being diligent in the
15 pursuit of justice for over a decade now.
16

17 289. It is a fact that the *Bankruptcy Ring* Gang has
18 (*thus far*) successfully robbed the vaults and tossed
19 out the manager who blew the whistle on them. But that
20
21 doesn't prevent a good faith adjudication upon the
22 merits from being able (perhaps *sua sponte*) to make a true
23 conclusion of law that the bandits are to be disqualified. In re
24 Middleton Arms is universally adopted by the Circuits
25
26 that does apply (*whereas the 9th Cir. recently spoke on*
27 *issues on-point to this case, in its Anwar decision*).
28

1 290. Outside of the Federal RICO "*Predicate Act*"

2
3 violations, there's also issues of common law fraud,
4 bank fraud, Corruption, Civil Rights "Color of Law",
5 Hobbs Act, State crimes, Sarbanes Oxley (expressly the
6 *SarOx issues of execs moving from one entity to another*
7 *and bankruptcies resulting*). As well as Extortion,
8 Aiding and Abetting and other issues to be "*Discovered*"
9 at trial (like who is involved/responsible for the homicides) !
10

11 291. There's no reported cases of 18 U.S.C. § 155 Scheme
12 to Fix Fees ever being prosecuted.
13

14 292. Not only is this RICO Complaint able to do a
15 prosecution of Fee Fixing, per the Bankruptcy Fraud provisos
16 as such is permitted per the "Private Attorney General" of the
17 RICO Act. Prosecution of the **Fee Fixing** is simple as
18 the PACER records document Barry Gold was paid 4 times
19 at \$30,000 each; by the TBF law firm January 2001 and
20 ending May 2001. Then Barry Gold was illegally placed
21 into eToys at \$40,000 per payment.
22

23 293. Hence, though a *Scheme to Fix Fee* prosecution need
24 only document implied; this case has "expressed" proof!
25
26
27
28

1 294. Whereas Barry Gold received an extra \$10,000
2
3 per month. While Traub/ TBF was relieved of the \$30,000
4 payments; which eToys was illegally burdened to pay.

5 295. These federally archived facts document the
6
7 issues - unequivocally - that Barry Gold was a paid
8 member of TBF's firm. As a matter of Law, TBF as eToys
9 creditors counsel can't be partner with the eToys CEO!
10

11 296. But they're '*extensively*' SO, "*upon information & belief*"
12 as plaintiff "waived" his rights! In awe of the RICO???
13

14 **IX CLAIMS FOR RELIEF**

15 **First Claim for Relief**

16
17 (Violations of the RICO Act § 1961 thru 1965)

18 (Against ALL RICO Defendants)
19

20 297. Plaintiff realleges and incorporates herein by
21 reference, every and each foregoing paragraph of this
22
23 1st Amended Civil RICO Complaint, as if all above is set
24 forth here fully and completely.
25

26 298. During all relevant times pertaining to this
27 instant case, plaintiff is a person within the meaning
28 of 18 U.S.C. §§ 1961(3) and 1962(c).

1 299. At all times relevant, each RICO Defendant,
2
3 including John/Jane Doe's to be named later, are a
4 person within the meaning of 18 §§ 1961(3) and 1962(c).
5 Congress and Supreme Court on Civil RICO
6

7 300. Legislators throughout history, have proven to
8 be able to assemble the brightest and best to arrive
9 upon framing our nation's Laws as the most judicious
10 and expedient mechanisms in creating and maintaining a
11 civil ordered society. A necessary component for the
12 good order of society is a fundamental belief in the
13 *integrity of the judicial process.*
14
15

16 301. As is evident by the findings of facts and
17 conclusions of law Thus Far, in this instant case;
18 legitimacy has taken a very long hiatus.
19
20

21 302. Bankruptcy justices, especially Chief one's in
22 what has become one of THE most prominent bankruptcy
23 court realms of America [DE], aren't allowed to be
24 *arbitrary & capricious* (engaging in Civil Rights
25 violations vis-à-vis "Color of Law") for the sake of
26 veiled agenda or cronyism.
27
28

1 303. It is neither the Laws, nor the institutions
2
3 that are errant. What is wrong here are the specific
4 handpicked parties as justices and federal police
5 and/or prosecutors herein; being of bad faith kind.
6

7 304. It is downright intolerable and reprehensible
8 how legitimacy is voided and has gotten so far out of
9 hand in the Delaware Valley as to be far beyond mind-
10 boggling and *conscience shocking*.
11

12 305. If the justice is so willfully blind and
13 unable to look at issues of fraud on the court -
14 ESPECIALLY AFTER THERE ARE CONFESSIONS TO SUCH - then
15 let that justice permanently go TWEET somewhere else!
16
17

18 306. Unfortunately, that would not solve this RICO
19 case problems; due to how large the RICO has become. In
20 other courts justices were promoted OFF this case when
21 they made a good faith effort to address the bad faith
22 acts glaring before it. Evidence of this is beyond "the
23 preponderance of" and is 'clear & convincing'!
24
25

26 307. Even though, *arguendo*, it was not their cause
27 for concern any more (*technically*); plaintiff can just
28

1 as plausibly argue that said justices knew & could take
2 the advancement - while sneakily seeking rectification.
3

4 308. To do otherwise are simply acts of duplicity!

