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21

22 **INTRODUCTION**

23 This is a complex civil action for RICO remedies authorized by
24 the federal statutes at [18 U.S.C. 1961](#) *et seq.*; for declaratory and
25 injunctive relief; for actual, consequential and exemplary damages;
26 and for all other relief which this honorable Superior Court deems
27 just and proper under all circumstances which have occasioned this
28 Initial COMPLAINT. See 18 U.S.C. §§ [1964](#)(a) and (c) ("Civil RICO").

1 The primary cause of this action is a widespread criminal
2 *enterprise* engaged in a *pattern of racketeering activity* across State
3 lines, and a conspiracy to engage in *racketeering activity* involving
4 numerous RICO predicate acts during the past ten (10) calendar years.

5 The predicate acts alleged here cluster around criminal anti-
6 trust infringement, trafficking in certain goods bearing illicit and
7 unsafe technology, securities fraud affecting the public market,
8 tampering with and retaliation against a qualified Federal Witness,
9 interstate transportation of stolen property, obstruction of justice,
10 obstruction of criminal investigations, obstruction of State and local
11 law enforcement and the suspicious deaths of Mr. Gary D. Conley, Mr.
12 Rajeev Motwani, Mr. David Bird, Mr. Forrest Hayes, Mr. Ravi Kumar, Mr.
13 Karl Slym, Mr. Doug Bourn, Mr. Andrew Ingram, Mr. Brian M. Finn, Mr.
14 Moritz Erhardt, Mr. Sarvshreshth Gupta, Mr. Li Jie, Mr. Kenneth
15 Bellando, Ms. Kate Matrosova, and others. See 18 U.S.C. §§ [2319](#),
16 [2320](#), [1512](#), [1513](#), [2315](#), [1503](#), [1510](#), [1511](#) and [1581-1588](#) respectively.

17 Other RICO predicate acts, although *appearing* to be isolated
18 events, were actually part of the overall conspiracy and *pattern of*
19 *racketeering activity* alleged herein, e.g. campaign mail fraud and
20 bank fraud. See 18 U.S.C. §§ [1341](#) and [1344](#), respectively.

21 The primary objective of the racketeering *enterprise* has been to
22 inflict severe and sustained economic hardship upon Plaintiffs, with
23 the intent of impairing, obstructing, preventing and discouraging
24 Plaintiffs from writing, publishing, investigating and conducting
25 judicial recovery as U.S. Citizens and to create egregious business
26 environment hardships for Plaintiffs.

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JURISDICTION

This honorable Superior Court has original jurisdiction pursuant to the civil RICO remedies at [18 U.S.C. 1964](#), and the holdings of the U.S. Supreme Court in Tafflin v. Levitt, 493 U.S. 455 ([1990](#)), and the U.S. Court of Appeals for the Ninth Circuit in Lou v. Belzberg, 834 F.2d 730, hn. 4 (9th Cir. 1987) (California State courts have concurrent jurisdiction of civil RICO claims).

STATEMENT OF FACTS

Defendants have been publicly charged in news reports, whistleblower reports and federal investigations with exchanging un-reported and limit-exceeding campaign and bribery compensation with government officials in quid-pro-quo compensation transacted for the graft and gift of government contracts, stock market holding valuation benefits, tax payment exclusions, favored nations exclusive real estate deals, event tickets, government laws and policies exclusively favorable to Defendants while, at the same time, overtly damaging Plaintiffs in anti-trust, monopolistic, retribution and punitive anti-competitive attacks.

Some federal officers and employees are among the probable causes that threaten further continuation of the severe economic hardship and other wrongs described above because Defendants paid those officers with cash, stock, search engine rigging, sex workers, revolving door jobs and other benefits.

It is also apparent to Plaintiffs, who hereby make a formal offer to prove, that an instant action should not be removed into the Article III USDC because the USDC is presently vacant, nor should it

1 ever be removed into the Article IV USDC because of demonstrable bias
2 and prejudice among officers and employees of the USDC.

3 STRUCTURE AND INCORPORATION
4 OF PLEADINGS AND EXHIBITS

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7
8 PARTIAL LIST OF RICO PREDICATE ACTS
9 AND OTHER ACTS OF WITNESS RETALIATION

10 Particular attention of this honorable Court is now drawn to
11 Exhibits _____

12 Exhibit [L-6](#) is the legislative history of the Anticounterfeiting
13 Consumer Protection Act of 1996 ("[ACPA](#)"), reproduced from the House
14 Congressional Record dated June 4, 1996, 110 Stat. 1386, July 2, 1996.

