GEORGE SASSOWER
Attorney-at-Law
10 Stewart Place
White Plains, NY 10603-3856
(914) 681-7196

June 7, 2012

Foreperson & Members of the U.S. Grand Jury
Northern District of Illinois
c/o U.S. Attorney Patrick J. Fitzgerald
219 S. Dearborn Street
Chicago, Illinois 60604

Chapter I
The Victim: --The United States

Dear Foreperson & Members of the Grand Jury,

1. This presentation concerns itself with "***The Most Powerful Criminal Racketeering Operation in the United States***", described in a number of Chapters, where *all* the essential evidence is documented, *compelling* your filing of "*indictments*" against high-echelon judges & judicial officials, such as Chief U.S. Circuit Court Judge *Frank H. Easterbrook* and [former] Attorney General of the United States *Janet Reno*, who committed their federal crimes at 219 S. Dearborn Street, Chicago, Illinois!

2. This Chapter (Chapter "I"), targets those criminal racketeering operations where the *victim* was, is & continues to be, the *United States*!

3. Chapter II targets, as victims, "***The Judicial Fortune Cookies***", and those having an interest in them; Chapter III targets, as the victim, the *State of New York*; "Chapter IV", the *modus operandi* of: U.S. Circuit Court Judge, now its Chief Judge, ***Frank H. Easterbrook***; former Chief U.S. Circuit Court, now U.S. Circuit Court Judge ***Richard A. Posner*** both, for the Seventh Circuit, and U.S. District Court Judge ***William T. Hart*** of the Northern District of Illinois; Chapter V, the co-operative conduct of the *American Bar Association;* Chapter VI, the co-operative conduct of the *Wall Street Journal, New York Times* and *New York Law Journal* and Chapter VII, the practices of the legal media, such as *Mead Data Central, Inc.* ["*Lexis*"], in these criminal racketeering operations, which have criminal implications.

4. Simultaneously, copies of this Chapter are being sent to Chief U.S. Circuit Court Judge ***Frank H. Easterbrook***, U.S. Circuit Court Judges ***William J. Bauer, Ilana D. Rovner*** and ***Richard A. Posner***, & U.S. District Court Judges ***William T. Hart***, and they are each afforded two (2) weeks, with such additional reasonable time that they may request, in order to deny, controvert, explain and/or justify anything contained herein.

You may also send copies of these presentations to anyone you desire, in order to confirm the "flawless" nature of this presentation, *or* for any other reason.

5. This presentation is transmitted to you through the U.S. Attorney, as prescribed by 18 *U.S.C.* §3332[a] (*Matter of Grand Jury Application*, 617 F. Supp. 199 [SDNY-1985]), wherein the Court, in granting a Writ of Mandamus stated, [emphasis supplied]:

> "Both the language of 18 *U.S.C.* § 3332(a) and its legislative history indicate that Congress intended to *remove* the prosecutor's discretion in deciding whether to present [the requested] information to the grand jury."

Part I
"The Most Powerful Criminal Racketeering Operation in the United States."
In A Nutshell

1A. For the past twenty-five (25) years, in *all* federal money damage tort actions revolving around "***The Citibank Bribes for Total Immunity Enterprise***" ["***The Enterprise***"]: (1) federal judges & judicial officials have been defended by federal attorneys, in their "*personal capacities*" and (2) where *no* 28 *U.S.C.* §2675 "notices of claim" had been filed, at *unauthorized* federal cost & expense, which judicial scenario has criminal, in addition to civil & disciplinary consequences, with the knowledge, consent and participation of Chief Justices of the United States, ***William H. Rehnquist*** and/or ***John G. Roberts*** and *every* Attorney General of the United States, from ***Edwin Meese, III*** to ***Eric Holder***.

B. The *unauthorized* federal expenditure of federal monies or services, as existed in *every* money damage tort action, revolving around "*The Enterprise*" during "***The Rehnquist-Robert Reign***" ["***The R&R Reign***"] is: (1) a *felony*, subjecting the participants to fines & terms of incarceration (31 *U.S.C.* §§ 1341, 1342, 1350); (2) compels a "*public accounting*" for the expenditures made (Article I §9[7] of the *Constitution of the United States*), and (3) obligates "*reimbursement*" in favor of the *United States*.

Additionally: (4) when the expenditures are the result of an *unauthorized* federal defense representation, a "***subject matter jurisdictional***" lethal infirmity is triggered, rendering the merit dispositions made to be "***null & void***" (*McNeil v. U.S.,* 508 U.S. 106 [1993]; *Myers v. United States Postal Service,* 527 F.2d 1252 [2nd Cir.-1975]).

A decision, order or judgement, where "*subject matter jurisdiction*" is lacking is like counterfeit currency. It has no legal value no matter how long and how many times it has been circulated and accepted as legal tender!

2. Then, these federal attorneys, such as U.S. Attorney *James B. Burns* and Assistant U.S. Attorney *Charles E. Ex*, compounded their criminal & unethical conduct by always comporting themselves to serve the interests of "*The Enterprise*", although invariably *adverse* to the interests of their client, the *United States*!

No American lawyer has the "legal power" to "betray" his/her client, and no American judge can tolerate such misconduct!

Like a "subject matter jurisdictional" lethal infirmity, the obligation of the judge & court is *sua sponte*, even at the appellate stage (*Wood v. Georgia*, 450 U.S. 261, 265 fn. 5 [1981]), as are the consequences (*U.S. v. Throckmorton*, 98 U.S. 61 [1878]).

Part II
Arrogance & Stupidity in the Seventh Circuit

1. In order to abort a Grand Jury inquiry (Docket #94-3985), U.S. Circuit Court Judge *Frank H. Easterbrook*, on behalf of his Court, contrived, concocted & fabricated the "submission" of a "phantom" appeal on July 8, 1994, and then, based on such "phantom" submission, issued an opinion (*Geo. Sassower v. American Bar Association*, 33 F. 3d 733 [7th Cir.- 1994]) which, with incredible "*arrogance & stupidity*", is inundated with self-incriminating statements of the egregious criminal activities that took place at 219 S. Dearborn Street, Chicago, Illinois!