5 309. Be that as it may, the problem is much more
6 systemic and incestuous than any justice, policeman and
7 or corrupt U.S. Attorney; this RICO is SUPER STRONG!
8

9 310. The fact that EOUST Director chose discretion
10 over valor, resigning when pressed; is corruption that
11 is absolutely extraordinary and demoralizing.
12

13 311. On top of that the corruption has spread far
14 beyond the DE BK Ct realm. Roberta DeAngelis was then
15 promoted to the post of General Counsel of the EOUST, a
16 New York State Supreme Court Justice (who did efforts)
17 was promoted off the case (then the entire eToys/ebcl
18 case v Goldman Sachs was placed under SEAL).
19
20
21

22 312. While it certainly is a nationally important &
23 significant state of affairs that the DE BK Ct Clerk's
24 withheld this plaintiff's filing up from October 24,
25

26 2012 till the POTUS Election was done on November 6,
27 2012. Those acts pale in comparison GREATLY, when - All
28

1 the way across the country - the federal government

2
3 DOJ's Public Corruption Task Force was **SHUT DOWN!**

4 313. Even that item seems to be outclassed by the
5 fact that career federal prosecutorial staff were
6
7 THREATENED to keep their mouths shut - Or Else!

8 314. Minnesota taking a new pathway in assisting
9 the RICO enterprise by fallacious contrives of "*Judicial*
10 *Immunity*", along with \$50 million NO BID DPA's to a
11 former U.S. Attorney General; are as if America simply
12 woke up one day and decided to become a backwards 3rd
13 world realm of tyranny, cronyism and corruption.
14

15 315. If those facts don't get into the reviewers
16 crawl, then how about a party being appointed Federal
17 Receiver over his former client's assets.
18

19 316. Just like giving \$50 million NO BID "Deferred
20 Prosecution Agreements" dealings to a purported party
21 untouchable would have been called A BRIBE (what it is
22 back in Capone's day). The fact that Doug Kelley's firm
23 was representing Tom Petters one day and appointed the
24 Federal Receiver over Petters the next is PREPOSTEROUS!
25
26
27
28

1 317. Could Al Capone have appointed Frank Nitti as
2 his Federal Receiver? - Of course Not!

3
4 318. Could Capone "*retroactively*" retire from his
5 organized crimes and simply had the IRS a check?
6

7 319. It is absolutely bum-fah-duddle that this
8 plaintiff has to effort informing of these issues.
9

10 320. A party tried to kill Alber, plaintiff's
11 daughter WAS abducted (*immediately after the threats of*
12 "**back off**" or else), Marty Lackner IS DEAD; and John
13 "Jack" Wheeler WAS MURDERED. Enough is ENOUGH Already!
14

15 321. Naysay trolls and stalwarts say "how dare you
16 make such an outrageous allegation about federal
17 prosecutors"! To that phony banter one only has to look
18 to the New Jersey case of former federal prosecutor and
19 prominent attorney Paul Bergrin (now serving life for
20 Racketeering and plots of murder).
21

22 322. A former co-worker (Fishman) attended the
23 sentencing hearing of Bergrin and made these remarks
24 apropos to this instant case (as quoted by Reuters)
25 that; "The sentence reflects the extreme seriousness of his crimes and the
26
27
28

1 extent to which he betrayed the criminal justice system," Fishman told

2
3 reporters following the hearing. "We just can't tolerate that."

4 323. Absolutely for sure, our nation can NOT
5 complacently tolerate betrayals of the public's trust!
6

7 324. Doing such encourages criminal masterminds to
8 set their goals upon higher crimes and usurpations.
9

10 325. And NO - I'm not implying Romney is a genius.
11 But I'm most certainly stating that I have proof Romney
12 is benefiting as a RICO "boss".
13

14 326. As such, our nation was deprived of a licit
15 POTUS election process.
16

17 327. As a result of all of the above and much more
18 to come out during trial (if plaintiff is allowed by
19 the corrupt powers that be to live that long) - there
20 indeed does exist a multitude of "Prosecutorial GAPS".
21

22 328. Justice is DEAD in our eToys case; and as that
23 is part of the RICO, the one the Defendants are trying
24 their utmost to bury/cover up. It is the eToys case
25 that this plaintiff must emphasize upon the most.
26
27

28 329. After all, there's Confessions in eToys!