15 The ACPA is particularly relevant to the instant case, because it
16 elevated copyright and trademark infringement to the status of RICO
17 predicate acts, and cited superb reasons for doing so.

18 An excellent discussion of the legal implications of the [ACPA](#), in
19 the context of other applicable federal laws, can be seen in Exhibit
20 [N-124: LETTER TO JON MUMMOLO](#), *Washington Square News*, Nov. 9, 2002.

21 Exhibit [D-46](#) is a partial list of [Documented Retaliations](#) which
22 Plaintiff had suffered *prior* to the date on which the federal case was
23 first filed (August 1, 2001 A.D.)

24 Exhibit [D-47](#) is a subset of those Documented Retaliations which
25 also qualify as one or more of the RICO [Predicate Acts](#) that are
26 itemized at 18 U.S.C. §§ [1961](#)(1)(B), (1)(D), and (5).

1 calculated and premeditated intentionally to threaten continuity, *i.e.*
2 a continuing threat of their respective *racketeering activities*, also
3 in violation of the RICO law at [18 U.S.C. 1962](#)(b) *supra*.

4 Pursuant to the original Statutes at Large, the RICO laws
5 itemized above are to be *liberally* construed by this honorable Court.
6 Said construction rule was never codified in [Title 18](#) of the United
7 States Code, however. See 84 Stat. 947, Sec. 904, Oct. 15, 1970.

8 *Respondeat superior* (principal is liable for agents' misconduct:
9 knowledge of, participation in, and benefit from a RICO enterprise).

10 **COUNT TWO:**

11 Conduct and Participation in a RICO *Enterprise*
12 through a *Pattern of Racketeering Activity*:
13 18 U.S.C. §§ [1961](#)(5), [1962](#)(c)

14 Plaintiff now re-alleges each and every allegation as set forth
15 above, and hereby incorporates same by reference, as if all were set
16 forth fully herein. Substance prevails over form.

17 At various times and places partially enumerated in Plaintiff's
18 *documentary material*, all Defendants did associate with a RICO
19 *enterprise* of individuals who were associated in fact and who engaged
20 in, and whose activities did affect, interstate and foreign commerce.

21 Likewise, all Defendants did conduct and/or participate, either
22 directly or indirectly, in the conduct of the affairs of said RICO
23 *enterprise* through a *pattern of racketeering activity*, all in
24 violation of 18 U.S.C. §§ [1961](#)(4), (5), (9), and [1962](#)(c).

25 During the ten (10) calendar years preceding March 1, 2003 A.D.,
26 all Defendants did cooperate jointly and severally in the commission
27 of two (2) or more of the RICO predicate acts that are itemized in the
28 RICO laws at 18 U.S.C. §§ [1961](#)(1)(A) and (B), and did so in violation
29 of the RICO law at [18 U.S.C. 1962](#)(c) (Prohibited activities).

1 Plaintiff further alleges that all Defendants did commit two (2)
2 or more of the offenses itemized above in a manner which they
3 calculated and premeditated intentionally to threaten continuity, *i.e.*
4 a continuing threat of their respective *racketeering activities*, also
5 in violation of the RICO law at [18 U.S.C. 1962](#)(c) *supra*.

6 Pursuant to 84 Stat. 947, Sec. 904, Oct. 15, 1970, the RICO laws
7 itemized above are to be *liberally* construed by this honorable Court.
8 Said construction rule was never codified in Title 18 of the United
9 States Code, however. *Respondeat superior* (as explained above).

10 **COUNT THREE:**
11 Conspiracy to Engage in a
12 *Pattern of Racketeering Activity:*
13 18 U.S.C. §§ [1961](#)(5), [1962](#)(d)

14 Plaintiff now re-alleges each and every allegation as set forth
15 above, and hereby incorporates same by reference, as if all were set
16 forth fully herein. Substance prevails over form.

17 At various times and places partially enumerated in Plaintiff's
18 *documentary material*, all Defendants did conspire to acquire and
19 maintain an interest in a RICO *enterprise* engaged in a *pattern of*
20 *racketeering activity*, in violation of 18 U.S.C. §§ [1962](#)(b) and (d).

21 At various times and places partially enumerated in Plaintiff's
22 *documentary material*, all Defendants did also conspire to conduct and
23 participate in said RICO *enterprise* through a *pattern of racketeering*
24 *activity*, in violation of 18 U.S.C. §§ [1962](#)(c) and (d).

25 See also 18 U.S.C. §§ [1961](#)(4), (5) and (9).

26 During the ten (10) calendar years preceding March 1, 2003 A.D.,
27 all Defendants did cooperate jointly and severally in the commission
28 of two (2) or more of the predicate acts that are itemized at 18
29 U.S.C. §§ [1961](#)(1)(A) and (B), in violation of [18 U.S.C. 1962](#)(d).