This Chapter limits itself to statements in the opinion of the Seventh Circuit Court of Appeals, which reveal the *United States* was & is being defrauded.

Other incriminating statements are to be found in subsequent chapters.

2. Since it is Congress has "*exclusive*" constitutional control of the federal "purse", no jurist or official has "*jurisdiction*" or "power", to "financially defraud" the United States.

In "*The Enterprise*", the United States was, is and continues to being *defrauded* by: (A) federal defense representation for high-echelon federal judges & officials in money damage tort actions in their "*personal capacities*" and where there were no 28 *U.S.C.* §2675 "notices of claim"; (B) federal monies "*diverted*" to *Citibank, N.A.* and/or its entourage which, after "*laundering*", were to be "*dissipated*" to judges & officials and (C) by refusing to "*divest*" *Citibank, N.A.* of any of the monies due, even when the beneficiary was the United States.

Sub-Part "A"

> "However much money may be in the Treasury at any one time, not a dollar of it can be used in the payment of any thing not thus previously authorized by Congress" (*Reeside v. Walker, Secy of Treasury of the U.S.*, 52 U.S. 272, 291 [1851]).

1. The *unauthorized* expenditure of federal monies and/or services by federal attorneys in order to defend federal judges & judicial officials in money damage actions in their "*personal capacities*", as

existed in *every* action revolving around "*The Enterprise*", during the past twenty-five (25) years, results in a "*subject matter jurisdictional*", lethal infirmity, rendering the merit dispositions made to be "*null & void*".

2. A jurist having "jurisdiction" has the "legal power" to make a wrong merit decision, but without "jurisdiction" he/she does not have the "legal power" to make a correct one!

Thus, a jurist who does not have "jurisdiction", may hold a litigant in criminal contempt for throwing a "ripe tomato" at him/her, but may *not* adjudicate the underlying merits of the action.

3A. Before ***Geo. Sassower v. American Bar Associated*** was filed in the U.S. District Court in December of 1993, U.S. Circuit Court Judge *Frank H. Easterbrook*, in *Sherman v. Community* (980 F.2d 437, 440 [7th Cir.-1992]), speaking for the Court, stated:

> "The Shermans overlook the enduring principle that judges must consider jurisdiction as the first order of business and that parties must help the courts to do so."

B. After *Geo. Sassower v. American Bar Association* (*supra*) was issued by the Seventh U.S. Circuit Court of Appeals, U.S. Circuit Court Judge *Frank H. Easterbrook*, again speaking for the Court in *U.S. v. County of Cook, Ill.* (167 F3d 381[7th Cir.-1999]), stated:

> "No court may decide a case without subject matter jurisdiction, and neither the parties nor their lawyers may stipulate to [subject matter] jurisdiction or waive arguments that the court lacks [subject matter] jurisdiction. If the parties neglect the subject, a court must raise jurisdictional questions itself."

C. However, where the "*bribes*" are in the "millions of dollars", despite the "*inflexible*" issue of "subject matter jurisdiction", the words & actions of U.S. Circuit Court Judge *Frank H. Easterbrook*, his colleagues, such as Chief U.S. Circuit Court Judge *Richard A. Posner*, their subordinates, U.S. District Court Judges *William T. Hart* are instructive!

Part "A-A1":

1. *Geo. Sassower v. American Bar Association* (*supra*) was a money damage tort action whose complaint was based on the *Racketeer Influenced and Corrupt Organizations Act* (18 *U.S.C.* §1961-1968).

2. On the title page of *Geo. Sassower v. American Bar Association* (*supra*) there appears, in "*hard published print*", the conclusive fact that the United States was being *defrauded*, since it reads:

> "James B. Burns, Office of U.S. Atty., Chicago, IL, for William H. Rehnquist.
>
> Charles E. Ex, Asst. U.S. Atty., Crim. Div., Chicago, IL, for Janet Reno."

The above "hard print publication", without more, would be sufficient to support Grand Jury indictments of *Rehnquist/Reno*, *Burns/Ex* & the panel members of the Seventh Circuit Court of Appeals, *to wit*., *Frank H. Easterbrook, William J. Bauer & Ilana D. Rovner*!

As correctly noted on the title page, it was *William H. Rehnquist* that was being sued, not *Chief Justice of the United States William H. Rehnquist*. It was *Janet Reno* that was being sued, not *Attorney General of the United States Janet Reno*!

Only the most "*arrogant & stupid*" jurist, such as U.S. Circuit Court Judge *Frank H. Easterbrook*, would reduce the conclusive evidence of his/her criminal activities to "*hard published print*"!

3A. A jurist, official or employee sued in his/her "*official capacity*", is the same as an action against his/her governmental entity, and only "entity", not "personal", defenses may be asserted (*Kentucky v. Graham*, 473 U.S. 159 [1985]).

Assuming, *arguendo*, *Rehnquist/Reno* could be acting in their "*official capacities*" in a *Racketeer Influenced and Corrupt Organizations* money damage tort action, and they obviously could not, *William H. Rehnquist & Janet Reno*, as a federal jurist & a federal official, had & still have "*suit immunity*". They cannot be "*sued*"!

A State or Local judge, official or employee can be *sued* in his/her "*official capacity*" in tort for money damages, but *not* a federal judge, official or employee!

Rehnquist-Reno, as a Federal jurist, could & can *only* be "*sued*", in a money damage tort action, in their "*personal capacities*", and in that capacity they could & can *only* be defended by non-federal attorneys, at non-federal cost & expense.

Thus, the "*hard print publication*" of *Geo. Sassower v. American Bar Association* (*supra*) confirms that *Rehnquist-Reno,* in being defended by *Burns-Ex,* were *defrauding* the United States since Congress, which has "exclusive" control of the federal purse, did *not* authorize such defense representation or the expenditures made by reason thereof!