1 330. As remarked upon in the United States Supreme
2 Court case of *Sedima v. Imrex*; even the dissents nailed
3 down the issues germane that; "In *United States v. Turkette*, 452
4 U.S. 576, 101 S.Ct. 2524, 69 L.Ed.2d 246 (1981), the Court noted that in
5 construing the scope of a statute, its language, if unambiguous, must be regarded as
6 conclusive "in the absence of a clearly expressed legislative intent to the
7 contrary." *Id.*, at 580, 101 S.Ct., at 2527 (emphasis added) (quoting *Consumer*
8 *Product Safety Comm'n v. GTE Sylvania, Inc.*, 447 U.S. 102, 108, 100 S.Ct. 2051,
9 2056, 64 L.Ed.2d 766 (1980)). Accord, *Russello v. United States*, 464 U.S. 16, 20,
10 104 S.Ct. 296, 299, 78 L.Ed.2d 17 (1983). In both *Turkette* and *Russello*, we found
11 that the "declared purpose" of Congress in enacting the RICO statute was "to seek
12 the eradication of organized crime in the United States." " *United States v. Turkette*,
13 *supra*, 452 U.S., at 589, 101 S.Ct., at 2532 (quoting the statement of findings
14 prefacing the Organized Crime Control Act of 1970, Pub.L. 91-452, 84 Stat. 923);
15 accord, *Russello v. United States*, *supra*, 464 U.S., at 26-27, 104 S.Ct., at 302-303.
16 That organized crime was Congress' target is apparent from the Act's title, is made
17 plain throughout the legislative history of the statute, see, e.g., S.Rep. No. 91-617
18 p. 76 (1969) (S.Rep.), and is acknowledged by all parties to these two cases.
19
20 Accord, Report of the Ad Hoc Civil RICO Task Force of the ABA Section of
21 Corporation, Banking and Business Law 70-92 (1985) (ABA Report).

1 331. The *Sedima* court affirmed the right for a
2
3 party to be a "Private Attorney General" even if the U.S.
4 Government decides not to prosecute a case criminally.
5
6 As is remarked by the *Sedima* court; "Finally, we note that a
7 prior-conviction requirement would be inconsistent with Congress' underlying
8 policy concerns. Such a rule would severely handicap potential plaintiffs. A guilty
9 party may escape conviction for any number of reasons—not least among them the
10 possibility that the Government itself may choose to pursue only civil remedies.
11 Private attorney general provisions such as § 1964(c) are in part designed to fill
12 prosecutorial gaps. Cf. *Reiter v. Sonotone Corp.*, 442 U.S. 330, 344, 99 S.Ct. 2326,
13 2333, 60 L.Ed.2d 931 (1979).
14
15
16

17 332. Then the *Sedima* court concludes correctly that
18 plaintiffs can be "Private Attorney Generals" and pursue
19
20 "Prosecutorial Gaps" because *"this purpose would be largely defeated, and*
21 *the need for treble damages as an incentive to litigate unjustified, if private suits*
22 *could be maintained only against those already brought to justice"*.
23

24 333. Defendants of this instant Civil RICO
25
26 Complaint ARE indeed "culpable" persons "corrupting"
27 interstate commerce by "patterns" of "racketeering"
28

1 that have harmed many parties, including litigant's
2 business; doing so over a protracted period of time.

3
4 **RICO Enterprise**

5 334. Arguably, there are multiple "*associations in*
6 *fact*" of this RICO enterprise. Whereas Defendants are
7 co-conspirators with common purposes of gaining *unjust*
8 *enrichments* from on-going criminal initiatives.

9
10
11 335. One boldness is the ultimate effort in
12 usurpation; where Romney sought to become POTUS. The
13 RICO Gangs were able to expand the scope and breadth of
14 their *enterprising* to acquire many major companies all
15 across America and Off Shore also.

16
17
18 336. One such dubious acquisition was that of Clear
19 Channel Communication, with its 800 stations and over
20 100 million listeners through such biased workings as
21 Rush Limbaugh, Hannity and Glenn Beck. If this case
22 goes to trial, their arguments will be noteworthy.

23
24
25 337. As this RICO case is being reported upon,
26 slurs abound and many diehard Clear Channel listeners
27 are assaulting the messenger. Obviously, plaintiff has
28

1 great cause for concern that Clear Channel will be used
2
3 to fabricate stuff up in the hopes of destroying this
4 victim/witness - hoping the message will also be nixed.