1 Plaintiff further alleges that all Defendants did commit two (2)
2 or more of the offenses itemized above in a manner which they
3 calculated and premeditated intentionally to threaten continuity, *i.e.*
4 a continuing threat of their respective *racketeering activities*, also
5 in violation of [18 U.S.C. 1962](#)(d) (Prohibited activities *supra*).

6 Pursuant to 84 Stat. 947, Sec. 904, Oct. 15, 1970, the RICO laws
7 itemized above are to be *liberally* construed by this honorable Court.
8 Said construction rule was never codified in Title 18 of the United
9 States Code, however. *Respondeat superior* (as explained above).

10 **RELIEF REQUESTED**

11 ***Wherefore***, pursuant to the statutes at [18 U.S.C. 1964](#)(a) and (c),
12 Plaintiff requests judgment against all named Defendants as follows:

13 **ON COUNT ONE:**

14 1. That this Court liberally construe the RICO laws and thereby find
15 that all Defendants, both jointly and severally, have acquired
16 and maintained, both directly and indirectly, an interest in and/
17 or control of a RICO *enterprise* of *persons* and of other
18 individuals who were associated in fact, all of whom engaged in,
19 and whose activities did affect, interstate and foreign commerce
20 in violation of [18 U.S.C. 1962](#)(b) (Prohibited activities).

21 2. That all Defendants and all their directors, officers, employees,
22 agents, servants and all other *persons* in active concert or in
23 participation with them, be enjoined *temporarily* during pendency
24 of this action, and *permanently* thereafter, from acquiring or
25 maintaining, whether directly or indirectly, any interest in or
26 control of any RICO *enterprise* of *persons*, or of other

1 individuals associated in fact, who are engaged in, or whose
2 activities do affect, interstate or foreign commerce.

3 3. That all Defendants and all of their directors, officers,
4 employees, agents, servants and all other persons in active
5 concert or in participation with them, be enjoined temporarily
6 during pendency of this action, and permanently thereafter, from
7 committing any more predicate acts in furtherance of the RICO
8 enterprise alleged in COUNT ONE supra.

9 4. That all Defendants be required to account for all gains,
10 profits, and advantages derived from their several acts of
11 racketeering activity in violation of 18 U.S.C. 1962(b) and from
12 all other violation(s) of applicable State and federal law(s).

13 5. That judgment be entered for Plaintiff and against all Defendants
14 for Plaintiff's actual damages, and for any gains, profits, or
15 advantages attributable to all violations of 18 U.S.C. 1962(b),
16 according to the best available proof.

17 6. That all Defendants pay to Plaintiff treble (triple) damages,
18 under authority of 18 U.S.C. 1964(c), for any gains, profits, or
19 advantages attributable to all violations of 18 U.S.C. 1962(b),
20 according to the best available proof.

21 7. That all Defendants pay to Plaintiff all damages sustained by
22 Plaintiff in consequence of Defendants' several violations of 18
23 U.S.C. 1962(b), according to the best available proof.

24 8. That all Defendants pay to Plaintiff His costs of the lawsuit
25 incurred herein including, but not limited to, all necessary
26 research, all non-judicial enforcement and all reasonable

1 counsel's fees, at a minimum of \$150.00 per hour worked
2 (Plaintiff's standard professional rate at start of this action).

- 3 9. That all damages caused by all Defendants, and all gains,
4 profits, and advantages derived by all Defendants, from their
5 several acts of racketeering in violation of [18 U.S.C. 1962](#)(b)
6 and from all other violation(s) of applicable State and federal
7 law(s), be deemed to be held in constructive trust, legally
8 foreign with respect to the federal zone [sic], for the benefit
9 of Plaintiff, His heirs and assigns.
- 10 10. That Plaintiff have such other and further relief as this Court
11 deems just and proper, under the circumstances of this action.

12 ON COUNT TWO:

- 13 1. That this Court liberally construe the RICO laws and thereby find
14 that all Defendants have associated with a RICO *enterprise* of
15 *persons* and of other individuals who were associated in fact, all
16 of whom did engage in, and whose activities did affect,
17 interstate and foreign commerce in violation of the RICO law at
18 [18 U.S.C. 1962](#)(c) (Prohibited activities).
- 19 2. That this Court liberally construe the RICO laws and thereby find
20 that all Defendants have conducted and/or participated, directly
21 or indirectly, in the affairs of said RICO *enterprise* through a
22 *pattern of racketeering activity* in violation of the RICO laws at
23 18 U.S.C. §§ [1961](#)(5) ("pattern" defined) and [1962](#)(c) *supra*.
- 24 3. That all Defendants and all of their directors, officers,
25 employees, agents, servants and all other *persons* in active
26 concert or in participation with them, be enjoined *temporarily*
27 during pendency of this action, and *permanently* thereafter, from

1 associating with any RICO *enterprise* of *persons*, or of other
2 individuals associated in fact, who do engage in, or whose
3 activities do affect, interstate and foreign commerce.