B. Even if the *United States* had waived "*sovereign immunity*" in actions brought under the *Racketeer Influenced and Corrupt Organizations Act,* and it did not, in *all* instances where the United States waived "*sovereign immunity*", it waived it for itself, *not* for its judges, officials & employees (*Perez v. United States*, 218 F. Supp. 571 [SDNY-1963]).

C. Consequently, where the United States has waived "*sovereign immunity*", the statute provides that the *Federal Tort Claims Act* ["FTCA"] is the "*exclusive*" remedy (28 *U.S.C.* §2679[b]), and the *United States* is the "*exclusive*" defendant (28 *U.S.C.* §2679[d]).

In actions against the United States, the addition of federal judges, officials or employees triggers "*subject matter jurisdictional*" lethal infirmities, rendering the merit dispositions made to be "*null & void*" (*Myers v. United States Postal Service, supra*).

The Seventh Circuit Court, with <u>incredible</u> "*arrogance & stupidity*" in "*hard published print*" stated (at p. 735):

> "Sassower has peppered this court with motions--motions to disqualify opposing counsel ..."

The Court *never* adjudicated these motions, which were *all unopposed,* permitting this *fraud* on the United States to continue *unabated.*

Nevertheless, a court or judge does not obtain "*subject matter jurisdiction*" by the refusal to address & adjudicate this essential issue (*Crawford v. United States*, 796 F.2d 924, 928 [7th-1986]).

4. Since the *Burns-Ex* defense representation of *Rehnquist-Reno,* at federal cost & expense, had *not* been authorized by the Article I Congress, federal books had to be "*cooked*" in order to conceal these *unauthorized* federal expenditures from Congress & the public, as a response to a *Freedom of Information Act* ["FOIA"] request confirms [FOIA #04-2237].

Such response reveals that there is *no* record of *Geo. Sassower v. American Bar Association* (*supra*) in the Office of the *United States Department of Justice* ["USDJ"] in Washington or the U.S. Attorney's Office in Chicago!

5. Thus, *every* Article III federal judge, *every* U.S. Attorney, *every* person familiar with federal tort law *<u>knows</u>*, and *every* law student can easily verify (28 *U.S.C.* §2679), simply by looking at the title page of *Geo. Sassower v. American Bar Association* (*supra*), that the judicial scenario was & is "*legally impossible*" since, <u>to repeat</u>, in a money damage tort action, *William H. Rehnquist & Janet Reno* could *only* be "*sued*" in their "*personal capacities*", and in that capacity, they could *only* be defended by non-federal attorneys, at non-federal cost & expense!

<u>Part "A-A2"</u>:

1A. There was no question that the jurists of the Seventh Circuit Court of Appeals, as well as U.S. District Court Judge *William T. Hart*, the defendants & their attorneys, *knew* that the Federal defendants in *Geo. Sassower v. American Bar Association* (*supra*) were being sued in their "*personal capacities*" and the representation was *unauthorized* since the opening paragraphs of the complaint reads [with emphasis in the original]:

> "B(1) This is a personal capacity action against, *inter alia*, federal officials, who are intentionally acting contrary to legitimate federal interests to satisfy personal interests, and clearly not in the 'scope' of their offices.

(2) This is not an action against the federal government, or any of its officers in their official capacities; no allegation is being made that any 28 *U.S.C.* §2675 notice of claim has been filed for the causes of action alleged herein; *no* judgment is sought by plaintiff against the United States, *nor* does plaintiff seek to impose any financial burden upon the United States for any defense representation."

B. The "hard print published" opinion of the Seventh Circuit Court of Appeals states (at 735) [emphasis supplied]:

"Sassower *insists* that he is suing the federal employees in their personal rather than official capacities."

2. Thus, *everyone* who had been served or saw the Complaint in *Geo. Sassower v. American Bar Association knew*, *inter alia*, that *William H. Rehnquist*, the Chief Justice of the United States and *Janet Reno*, the Attorney General of the United States, were *defrauding* the United States, but they remained silent on that fact.

Even the *American Bar Association*, the sponsor of the *Judicial Code of Conduct & Code of Ethics for Lawyers* where "whistle-blowing" is a punishable obligation (*Matter of Himmel*, 125 Ill. 2d 531; 533 N.E.2d 790) kept silent concerning this *Rehnquist-Reno* fraud that was being perpetrated upon the United States.

Part "A-A3":

1. Since 1966, when the provisions contained in 28 *U.S.C.* §2675 became mandatory, federal attorneys could *not* defend *anyone* in a money damage tort action, *not* even the United States, unless a "notice of claim" had been filed and its administrative requirements exhausted.

2 . *William McNeil*, sustained serious personal injuries by reason of the non-immune, money damage, activities of the *United States*, but he will *never* be compensated by any Court, since the *FTCA* is the "*exclusive*" remedy where the *United States* has waived "*sovereign immunity*", and in such action the *United States* is the "*exclusive*" defendant (28 *U.S.C.* §2679[b][d])!

A. The first Complaint of *William McNeil*, filed in the U.S. District Court for the Northern District of Illinois, was "dismissed" because it was commenced *before* the administrative requirements had been exhausted, as being prohibited by the amended statute.

The second Complaint of *William McNeil* was also "dismissed" because it was filed *after* the time limitation set forth in the amended statute, although the equities were all in his favor, and no prejudice had been sustained by the *United States*.

These complaints of *William McNeil*, were "dismissed" by U.S. District Court Judge *James H. Alesia*, on January 24, 1991 (*McNeil v. U.S.*, 1991 U.S. Dist. Lexis 843).

B. On May 20, 1992, U.S. Circuit Court Judge *Frank H. Easterbrook*, speaking for himself and U.S. Circuit Court Judge *Walter J. Cummings*, affirmed the disposition made by U.S. District Court Judge *James H. Alesia* holding, in essence, that when Congress says "*No*, it *means*, *No*"(*McNeil v. U.S.*, 964 F.2d 647 [7th Cir. - 1992])!

On other grounds U.S. Circuit Court Judge *Kenneth F. Ripple* dissented.