5 338. With the inappropriate (*criminalistics remarks*
6 *of parties calling for POTUS Obama to suffer harm*) it
7 will be so much easier to motivate someone to do this
8 plaintiff in; should Clear Channel not be restrained!
9
10

11 339. RICO Defendants and their co-conspirators have
12 already expunged the Mandatory Victims Restitution Act
13 ("MVRA"); and punished the likes of Thane Ritchie to
14 the tune of hundreds of millions of dollars.
15

16 340. It is absurd that Petters Receiver Doug Kelley
17 has paid himself, cohorts/cronies over \$60 million; but
18 only given \$15 million to the Minnesota U.S. Attorney's
19 office for victims. This is out of a purported \$3.7
20 billion dollar Ponzi scheme (and even that is a sham
21 proceeding fabricated number to Obstruct Justice).
22
23
24

25 341. Michael Catain admitted he laundered over \$10
26 Billion for [Traub] Petters Ponzi. Larry (Reservitz)
27 Reynolds likewise confessed he did a separate \$12
28

1 Billion money laundering, while under federal review by
2 multiple agencies, living in Vegas, while in WISTEC!

3
4 342. Stobner, a Bankruptcy Trustee over one of
5 Petters cases, is upon PACER with a filing that states
6 Tom Petters Ponzi is a \$40 Billion (+) scam.

7
8 343. When does one ever see the feds Play Down how
9 big a crime spree that was arrested? Obviously when one
10 party J. Lackner was the Assistant U.S. Attorney in
11 charge of the criminal division; whilst his brother was
12 actually part of the Lancelot - Petters Feeders Fund!

13
14
15 344. Add to those issues the fact that the RICO had
16 the intolerable ability to arrange for one of their own
17 (Connolly) to actually become the U.S. Attorney over
18 the criminal investigations of partner/clients. Along
19 with the *Bankruptcy Ring* and Politics Ring of this RICO.
20 Then you have many "associations in fact" who are
21 corrupting interstate commerce (+) while obliterating
22 the *integrity of the judicial [other] process* at will.

23
24
25
26 345. Defendants are also demonstrating the RICO is
27 keenly adaptive to maintain its continuity.
28

1 346. The co-conspirators and the RICO Defendants
2
3 constitute many "*associations-in-fact*" enterprises
4 within the meaning of 18 U.S.C. §§ 1961(4) and 1962(c).

5 347. Each of Defendants and/or the co-conspirators
6
7 have participated in, contributed to, function for the
8 operation and/or management of the enterprise.

9 348. During all pertinent times, the enterprise was
10
11 engaged and its various activities adapted/affected
12 interstate commerce (and possibly even off shore);
13
14 doing so within the meaning of 18 U.S.C. § 1962(c).

15 **Culpable Defendants Corrupted Interstate Commerce**

16
17 349. Of this instant Civil RICO case Defendants and
18 /or their co-conspirators conducted and/or participated
19
20 indirectly and/or directly in the "corrupting" conduct
21 of interstate commerce; managing, or operation of the
22 enterprise affairs via many "patterns of racketeering"
23
24 efforts/activities. Doing so within the meaning of 18
25 U.S.C. § 1961(5) and in violation of 18 U.S.C. § 1962(c). Doing so
26
27 vis-à-vis various efforts, designs and conspiracies of:

28 **Patterns of Racketeering Violations of State & Federal Laws**

1 350. Whereas Defendants have engaged in immoral,
2
3 unethetical and illegal conduct in the states of DE, New
4 York, Pennsylvania, Texas and California.

5 351. Whereas Defendants have engaged in immoral,
6
7 unethetical and illegal conduct throughout the United
8 States in violation of U.S. Constitutional statutes;

9
10 **COUNT I - 18 USC § 1957 – Engaging in monetary transactions in**
11 **property derived from specified unlawful activity**

12 **COUNT II & III - 18 USC §§ 1341 & 1343 Mail & Wire Frauds**

13
14 **COUNT IV - BRIBERY - 18 USC § 201 Bribery**

15 **COUNT V - 18 USC § 2314 Transportation of stolen goods, money**

16
17 **COUNT VI - 18 USC § 2315 – Sale or receipt of stolen goods/monies**

18 **COUNT VII - 18 USC § 152 –Bankruptcy Fraud; false oaths, bribery**

19
20 **COUNT VIII - 18 USC § 153 Embezzlement against Bankruptcy estates**

21 **COUNT IX - 18 USC § 154 – Adverse interest & conduct of officers**

22
23 **COUNT X - 18 USC § 155 – Fee agreements in Title 11 cases**

24 **COUNT XI - 18 USC §§ 1961 through and including 1965**

25
26 **COUNT XII - 18 USC § 1512 Intimidation of Victim/Witness**

27
28 **COUNT XIII - 18 USC § 1513 Retaliation Against Victim Witness**

1 **COUNT XIV - STATE FELONY VIOLATIONS \$\$\$\$**
2

3 352. Pursuant to 18 U.S.C. § 1964(c), plaintiff is
4 entitled to recover treble damages, plus costs and
5 attorney fees (if one should ever arise) from the RICO
6 Defendants for these aforementioned transgressions.
7

8 353. As both direct and proximate results of the
9 Defendants RICO acts and conspiracies, along with the
10 acts of patterns of racketeering enterprising, plus
11 overt acts taken in furtherance of direct efforts to
12 harm plaintiff, his business, via acts of Retaliation
13 and Intimidation of victim/witness and multitudes of
14 violations of 18 U.S.C. §§ 1961 and 1962, plaintiff has been
15 injured in his business and property, including the
16 permanent destruction of his career and impairment of
17 any future endeavors in business similar.
18
19
20
21

22 354. Litigant has suffered for a decade plus in his
23 quest for justice. Including the fact of fearing taking
24 a chance to go near plaintiff's family, friends; lest
25 Racketeers do someone else harm seeking leverage.
26
27
28

1 355. Plaintiff has never been allowed to see or be
2
3 with his kids and their kids (litigants grandchildren);
4 because it would be foolish to put them in harm's way.