4 4. That all Defendants and all of their directors, officers,
5 employees, agents, servants and all other *persons* in active
6 concert or in participation with them, be enjoined *temporarily*
7 during pendency of this action, and *permanently* thereafter, from
8 conducting or participating, either directly or indirectly, in
9 the conduct of the affairs of any RICO *enterprise* through a
10 *pattern of racketeering activity* in violation of the RICO laws at
11 18 U.S.C. §§ [1961](#)(5) and [1962](#)(c) *supra*.

12 5. That all Defendants and all of their directors, officers,
13 employees, agents, servants and all other *persons* in active
14 concert or in participation with them, be enjoined *temporarily*
15 during pendency of this action, and *permanently* thereafter, from
16 committing any more predicate acts in furtherance of the RICO
17 *enterprise* alleged in [COUNT TWO](#) *supra*.

18 6. That all Defendants be required to account for all gains,
19 profits, and advantages derived from their several acts of
20 racketeering in violation of [18 U.S.C. 1962](#)(c) *supra* and from all
21 other violation(s) of applicable State and federal law(s).

22 7. That judgment be entered for Plaintiff and against all Defendants
23 for Plaintiff's actual damages, and for any gains, profits, or
24 advantages attributable to all violations of [18 U.S.C. 1962](#)(c)
25 *supra*, according to the best available proof.

26 8. That all Defendants pay to Plaintiff treble (triple) damages,
27 under authority of [18 U.S.C. 1964](#)(c), for any gains, profits, or

1 advantages attributable to all violations of [18 U.S.C. 1962\(c\)](#)
2 *supra*, according to the best available proof.

3 9. That all Defendants pay to Plaintiff all damages sustained by
4 Plaintiff in consequence of Defendants' several violations of [18](#)
5 [U.S.C. 1962\(c\)](#) *supra*, according to the best available proof.

6 10. That all Defendants pay to Plaintiff His costs of the lawsuit
7 incurred herein including, but not limited to, all necessary
8 research, all non-judicial enforcement and all reasonable
9 counsel's fees, at a minimum of \$150.00 per hour worked
10 (Plaintiff's standard professional rate at start of this action).

11 11. That all damages caused by all Defendants, and all gains,
12 profits, and advantages derived by all Defendants, from their
13 several acts of racketeering in violation of [18 U.S.C. 1962\(c\)](#)
14 *supra* and from all other violation(s) of applicable State and
15 federal law(s), be deemed to be held in constructive trust,
16 legally foreign with respect to the federal zone [*sic*], for the
17 benefit of Plaintiff, His heirs and assigns.

18 12. That Plaintiff have such other and further relief as this Court
19 deems just and proper, under the full range of relevant
20 circumstances which have occasioned the instant action.

21 **ON COUNT THREE:**

22 1. That this Court liberally construe the RICO laws and thereby find
23 that all Defendants have conspired to acquire and maintain an
24 interest in, and/or conspired to acquire and maintain control of,
25 a RICO *enterprise* engaged in a *pattern of racketeering activity*
26 in violation of 18 U.S.C. §§ [1961\(5\)](#), [1962\(b\)](#) and (d) *supra*.

- 1 2. That this Court liberally construe the RICO laws and thereby find
2 that all Defendants have conspired to conduct and participate in
3 said RICO *enterprise* through a *pattern of racketeering activity*
4 in violation of 18 U.S.C. §§ [1961](#)(5), [1962](#)(c) and (d) *supra*.
- 5 3. That all Defendants and all their directors, officers, employees,
6 agents, servants and all other *persons* in active concert or in
7 participation with them, be enjoined *temporarily* during pendency
8 of this action, and *permanently* thereafter, from conspiring to
9 acquire or maintain an interest in, or control of, any RICO
10 *enterprise* that engages in a *pattern of racketeering activity* in
11 violation of 18 U.S.C. §§ [1961](#)(5), [1962](#)(b) and (d) *supra*.
- 12 4. That all Defendants and all their directors, officers, employees,
13 agents, servants and all other *persons* in active concert or in
14 participation with them, be enjoined *temporarily* during pendency
15 of this action, and *permanently* thereafter, from conspiring to
16 conduct, participate in, or benefit in any manner from any RICO
17 *enterprise* through a *pattern of racketeering activity* in
18 violation of 18 U.S.C. §§ [1961](#)(5), [1962](#)(c) and (d) *supra*.
- 19 5. That all Defendants and all their directors, officers, employees,
20 agents, servants and all other *persons* in active concert or in
21 participation with them, be enjoined *temporarily* during pendency
22 of this action, and *permanently* thereafter, from committing any
23 more predicate acts in furtherance of the RICO *enterprise* alleged
24 in [COUNT THREE](#) *supra*.
- 25 6. That all Defendants be required to account for all gains,
26 profits, and advantages derived from their several acts of