C. On May 17, 1993, the Supreme Court of the United States, unanimously affirmed, holding that *every* branch of the federal government desired the change in the statute who, along with the injured party, were intended to be benefitted by the 1966 Amendment. The Supreme Court of the United States held, in essence, when *all* branches of the federal government say "*No*, it *means*, *No*" (*McNeil v. U.S.*, 508 U.S. 106 [1993])!

D. On December 9, 1993, less than seven (7) months after the Supreme Court of the United States rendered *McNeil v. U.S.* (*supra*), *Geo. Sassower v. American Bar Association* was filed in the *same* U.S. District Court for the Northern District of Illinois and the action was assigned to U.S. District Court Judge *William T. Hart*, a seasoned jurist.

4. In view of the aforementioned, those in the Office of U.S. Attorney *James B. Burns* were openly & publicly incredulous when the Offices of *William H, Rehnquist & Janet Reno* requested federal defense representation in their "*personal capacities*" and where there was no 28 *U.S.C.* §2675 "notices of claim" had been filed!

Their response, as well as of the Seventh Circuit Court judges, to *Rehnquist/Reno* should have been "*No*, it *means*, *No*"!

5. In any event, in addition to the absence of 28 U.S.C. §2675 notices of claim, the law was settled in the Seventh Circuit, that federal attorneys could not defend federal judges & officials in their "*personal capacities*" (*Sullivan v. Freeman*, 944 F.2d 234 [7th Cir.-1991] ["*Sullivan I*"]; *Snodgrass v. Jones*, 957 F.2d 482 [7th Cir- 1992]), as was being requested of U.S. Attorney *James B. Burns* by *Rehnquist-Reno*!

Part "A-A4":

1. A Federal judge, official or employee, sued in tort for money damages, in his/her "*personal capacity*" can, *ex parte*, request the Attorney General of the United States ["AGUS"], or any of his/her approximately 100 authorized subordinates in the United Department of Justice ["USDJ"] (28 *CFR* §15.3), to certify that his/her activities for which he/she was being sued were committed within "the scope of his/her office/employment". Upon the execution of a "scope certificate", the *United States* is automatically *substituted* as the defendant (28 *U.S.C.* §2679[d]).

Upon the failure or refusal any *authorized* official in the USDJ to "scope certify", a judge can "scope certify" (28 *U.S.C.* §2679).

2. Where: (1) the United States had not waived "sovereign immunity" (28 *U.S.C.* §2680) or (2) no 28 U.S.C. §2675 "notices of claim" has been filed, the issuance of a "scope certificate is routine and automatic, since after a United States *substitution* ", the action against the United States is also "dismissed"!

Although *Martinez v. Lamango* (515 U.S. 417 [1995]), had not yet been determined, U.S. Attorney *James B. Burns* and about everyone else, were of the opinion that "*scope certification*, could be reviewed by the court (*cf. Johnson v. Carter*, 939 F.2d 180 [4th Cir. - 1991]), including, apparently, at the time, by Chief Justice *William H. Rehnquist* and Attorney General *Janet Reno.*

3. However, the Offices of *William H, Rehnquist & Janet Reno*, specifically & emphatically did not want to be "*scope certified*" by any official or judge since, upon objection by the plaintiff, the propriety of such "certification" would become the subject a due process judicial review, with confrontation rights afforded the plaintiff (*McHugh v. University of Vermont*, 966 F2d 67 [2nd Cir.-1992])!

Since *William H. Rehnquist* knew that I was aware of his activities in matters revolving "*The Enterprise*" since September 26, 1986, the day he became Chief Justice of the United States, any "due process" proceeding would have resulted in a "*judicial massacre*" and "*de-certification*", as it did in *McHugh v. University of Vermont* (*supra*).

4. From September 26, 1986, when *William H. Rehnquist* became Chief Justice of the United States, his actions were *always* consistent with the interests of "*The Enterprise*", although invariable *adverse* to the interests of the United States.

Janet Reno, was *defrauding* her *only* client, the United States by, *inter alia*, expending federal monies to defend federal judges & officials, at *unauthorized* federal cost & expense, not only in Illinois, but in New York, as well.

Thus, even had *Rehnquist-Reno* requested, no authorized official, including U.S. Attorney *James B. Burns* or judge, including, U.S. Circuit Court Judge *Frank H. Easterbrook*, would "scope certify" either *William H. Rehnquist* or *Janet Reno* for *any* of their activities revolving around "*The Enterprise*" (*Lyons v. Brown*, 158 F.3d 605 [1st Cir. - 1998]; *Woods v. McGuire*, 954 F.2d 388 [6th Cir. - 1992]).

Part "A-A5":

1. Since the *Burns/Ex* defense representation of *Rehnquist/Reno* was *unauthorized*, they "cooked" their books, a felony (18 *U.S.C.* §1001), in order to conceal these *unlawful* expenditures from

Congress & the public, which the a response from a *Freedom of Information Act*, ["FOIA"] request, confirms (FOIA #04-2237).

Such response reveals that there is no record of such litigation in the Office of the U.S. Attorney in Chicago or the Department of Justice in Washington, D.C.

2. Obviously U.S. Attorney *James B. Burns* & Attorney General *Janet Reno* would not be "cooking" their books had these expenditures been authorize & lawful!

Part "A-A6":

1. The ministerially imposed obligation of *Janet Reno*, as the Attorney General of the United States, as set forth in 31 *U.S.C.* §. 1351 was:

> "**Reports on violations**. If an officer or employee of an executive agency or an officer ... section 1341(a) or 1342 of this title, the head of the agency ... shall report immediately to the President and Congress all relevant facts and a statement of actions taken. A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress."

2. Impliedly, legally & ethically, a similar obligation was imposed upon *William H. Rehnquist*, as Chief Justice of the United States & Chairman of the Judicial Conference of the United States (28 *U.S.C.* §221).