5 356. In addition to plaintiff's rights under 18
6
7 U.S.C. § 1964(c) to seek treble damages, complainant is
8 further entitled of, and should be awarded, preliminary
9
10 and permanent injunctions that enjoins Defendants,
11 their entities, agents, assigns, partners, venders and/
12
13 or anyone else that is acting in concert with them as
14
15 co-conspirators - including the U.S. Trustee, the DE BK
16
17 Ct, the many law firms, the Minnesota federal system of
18
19 Justice and the DE federal system of justice, from any
20
21 doings, commencing, prosecuting, or advancing in any
22
23 way - **indirectly or directly** - including Clear Channel
24
25 Communications attempting to disparage, and/or any
26
27 attempt to motivate others to harm plaintiff and/or
28
claimant's family, friends or associates in any way, by
any court, tribunal and/or administrative agency in any
jurisdiction, in the United States or abroad; including
any efforts to harm joint ventured projects.

1 357. Plaintiff prays this court do the one thing
2
3 that has been a wraith in this case thus far; and that
4 is to affirm that the *integrity of the judicial process*
5 as sacrosanct. Adjudication upon the merits is to be a
6
7 paramount part of the process where these powerful/rich
8 Romney, Bain, Goldman Sachs and co-Defendants are no
9
10 longer to be considered Above the Law.

11 358. Whereas plaintiff prays for judgment as stated
12 and set forth below.
13

14 **SECOND CLAIM FOR RELIEF**

15 (Conspiracy to Violate RICO under 18 U.S.C. § 1962(d))

16 (Against ALL RICO Defendants)
17

18 359. Plaintiff realleges and incorporates herein by
19 reference every and each foregoing paragraph of this 1st
20 Amended Civil RICO Complaint, including the remarks as
21 claim for relief, as if all above is set forth here
22
23 fully/completely.
24

25 360. During all relevant times pertaining to this
26 instant case, plaintiff is a person within the meaning
27
28 of 18 U.S.C. §§ 1961(3) and 1962(c).

1 361. At all times relevant, each RICO Defendant,
2
3 including John/Jane Doe's to be named later, are a
4 person within the meaning of 18 §§ 1961(3) and 1962(c).

5 Congress and Supreme Court on Civil RICO
6

7 362. As has become readily apparent, the Defendants
8 of this RICO Complaint readily engage in a collusive
9 and conspiratorial manner to perpetrate federal felony
10 violations, many of which are "*predicate acts*" as is defined
11 under 1961 of the RICO Act.
12

13
14 363. Though the RICO Defendants have become pros in
15 pathological lying and obfuscations such as "*flip flop*" of
16 issues, being "retroactive" and claims that each
17 transgression were single aberrant acts of behavior
18 each and of their own separately. The fact of the
19 matter remains, as is documented by the "retroactive"
20 attempts to dodge specific crime spree times. Along
21 with the many attempts of claiming acts are OOPs (not
22 actual illegal efforts). Thus the RICO Defendants knew
23
24 their acts were organized criminal activities; and they
25
26 were making conspiratorial obstructive efforts.
27
28

1 364. Such as the efforts to insert Barry Gold
2
3 inside eToys and his Hiring Letter giving him (unlawful)
4 permission to choose to circumvent seeking the DE BK
5 Ct's approval of Barry Gold's hiring. This is obviously
6 a planned scheme to be clandestine after the UST
7 "forewarned" them not to do that very crime.
8

9 365. Once inside, Barry Gold not only usurped this
10 plaintiff from his efforts, while also assisting the
11 conspiracy to destroy plaintiff's business. Barry Gold,
12 along with his co-Defendants also conspired to do many
13
14 Schemes to Fix Fees to pay the other Defendants like Traub
15 and Greg Werkheiser/MNAT for assisting the RICO plots &
16
17 ploys. Doing so as a reward to each other for betraying
18 their DE BK Ct approved clients for the sake of their
19 secret clients (Goldman Sachs, Wells Fargo and Bain).
20
21

22 366. Furthermore, Defendants also contrived a way
23 to collude and get back the extra tens of millions that
24 plaintiff's CLI good faith efforts compelled Romney's
25
26 Bain/ Kay Bee/ Michael Glazer to in higher bids to be
27
28 able to ultimately buy (steal) eToys bankruptcy assets.

1 367. Michael Glazer was bribed by \$18 million when

2 he agreed to pay Bain \$83 million.