- 1 racketeering in violation of [18 U.S.C. 1962](#)(d) *supra* and from all
2 other violation(s) of applicable State and federal law(s).
- 3 7. That judgment be entered for Plaintiff and against all Defendants
4 for Plaintiff's actual damages, and for any gains, profits, or
5 advantages attributable to all violations of [18 U.S.C. 1962](#)(d)
6 *supra*, according to the best available proof.
- 7 8. That all Defendants pay to Plaintiff treble (triple) damages,
8 under authority of [18 U.S.C. 1964](#)(c), for any gains, profits, or
9 advantages attributable to all violations of [18 U.S.C. 1962](#)(d)
10 *supra*, according to the best available proof.
- 11 9. That all Defendants pay to Plaintiff all damages sustained by
12 Plaintiff in consequence of Defendants' several violations of [18](#)
13 [U.S.C. 1962](#)(d) *supra*, according to the best available proof.
- 14 10. That all Defendants pay to Plaintiff His costs of the lawsuit
15 incurred herein including, but not limited to, all necessary
16 research, all non-judicial enforcement, and all reasonable
17 counsel's fees, at a minimum of \$150.00 per hour worked
18 (Plaintiff's standard professional rate at start of this action).
- 19 11. That all damages caused by all Defendants, and all gains,
20 profits, and advantages derived by all Defendants, from their
21 several acts of racketeering in violation of [18 U.S.C. 1962](#)(d)
22 *supra* and from all other violation(s) of applicable State and
23 federal law(s), be deemed to be held in constructive trust,
24 legally foreign with respect to the federal zone [*sic*], for the
25 benefit of Plaintiff, His heirs and assigns.

1 12. That Plaintiff have such other and further relief as this Court
2 deems just and proper, under the full range of relevant
3 circumstances which have occasioned the instant action.

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SUMMARY OF DAMAGES

Summary of Reasonable Counsel's Fees:	TBA
Summary of Consequential Damages:	TBA
Summary of Actual Damages (partial list):	
unpaid professional invoices:	\$ 0.00
triple damage multiplier (3x):	\$ 0.00
copyright infringements, actual:	\$0.00
triple damage multiplier (3x):	\$0.00
trademark infringements, actual:	\$0.00
triple damage multiplier (3x):	\$0.00

Subtotal:	\$0.00
Summary of Punitive Damages (3x):	<u>\$0.00</u>
TOTAL DAMAGES (minimum):	<u>\$0.00</u>

The damage matrix is geometric: for each Defendant, there are actual, consequential, and punitive damages (3 columns) on each of three counts (3 rows).

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JURY DEMAND

Plaintiff hereby demands trial by jury on all issues triable to a jury lawfully convened.

LIST OF EXHIBITS

Pursuant to 18 U.S.C. 1961(9), Plaintiff now formally incorporates His *documentary material* by reference to all of the following Exhibits, as if set forth fully here, to wit:

- Exhibit "A" with Cover Sheets
- Exhibit "B" with Cover Sheets
- Exhibit "C" with Cover Sheets
- Exhibit "D" with Cover Sheets
- Exhibit "E" with Cover Sheets
- Exhibit "F" with Cover Sheets
- Exhibit "G" with Cover Sheets
- Exhibit "H" with Cover Sheets
- Exhibit "I" with Cover Sheets
- Exhibit "J" with Cover Sheets
- Exhibit "K" with Cover Sheets
- Exhibit "L" with Cover Sheets
- Exhibit "M" with Cover Sheets
- Exhibit "N" with Cover Sheets

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VERIFICATION

I, _____, representative of Plaintiffs in the above entitled action, hereby verify under penalty of perjury, under the laws of the United States of America that the above statement of facts and laws is true and correct, according to the best of My current information, knowledge, and belief, so help me God, pursuant to [28 U.S.C. 1746](#)(1). See the Supremacy Clause in the Constitution for the United States of America, as lawfully amended (hereinafter "U.S. Constitution").

Dated:

Signed:

Printed: _____