Sub-Part "B"

"No one can serve two masters, for either he will hate the one and love the other, or else he will be loyal to one and despise the other" (*Matthew* 6:24)

1. At *all* times, under *every* circumstance, U.S. Attorney *James B. Burns* and Assistant U.S. Attorney *Charles E. Ex* subordinated the interests of their *only* lawful client, the *United States*, to satisfy the criminal & financial interests of "*The Enterprise*", which no American jurist can tolerate (*Wood v. Georgia, supra*), and irrespective of other lethal infirmities, such conduct renders the proceedings to be "*null &void*" (*U.S. v, Throckmorton, supra*).

2. The misconduct of *Burns/Ex* has been tolerated by the jurist before!

In "*The Rise and Fall of the Third Reich*" by *William L. Shirer* at "Bloody Massacre" (p. 1391):

> "The court-appointed defense lawyers were more than ludicrous. Their cowardice, as one reads the transcript of the trial is almost unbelievable. Witzleben's attorney, for example, a certain Dr. Weissmann, outdid the state prosecutor and almost equaled [Judge Roland] Freisler, in denouncing his client as a `murderer', as completely guilty and as deserving the worst punishment."

3. Only a few, of the many, examples, of the *Burns/Ex misconduct* that were tolerated at 219 So. Dearborn Street, Chicago, Illinois, which were previously tolerated in Nazi Germany, follow:

Part "B-1":

1A. At the U.S. District Court for the Northern District of Illinois, plaintiff was aware that although he made no filings, that Assistant U.S. Attorney *Charles E. Ex* was *covertly* and *ex parte*, representing the federal defendants, including *William H. Rehnquist* & *Janet Reno*, in their "*personal capacities*" at *unauthorized* federal cost & expense.

On April 12, 1994, the Seventh Circuit Court of Appeals rendered *Sullivan v. U.S.* (21 F.3d 198 [1994] [*Sullivan-II*]).

Nevertheless, less than two (2) months later, on May 31, 1994, the holdings in *Sullivan I & II* notwithstanding, Assistant U.S. Attorney *Charles E. Ex*, assured that U.S. District Court Judge *William T. Hart* had been "*fixed*", filed an appearance in *Geo. Sassower v. American Bar Association* (93 Civ 7427, Docket #67), without serving plaintiff with a copy.

On June 10, 1994, plaintiff learned of such filing by Assistant U.S. Attorney *Charles E. Ex* and that he was *also* communicating, *ex parte*, with the Seventh Circuit Court of Appeals. Consequently he wrote Assistant U.S. Attorney *Charles E. Ex* as follows:

> "Kindly favor me with a copy of the papers you filed in the District Court in the above matter.
>
> Also advise me of the extension of time you were given to respond by the Circuit Court."

Plaintiff received *no* response!

B. Unless U.S. Attorney *James B. Burns* & Assistant U.S. Attorney *Charles E. Ex*, knew that U.S. District Court Judge *Walter T. Hart* had been "*fixed*" they unquestionably would not have appeared less than two (2) months after *Sullivan II*, where the allegations in the Complaint included [with emphasis in the original]:

> "This is a personal capacity action against, *inter alia*, federal officials, who are intentionally acting contrary to legitimate federal interests to satisfy personal interests, and clearly not in the 'scope' of their offices.
>
> This is not an action against the federal government, or any of its officers in their official capacities; no allegation is being made that any 28 *U.S.C.* §2675 notice of claim has been filed for the causes of action alleged herein; *no* judgment is sought by plaintiff against the United States, *nor* does plaintiff seek to impose any financial burden upon the United States for any defense representation."

It was U.S. District Court Judge *William T. Hart* himself who *unambiguously* confirmed that he was a "*fixed*" & "*corrupt*" federal jurist" (see "Chapter IV", *infra*).

2. On June 27, 1994, almost one (1) month after Assistant U.S. Attorney *Charles E. Ex*, filed his appearance at the U.S. District Court, the second business day after receipt of: (1) a "*legally impossible*" motion by Assistant U.S. Attorney *Charles E. Ex*, from the Office of U.S. Attorney *James B. Burns*, as the attorney for *Janet Reno*, June 21, 1994, returnable at the Seventh Circuit Court of Appeals, *and* (2) a manifestly suspect "Order", dated June 17, 1994, from the Seventh Circuit Court of Appeals (Docket #94-2070) I, as Petitioner, executed an: (1) 18 *U.S.C.* §3332[a] Petition for a Grand Jury inquiry; (2) an open letter to the Grand Jury; (3) a Proposed Order for a Preliminary Injunction, and (4) other papers required for such filing, which filing was assigned to U.S. District Court Judge *Wayne R. Andersen* (*Geo. Sassower, individually and on behalf of the Grand Jury for the Northern District of Illinois v. U.S. Attorney Burns*, #94 Civ 3985 [ND Ill-WRA]).

B The defense representation of *Janet Reno* by a federal attorney was "*legally impossible*" because as the Attorney General of the United States, she could not be "*sued*" in tort for money damages in her "*official capacity*" and, in her "*personal capacity*" she could *only* be defended by a non-federal attorney, at non-federal cost & expense.

Such *unauthorized* federal defense representation, triggered a "*subject matter jurisdictional*" lethal infirmity, rendering the merit dispositions made to be "*null & void*".

It was also clear that the "legally impossible" *Burns/Ex* motion on behalf of *Janet Reno* of June 21, 1994 was issued with knowledge and in tandem with the Court's Order of June 17.1994.

3A. Simultaneously, Petitioner mailed copies of the letter to the Grand Jury & the application for a Preliminary Injunction to some of the accused parties including, Chief U.S. Circuit Court Judge *Richard A. Posner* & U.S. Attorney *James B. Burns* and neither they nor anyone else denied or anything contained herein.

B. Such letter, in full, reads as follows:

"Foreperson & Members of the
Grand Jury, N.D. of Illinois
c/o U.S. Attorney James B. Burns
219 So. Dearborn St.
Chicago, Illinois 60604

Dear Foreperson & Grand Jury Members,

I bring to your attention, some of the criminal activities which are occurring in the Courthouse itself, quantum leaps more egregious than the `Greylord' judicial scandal in Chicago, of a few years ago.