3
4 368. When plaintiff forced the Defendants to bid
5 \$10 million to acquire eToys.com domain names, the RICO
6 Gang cohorts of Traub, MNAT, Werkheiser and Barry Gold
7 made up bogus reasons why Bain/Kay Bee wouldn't pay
8 that much and reduced the price to a mere \$3 million.
9
10

11 369. However, even those millions and others that
12 plaintiff and his CLI DE BK Ct approved entity did
13 compel Bain/Kay Bee to pay; conspiratorially found a
14 way back to reimbursing the spender/bidder.
15

16 370. There's so much babbling banter BS in Barry
17 Gold's Confirmed PLAN Administrator Declaration, where that piece of
18 collusive artistry should be eternalized.
19
20

21 371. Akin to the erroneous contentions of "extensive"
22 good faith/arm's length negotiations; RICO Defendants
23 appear to mock justice in every way possible. As did
24 Romney's federal Election Campaign Form lies.
25

26 372. Barry Gold states in his Declaration that "the
27 Debtor has nominated me [Gold] to be Confirmed PLAN
28

1 Administrator and the Creditors have agreed with this
2 structured nomination". This falls within the NO ====

3 category. Capone nominated Nitti to do a crime and -
4 guess what - Nitti agreed! NO =====!

5
6 373. And yet that's not enough for the conspirators
7 who went even further out on a limb (*only has to always bear in*
8 *mind the fact that the RICO Defendants believed they had totally gotten away with*
9 *their schemes & artifices to defraud eToys by November 2002*) . Whereas
10 Barry Gold was given authority as the on bankruptcy
11 decision making party who also become the SOLE cash
12 distribution agent for the millions of dollars (nearly
13 \$50 million) in the eToys case accounts.

14
15 374. Granted, Defendants Traub, MNAT/Werkheiser and
16 Barry Gold could have simply siphoned it all away for
17 themselves; but there was a problem with that. Those
18 millions came from "**boss**" Romney's Bain and there had
19 to be a way to get those monies back to the boss.

20
21 375. One would be hard-pressed to find "co-debtor"
22 elsewhere. But, Stage Stores was Co-Debtor with an
23 entity named Liquidity Solutions (of Hackensack, NJ).

1 376. Liquidity Solutions and its various tangent
2
3 entities like Madison Liquidity, have found a new
4 scheme to fleece bankruptcy estates by "planting"
5 parties like Jack Bush, Michael Glazer and Barry Gold
6 inside, then Liquidity Solutions goes claims shopping.
7

8 377. Anyone can make a deal for creditors' claims
9 including a debtor; but all "connections" are required
10 by law to be disclosed. ANY connection to an insider
11 means the acquired claim Can NOT profit one penny.
12

13 378. These RICO conspirators steal \$ Billions!
14

15 379. As part of the PEDC PLAN Administrator terms,
16 Barry Gold is allowed to "*settle*" all claims for less than
17 \$1 million, without the need to trouble the DE BK Ct
18 with the particulars by seeking court approval.
19

20 380. All Barry Gold needed to do to settle the
21 acquired claims, including Liquidity Solutions claims;
22 was to seek the permission of the PEDC (represented by
23 Barry Gold's secret partner Paul Traub).
24
25

26 381. The only claim that wasn't settled is that of
27 Kid Board Gear, where Traub's co-counsel Frederick
28

1 Rosner did an OOPs as the DE BK Ct was about to rule in
2 favor of eToys expunging the Kid Board claim and
3 ordering the returns of large sums of monies to eToys.
4

5 382. Rosner literally raised his right arm as
6 counsel for eToys and his left arm as counsel for the
7 Kid Board Gear claim and asked the court to cancel the
8 pending judgment in favor of eToys. As it meant that
9 Liquidity Solutions would lose the claim and have to
10 cough up money back to the eToys estate (OOPS)!

11 383. Among the many other conspiracies throughout
12 these related cases is MNAT representing Bain in the
13 \$83 million and Traub seeking to prosecute such.
14

15 384. Also, there's the current conspiracy to help
16 Goldman Sachs totally destroy the eToys public company.
17 Doing so by the scheduled rush to close the eToys
18 bankruptcy estate with Traub's handpicked co-counsels
19 (unclean hands) settling the NY Sup Ct case of eToys
20 (ebcl) v Goldman Sachs for a paltry \$7 million.
21

22 385. With MNAT signing a settlement that MNAT is
23 forbidden by Law to do; of Goldman Sachs issues.
24
25
26
27
28

1 386. Being that the Above the Law parties have
2
3 found a whole new meaning for the word Untouchable (you
4 know, like Deferred Prosecution Agreements). Thus Barry
5 Gold is approving the settle that Traub has arranged of
6 the NY Sup Ct case and - Amazingly - Barry Gold figures
7 he may as well allow his partner Traub to have one more
8 dip of the eToys robbed vault/well by flooding over
9 some more RICO schemed monies to Paul Traub.
10
11