1a. U.S. Attorney *James B. Burns* is defrauding the federal purse by representing, openly and by stealth, federal judges and officials, at federal cost and expense, who have not been certified as `acting within the scope of his office'.

b. As Chief Judge *Richard A. Posner* of the Seventh Circuit Court of Appeals, the author of *Sullivan v. Freeman* (944 F.2d 334 [7th Cir.-1991]), the statute and all reported cases, hold that without a 28 *U.S.C.* §2679[d] `scope' certificate, which U.S. Attorney *James B. Burns* is authorized to issue (28 *CFR* §15.3), no federal judge, official, employee or serviceman can be represented, at federal cost and expense, unless such `scope' certificate is issued or a court determines that the judge, official, employee or serviceman was `was acting within the scope of his office ... at the time of the incident out of which the claim arose'.

c. The reason that U.S. Attorney *James B. Burns*, nor any other authorized person will issue `scope' certificates for these federal judges and officials, is that they, for private benefit, are engaged in the larceny of judicial trust assets, diverting substantial monies payable `to the federal court' to private pockets, extortion and other criminal racketeering activities.

2a. When I moved in the Circuit Court of Chief Judge *Richard A. Posner*:

> "to direct the U.S. Attorney for the Northern District of Illinois, to take such action as may be necessary to recover such monies that were payable `to the federal court', but diverted to the pockets of *Citibank, N.A.* [`Citibank'] and *Kreindler & Relkin, P.C.* [`K&R'], which included monies paid on behalf of affirmant."

U.S. Attorney *James B. Burns*, while not disputing the facts, opposes same, without any articulated reason.

b. Think of it, the U.S. Attorney, opposing the recapture of monies payable `to the federal court', but diverted to the judicial bag-men and cronies.

3. *Hyman Raffe*, to avoid incarceration under a criminal conviction has paid `more than $2,000,000' to the bag-men and cronies of the judiciary, all by check. As long as *Hyman Raffe* makes such payments, and so the written agreement provides, he will not be incarcerated. So *Hyman Raffe* pays, pays, and pays.

4. *Janet Reno*, the Attorney General of the United States, is aware of this and other judicial rackets, as my letter to President *William J. Clinton* of June 1, 1993 reveals, a copy of which was sent to the Attorney General (Exhibit `A'), but she has done nothing to abort the defense representation of federal jurists and officials who are engaged in such criminal racketeering activities, in Chicago and elsewhere.

5a. If you, the Grand Jury, desire to inspect the documents, or have further information of the criminal activities of Chief Judge *Richard A. Posner*, District Court Judge *William T. Hart*, and U.S. Attorney *James B. Burns*, a simple request is all that is needed.

b. I can assure you that neither Chief Judge *Richard A. Posner*, Judge *William T. Hart*, nor U.S. Attorney *James B. Burns*, will not volunteer their sworn testimony on the matter! -- Subpoena them, as is your right and duty (18 *U.S.C.* 3332[a]).

7a. The American public would not, and should not, tolerate sports events which are `fixed'. Should your body avoid investigating judges and officials who are bought, corrupted, and/or fixed, and defrauding the government in the process.

b. The criminal law binds all men equally, the judge, no less than the judged.

Most Respectfully,
GEORGE SASSOWER

cc: Attorney General Janet Reno
Chief Judge Richard A. Posner
U.S. District Court Judge William T. Hart
U.S. Attorney James B. Burns"

3. The day after the execution of the necessary papers for Grand Jury inquiry, or the third business day after the receipt of an *unauthorized* June 21, 1994 appearance of Assistant U.S. Attorney *Charles E. Ex* for *Janet Reno* in *Geo. Sassower v. American Bar Association,* at the Seventh Circuit Court of Appeals, plaintiff-appellant executed & served an affirmation which opened as follows (Docket CCA Nos. 2070/2145/2300):

"THE RENO-POSNER FRAUD

Appellant, under penalty of perjury (28 *U.S.C.* §1746, *FRCivP* Rule 43[d]), with service on, *inter alia*, *Janet Reno*, cross-moves (#1) to: (I) *Strike* the papers filed by U.S. Attorney *James B. Burns* and/or Assistant U.S. Attorney *Charles E. Ex* on June 21, 1994, as unauthorized (28 *U.S.C.* §547); (ii) *Disqualify* Burns/Ex from representing the defendant, *Janet Reno* who is being sued in her personal, not official, capacity, in a money tort action and who has not been 28 *U.S.C.* §2879[d] `scope' certified; (iii) *Enjoin Burns/Ex* from asserting any position in this litigation which is contrary to legitimate federal interests: (iv) *Refer* this matter for a grand jury inquiry; and (v) Impose draconian sanctions, disciplinary, monetary and otherwise on, *Burns/Ex.*"

4. The same day, June 27, 1994, plaintiff-appellant responded to the "Order-Notice" of the Seventh Circuit Court of Appeals, which opened as follows:

"THE CORRUPTION OF CHIEF ADMINISTRATOR RICHARD A. POSNER

Affirmant, the appellant herein, under penalty of perjury (28 U.S.C. §1746, *FRCivP*, Rule 43[d]), addresses the Notice `By the Court', per `er', dated June 17, 1994, who appears to be the `hatchet person' for Chief Administrator RICHARD A. POSNER [`Posner'], but except as may be necessary for comprehension, affirmant does not intend to repeat statements made in contemporaneous or prior affirmations."

The body of this affirmation is relevant to Chapter IV (*infra*) and therefore is there discussed.

5. On July 15, 1994, petitioner wrote to the *Registration & Disciplinary Comm.*, whose opening paragraphs read as follows:

"This is a disciplinary complaint against U.S. Attorney JAMES B. BURNS [`Burns'] and Ass't U.S. Attorney CHARLES E. EX [`Ex'], whose only client is and can lawfully be the United States, involving several levels of misconduct, which are summarized as follows:

A. Burns/Ex are defrauding the United States by a defense representation of a personal capacity defendant, at federal cost and expense, who has not been 28 *U.S.C.* §2679[d] `scope' certified.

B. Burns/Ex have been and are taking positions which are contrary to the legitimate interests of their client, the United States.

C. Burns/Ex have been and are defrauding their client, the United States, by concealing their defense representation, at federal cost and expense, of those, also sued in their personal capacities, who have not been 28 *U.S.C.* §2679[d] certified.

D. Burns/Ex have thrust upon the U.S. Circuit Court of Appeals for the Seventh Circuit bogus decisions, as purportedly valid, which they actually know are void, within the meaning FRCivP, Rule 60[b] and otherwise.

E. Burns/Ex have actively cooperated in the corruption of federal jurists.

F. Burns/Ex have transgressed, in every significant respect, their ethical and societal obligations, professional and otherwise, as attorneys and public servants, in letter and in spirit."

6. Repeatedly, at the U.S. District &Seventh Circuit Court of Appeals, plaintiff made personal demands on *Janet Reno* that she cease & desist from having federal attorneys represent her in her "*personal capacity*", that she & her federal attorneys cease taking positions adverse to the United States and/or she reimburse the United States for expenditures made on her behalf.

None of these demands or motions were supported by U.S. Attorney *James B. Burns* or Assistant U.S. Attorney *Charles E. Ex* or granted by any court or judge in the Seventh Circuit.

"Dear Ms. Reno,

1a. This is to put you, as well as President Clinton, on actual notice, that you, Mme. Attorney General, are defrauding the federal treasury, and otherwise violating the federal criminal code, by being defended, at federal cost and expense, in an action wherein you are being sued and defended in your personal capacity, the clear language of the statute (28 U.S.C. §2679[d]), and all decisions on the subject (e.g., *Sullivan v. Freeman*, 944 F.2d 234 [7th Cir.-1991, per Posner, J.]) notwithstanding.

b. In view of your misconduct, which is of a criminal magnitude and not disputed, no U.S. Attorney, although authorized (28 CFR §15.3), has been willing to issue a 28 *U.S.C.* §2679[d] `scope' certificate for in your favor or for your co-conspirators.

2a. At present there is pending my motion:

> "(2) to direct the U.S. Attorney for the Northern District of Illinois, to take such action as may be necessary to recover such monies that were payable `to the federal court', but diverted to the pockets of *Citibank, N.A.* [`Citibank'] and *Kreindler & Relkin, P.C.* [`K&R'], which included monies paid on behalf of affirmant."

b. Although not disputing the fact that monies payable `to the federal court' were diverted to private pockets, U.S. Attorney *James B. Burns*, as representing you personally, opposes such relief.

3. Ironically, the President, when sued in his personal capacity, for alleged misconduct, which did not prejudice the federal or state sovereign purse, unlike yourself, is not permitted to burden the federal treasury for his personal legal defense.

4. I deem this criminal situation, involving you, the Attorney General, to be a matter of public attention and redress by, inter alia, the *vox populi.*

5. Unless you *immediately* repudiate the aforementioned usurped representation and the conduct of the U.S. Attorney in opposing restitution in favor of the United States, for monies diverted to private pockets, I will deem such misconduct as having been ratified.

Most Respectfully,

GEORGE SASSOWER

cc: President William J. Clinton
Chief U.S. Circuit Court Judge Richard A. Posner

U.S. Attorney James B. Burns
American Bar Association
Skadden, Arps, Slate, Meagher & Flom, Esqs.
Hopkins & Sutter, P.A.
(The Media)"

7. To repeat, although *all* of the affirmations, statements & complaints were *undenied, uncontroverted & opposed*, the Seventh Circuit granted *none* of these motions whose exclusive beneficiary was the United States!

Part "B-2":

1. *All* monies payable "to the federal court", pursuant to the Order of June 7, 1985 by U.S. District Court Judge *Eugene H. Nickerson* (*Raffe v. Citibank,* 84 Civ 0305 [EDNY-EHN]) were, with his knowledge & consent, "*diverted*" to *Citibank, N.A.* and its "estate chasing attorneys, *Kreindler & Relkin, P.C.* ["*K&R*"], leaving *nothing* for the federal court or the United States.

2. In 1987, the *Federal Bureau of Information*, confirmed this diversion of Federal monies to *Citibank-K&R,* which after "*laundering*" were dissipated as "*bribes*"!

3. Since these "*diverted*" federal monies included plaintiff's monies, affording him "standing" to move for the recapture monies of these monies in favor of the *United States.*

These motions, whose "*exclusive*" beneficiary was the United States were not, at any time, supported by U.S. Attorney *James B. Burns* or Assistant U.S. Attorney *Charles E. Ex,*, or did they *ever* articulated justification for their treasonous, perfidious & treacherous behavior.

4. By motion filed April 282, 1994 (Docket #11), plaintiff moved the U.S. District Court that there be recovered in favor of the United States the:

> "substantial fines payable `to the [federal] court' ..... those fines, including those imposed upon plaintiff, were diverted from `the federal court' to the pockets of *Citibank, N.A.* and *Kreindler & Relkin, P.C.* ".

Neither U.S. Attorney *James B. Burns* nor Assistant U.S. Attorney *Charles E. Ex*, supported plaintiff's motions to recapture these monies in favor of the United States!

In *Geo. Sassower v. American Bar Association* (*supra*) the Court *gratuitously & stupidly* stated (at 735):

> " Sassower has peppered this court with motions--motions to motions to direct .... Citibank to turn over assets"

Although "peppered" both the U.S. District Court & the Seventh Circuit Court of Appeals, they *never* granted any of these *undenied, uncontroverted & unopposed* motions!

Part "B-3":

1. "*The Enterprise*", as independently investigated by *United Press, International*, as published in the *NY Village Voice* (June 6, 1989), revealed the following:

> "By signing three extraordinary agreements [*Hyman*] *Raffe* .... In exchange, the court agreed to let him go free. The tab so far has come to more than $2.5 million, paid to both the Feltman (*Feltman, Karesh, Major & Farbman*, Esqs. ["*FKM&F*"] and Kreindler (*Kreindler & Relkin, P.C.* ["*K&R*"] firms. ... Raffe continues to pay with checks from his *A.R. Fuels Co.* business. `That's outrageous. It's unbelievable. It's disturbing. ... ' Said [NYS] Attorney General [*Robert*] *Abrams* when he saw copies of the checks."