12 387. You almost have to wonder WHY NOT! After all,
13 the original RICO conspiracy of planting Colm Connolly
14 inside the U.S. Dept. of Justice as the Wilmington, DE
15 United States Attorney worked so well. Whereas police
16 are so afraid that even the DOJ's Public Corruption
17 Task Force was SHUT DOWN and career federal prosecutors
18 were threatened to make sure no investigation/arrests
19 and/or prosecutions of this RICO case would occur.
20
21
22

23 388. There are so many other conspiracies afoot to
24 maintain. Even when Romney failed his POTUS quest, the
25 RICO has no problems with punishing this plaintiff and
26 rewarding their conflicted attorneys even further.
27
28

1 394. Defendant has been harmed directly by the RICO
2
3 Conspiracy in violation of the RICO Act under the
4 statute 18 U.S.C. § 1961 thru 1968 inclusive.

5 395. Plaintiff's business, his property and his
6
7 career was harmed for over a decade now.

8 396. Only evil stalwarts desire Plaintiff to suffer
9
10 under the bogus premise that plaintiff waived CLI's to
11 be paid; as MNAT & the RICO Defendants claim.

12 397. As a matter of fact, neither the UST, nor the
13
14 DE BK Ct have ever bothered to read the forgery labeled
15 by Greg Werkheiser as the "Haas Affidavit".

16 398. First of all that purported document, in any
17
18 of its forms, was never served upon plaintiff.

19 398. Secondly, the conspiracy to title the "Haas
20
21 Affidavit" actually states NOTHING about waivers.

22 399. Finally, in the TWO (2) page purported "Haas
23
24 Affidavit" states in items 10 & 11 - what is being
25 handled; and that CLI can seek to be paid success fees!

26
27 400. How can something that provides for payment to
28 occur; be labeled as a total "waiver"? **It's ABSURD!**

1 401. What is even more ludicrous is the fact that
2 the UST and DE BK Ct are actually helping fraudsters
3 succeed in their RICO conspiracy.
4

5 402. Paul Traub, MNAT and Barry Gold have confessed
6 that they deceived the court by many false affidavits.
7

8 How is it that a federal court can willy-nilly toss
9 issues to the wind as if it has no dispositive effect?
10

11 403. As a matter of fact the *Disgorge Motion* states in
12 part 18 that Traub had confessed (in his RESPONSE of
13 January 25, 2005) that TBF deliberately allowed the
14 lies to stand before the court; even though they knew
15 they could get caught by the *Bonus Sales Affidavit*.
16
17

18 404. This is a FULL CONFESSION OF FRAUD ON THE
19 COURT BY AN OFFICER OF THE COURT!
20

21 405. As per *In re Hazel Atlas Glass v Hartford*
22 *Empire*, a case affirmed by the DE BK Ct, the UST, and
23 the Circuit also; there's NO Statute of Limitations for
24 Fraud on the Court that was perpetrated by Officers of
25 the Court. Plus the standard of *In re Brady* and *In re*
26 *Giglio* all further testimony isn't worth a salt grain!
27
28

1 of 18 U.S.C. §§ 1961(3) and 1962(c). And at all times relevant,
2
3 each RICO Defendant, including John/Jane Doe's to be
4 named later, are qualified as a person within the
5 meaning of 18 §§ 1961(3) and 1962(c).
6

7 411. Defendants have conspired to gain unjust
8 enrichment through a plethora of schemes. Including
9 fraud on the court in multiple jurisdictions.
10

11 412. Also the Defendants have conspired to harm
12 this plaintiff's business to assure the demise of a
13 competitor/adversary. Performing acts to interfere with
14 plaintiff's good faith efforts and to benefit from the
15 stealing eToys Claimant CLI, its agents, assigns etc.
16
17

18 413. Plaintiff is entitled, pursuant to 18 U.S.C. §
19 1964(c), to recover treble damages, plus fees, costs
20 and attorney's fees (should such arise) from the afore-
21 named RICO Defendants.
22

23 414. Plaintiff should be awarded a preliminary and
24 permanent injunction to prevent further conspiracies to
25 destroy this messenger and the message. Whereas
26 plaintiff prays for judgment as set forth below.
27
28

1 415. Litigant prays that the court, given the large
2 gravity of the issues at hand, combined with the facts
3 that plaintiff is a "pro se"; whereas complainant will
4 ask/pray the court would give a latitude and guidance
5 on learning what particular state/common laws felony
6 statutes that litigant may pursue.
7

8
9 **THIRD (+) CLAIMS FOR RELIEF**
10

11 (States/ Common Law Fraud In Multiple States & Courts)

12 (Unjust Enrichment, Civil Conspiracy, Interference/Breach of Contract)

13 (Against ALL RICO Defendants)
14

15 416. Plaintiff realleges and incorporates herein by
16 reference every and each foregoing paragraph of this 1st
17 Amended Civil RICO Complaint, including the remarks as
18 claim for relief, as if all above is set forth here
19 fully/completely.
20
21

22 417. During all relevant times pertaining to this
23 instant case, plaintiff is a person within the meaning
24 of 18 U.S.C. §§ 1961(3) and 1962(c). And at all times relevant,
25 each RICO Defendant, including John/Jane Doe's to be
26
27
28

1 named later, are qualified as a person within the
2
3 meaning of 18 §§ 1961(3) and 1962(c).