2. As a result of such investigation by *United Press, International* it was learned that copies of these "extraordinary agreements" and other incriminating documents, were in the possession of the *New York State Attorney General* ["NYSAG"], available to anyone under the *Freedom of Information Law* [FOIL #03-540].

These agreements expressly provide that as long as *Hyman Raffe* keeps paying, he will not be incarcerated, as was the plaintiff, *Geo. Sassower*, Esq. and *Sam Polur*, Esq.

Since these "*extortion*" payments were made pursuant to non-summary criminal proceedings, these monies are the property of the *United States* and *State of New York*, not *Citibank-K&R* or *Feltman-FKM&F*, which no one ever denied or controverted.

Nevertheless, because of "***The Citibank Bribes for Total Immunity Agreement***" ["***The Agreement***"], neither U.S. Attorney *James B. Burns*, Assistant U.S. Attorney *Charles E. Ex*, nor New York State General Attorney *Robert Abrams*, supported the recapture of the "more than $2,500,000" of government monies.

Sub-Part "C"

1. The Docket Sheets at the U.S. District Court & U.S. Circuit Court of Appeals notwithstanding, plaintiff *never* requested and could not request *in forma pampers* relief since his contractually based, constitutionally protected, liquid assets was almost $1,000,000.

2. Nor did Congress intend *in forma pampers* relief be afforded because, as a result of "*bribes*", *Citibank, N.A.* was not to be "*divested*" of any of its "loot"!

3. The affirmation *repeatedly* submitted and never denied, controverted or opposed, reads:

> "Affirmant, under penalty of perjury, makes this affirmation contending that this Court should: (a) make demand upon *Citibank, N.A.* [`Citibank'], and/or *Kreindler & Relkin, P.C.* [`K&R'] for the filing fee due for the filing of this appeal, debiting affirmant's contractually based, constitutionally protected money judgment against *Puccini Clothes, Ltd.* [`Puccini'] for such payment (*NY Debtor & Creditor Law*, Art. 10) (b) otherwise, estopping this Court from making any 28 *U.S.C.* §1915 merit analysis of affirmant's appeal; alternatively, granting him 28 *U.S.C.* §1915 status based on his annexed financial form.
>
> 1a. Puccini, against whom affirmant has a contractually based, constitutionally protected money judgment of about $60,000 (with interest), was involuntarily dissolved on June 4, 1980.
>
> b. K&R and Citibank engineered the massive larceny of its judicial trust assets and thereafter agreed to give the balance of the tangible assets, or about $700,000 to *Feltman, Karesh, Major & Farbman, Esqs.* [`FKM&F`], the law firm of *Lee Feltman*, Esq. [`Feltman'], the court appointed receiver, provided he concealed such larceny and made no attempt at recovery.
>
> c. Obviously, under such circumstances, the court-appointed receiver could not render any accounting, and has not, although one must be filed `at least once a year' (22 *NYCRR* §202.52[e]).
>
> d. Thus, Attorney General *Robert Abrams* [`Abrams'], the statutory fiduciary for such judicial trust, and many other state and federal officials had to be corrupted, including Chief U.S. Circuit Court Judge *Jon O. Newman* [`Newman'] of the Second Circuit.
>
> e. All that is necessary to confirm affirmant's charges of misconduct of a criminal magnitude, is to demand an accounting from the court-appointed receiver, or examine the financial books of Puccini, or what is left of them.
>
> f. Perhaps it would be more accurate to state that the plundering of judicial trust assets always existed in New York County, becoming very egregious when Presiding Justice `Murphy'] assumed his stewardship of the NY Appellate Division, First Department.
>
> 2. Thereafter, K&R, Citibank, and FKM&F along with their cadre of corrupt officials and judges, extended their criminal racketeering operation to include diverting monies payable `to the federal court' to their pockets, extortion and similar activities.

3a. As part of a demented and unconstitutional scheme to prevent rescission and restitution, affirmant was barred from the state and federal courts in New York, absent judicial permission, never obtainable.

b. Thus affirmant is unable to liquidate his assets, contractual or otherwise, Puccini related or otherwise, and although affirmant has millions in assets, he is compelled to subsist on a `food stamp' subsidy.

4a. In any event, under the *Uniform Fraudulent Conveyance Act* (*NY Debtor and Creditor Law* (Article 10) makes the Citibank and K&R liable to affirmant and his creditors, which includes the filing fees due this Court.

b. Consequently unless this Court believes it has the power to defraud the federal treasury, or should do so, this Court should direct the Citibank and K&R to pay the filing fee, debiting affirmant's judgment for the amount paid.

5. Alternative remedies, which would vindicate affirmant's constitutional right to access to the Court, include estopping this Court from making any 28 *U.S.C.* §1915 analysis of his papers, or granting affirmant 28_*U.S.C.* §1915 relief, as is compelled by affirmant's financial affirmation, which is being simultaneously filed.

WHEREFORE, it is respectfully prayed that this application be granted in all respects."

3. The opinion of the Seventh Court of Appeals, in its opinion stated (at 735):

"Sassower started filing notices of appeal ... So far he has filed six notices of appeal in this case. He has not paid the docket fee for any of the six. As best we can make out, Sassower believes that Citibank, N.A., should pay the fees on his behalf, because Citibank obtained some of Puccini's assets.".

Since Congress has "exclusive" power over federal purse, federal judges did not have "jurisdiction" *not* to have *Citibank, N.A.* pay such filing fees, crediting itself for such payment from that due me. . . . . The Worst Is Still To Come!

Respectfully submitted,

GEORGE SASSOWER

GEORGE SASSOWER, Esq., an attorney, affirms the aforementioned to be true under penalty of perjury.

Dated: June 7, 2012

GEORGE SASSOWER