4 418. Defendants have conspired to gain unjust
5 enrichment through a plethora of schemes. Including
6 fraud on the court in multiple jurisdictions.
7

8 **FOURT CLAIM FOR RELIEF**

9
10 (Request for Injunctive and Declaratory Reliefs)

11 (Against ALL RICO Defendants)

12 419. Plaintiff realleges and incorporates herein by
13 reference every and each foregoing paragraph of this 1st
14 Amended Civil RICO Complaint, including the remarks as
15 claim for relief, as if all above is set forth here
16
17 fully/completely.
18

19 420. During all relevant times pertaining to this
20 instant case, plaintiff is a person within the meaning
21 of 18 U.S.C. §§ 1961(3) and 1962(c). And at all times relevant,
22 each RICO Defendant, including John/Jane Doe's to be
23 named later, are qualified as a person within the
24
25

26 meaning of 18 §§ 1961(3) and 1962(c).
27
28

1 421. Defendants have conspired to gain unjust
2 enrichment through a plethora of schemes. Including
3 fraud on the court in multiple states/ jurisdictions.
4

5 422. Whereas documentable issues of homicides that
6 are tied to this instant case and issues of federal
7 corruption deserving, at the barest of minimums, a
8 full, independent investigation. Compounded by issues
9 of fraud on the court by its officers. Matters even
10 further compounded due to the scope and breath of the
11 infamous power mongers linked to this RICO.
12
13

14 423. Therefore, plaintiff seeks a multitude of
15 injunctions and declaratory relief that won't cause any
16 undue harm, burden or vex the various parties, systems
17 and/or courts; as the requests are proper and lawful.
18
19

20 424. Whereas no court or federal agent/agency has
21 the power or authority to reward conflicted attorneys.
22

23 425. Whereas no court and/or federal system has the
24 right to subjugate plaintiffs in a retaliatory manner.
25

26 426. Whereas no court and/or federal agent/agency
27 has the right, authority or power to be engaged in bad
28

1 faith conduct, be *arbitrary & capricious* and/or duplicitous

2
3 vis-à-vis "Color of Law" Cover Up efforts/ misconduct
4 unbecoming and/or Fiduciary Duty Breaches of federal
5 agents and/or agencies.

6
7 427. Plaintiff would pray the court would grant
8 injunctive and/or declaratory reliefs, including, but
9 not limited to, making sure that Romney, Traub, Bain,
10 Goldman Sachs, Michael Glazer, Barry Gold, MNAT, Greg
11 Werkheiser, Johann Hamerski, along with any other co-
12 conspirators, such as Jane/John Doe's, Clear Channel
13 Communications, Colm Connolly, the DE BK Ct, UST agents
14 or its agency, along with Roberta DeAngelis and/or the
15 Public Corruption Task Force former US Attorney Tom
16 O'Brien and/or any FBI, SEC, DOJ agent and/or agencies
17 from engaging in communications, acts, actions, plots,
18 ploys, plans, designs, schemes and/or efforts to Cover
19 Up, Obstruct, Destroy correspondences and/or Thwart
20 justice - in Any Manner Whatsoever.

21
22 428. Plaintiff pray for this relief and/or any
23 other structure to assure justice the court may wish.
24
25

1 429. Including, but not limited to the above named
2
3 parties being forbidden to utilize schemes, plots and/
4 or ploys, designs and/or other actions against this
5 plaintiff's family, friends, associates and/or fellow
6
7 combatants against the syndicated criminal efforts.

8 430. Such as the fact that plaintiff can foster
9
10 justice more readily, if Barry Gold were to be removed
11 from his position of trust and power, as is permitted
12 by the DE BK Ct's ORDER of eToys **PEDC Confirmed PLAN**
13 Administrator **Section 5.2** that the PLAN Administrator
14 over eToys estate can be removed for "cause".
15

16 431. There's most definitely "**cause**" for removal.
17

18 432. Fraudulent judgments have occurred via unfair
19 proceedings, bad faith acts by federal agents/agencies,
20 fraud upon the courts, and rulings obtained by bad
21 faith Defendants and their co-conspirators; as litigant
22 and other innocent parties have suffered immensely.
23

24 433. Unless this controversy and its related
25
26 dynamics are resolved in a proper **LEGITIMATE** set of
27 proceedings; the RICO Crimes will continue to mount!
28